DEBATES

OF

THE SENATE

OF THE

DOMINION OF CANADA

1917

OFFICIAL REPORT

Editor: ALBERT HORTON

Reporters: D. J. HALPIN, H. H. EMERSON

Reserve Reporter: THOS. BENGOUGH

SEVENTH SESSION—TWELFTH PARLIAMENT—7 GEORGE V.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

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SENATORS OF CANADA

ACCORDING TO SENIORITY

SEPTEMBER 20, 1917.

THE HONOURABLE JOSEPH BOLDUC, SPEAKER.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
LAWRENCE GEOFFREY POWER, P.C.	Sr. M. Halifax	Halifax, N.S.
JOSEPH BOLDUC (Speaker)	Lauzon	St. Victor de Tring, P.Q.
PASCAL POIRIER	Acadie	Shediac, N.B.
SIR JAMES ALEXANDER LOUGHEED, K.C.M.G., P.C.	Calgary	Calgary, Alberta.
PETER MCLAREN	Perth	Perth, Ont.
HIPPOLYTE MONTPLAISIR	Shawinigan	Three Rivers, P.Q.
PHILIPPE LANDRY	Stadacona	Candiac, P.Q.
SIR MACKENZIE BOWELL, K.C.M.G., P.C.	Hastings	Belleville, Ont.
ALFRED A. THIBAUDEAU	De la Vallière	Montreal, Que.
GEORGE GERALD KING	Queens	Chipman, N.B.
RAOUL DANDURAND, P.C.	De Lorimier	Montreal, Que.
JOHN YEO	East Prince	Port Hill, P.E.I.
PETER MCSWEENEY	Northumberland	Moncton, N.B.
JOSEPH P. B. CASGRAIN	DeLanaudière	Montreal, Que.
ROBERT WATSON	Portage la Prairie	Portage la Prairie, Man.
JOSEPH SHEHYN	Laurentides	Quebec, Que.
GEORGE MCHUGH	Victoria, O.	Lindsay, Ont.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
JOSEPH GODBOUT	La Salle	Beauceville, West, Que.
FREDERICK P. THOMPSON	Fredericton	Fredericton, N.B.
FREDERICK L. BÉIQUE	De Salaberry	Montreal, Que.
JOSEPH H. LEGRIS	Repentigny	Louiseville, Que.
JULES TESSIER	De la Durantaye	Quebec, Que.
WILLIAM C. EDWARDS	Rideau	Ottawa, Ont.
JAMES DOMVILLE, Lt.-Col	Rothesay	Rothesay, N.B
L. O. DAVID	Mille Iles	Montreal, Que.
HENRY J. CLORAN	Victoria	Montreal, Que.
WILLIAM MITCHELL	Wellington	Drummondville, Que.
HEWITT BOSTOCK	Kamloops	Monte Creek, B.C.
PHILIPPE A. CHOQUETTE	Granville	Quebec, Que.
JAMES H. ROSS	Regina	Moosejaw, Saskatchewan.
L. GEORGE DE VEBER	Lethbridge	Lethbridge, Alberta
JAMES M. DOUGLAS	Tantallon	Tantallon, Saskatchewan.
PETER TALBOT	Lacombe	Lacombe, Alberta.
ROBERT BEITH	Bowmanville	Bowmanville, Ont.
DANIEL GILLMOR	St. George	St. George, N.B.
GEORGE C. DESSAULLES	Rougemont	St. Hyacinthe, Que.
NAPOLEON A. BELCOURT, P.C	Ottawa	Ottawa, Ont.
VALENTINE RATZ	North Middlesex	New Hamburg, Ont.
ARTHUR BOYER	Rigaud	Montreal, Que.
BENJAMIN PRINCE	Saskatchewan	Battleford, Saskatchewan.
EDWARD MATTHEW FARRELL	Liverpool	Liverpool, N.S.
WILLIAM ROCHE	Halifax	Halifax, N.S.
LOUIS LAVERGNE	Kennebec	Arthabaska, Que.
AMÉDÉE E. FORGET	Banff	Banff, Alberta.
JOSEPH M. WILSON	Sorel	Montreal, Que.
BENJAMIN C. PROWSE	Charlottetown	Charlottetown, P.E.I.
RUFUS HENRY POPE	Bedford	Cookshire, Que.
GEORGE TAYLOR	Leeds	Gananoque, Ont.
JOHN W. DANIEL	St. John	St. John, N.B.
GEORGE GORDON	Nipissing	North Bay, Ont.
NATHANIEL CURRY	Amherst	Amherst, N.S.
WILLIAM B. ROSS	Middleton	Middleton, N.S.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
EDWARD L. GIRROIR	Antigonish	Antigonish, N.S.
WILLIAM DENNIS	Halifax	Halifax, N.S.
PATRICK C. MURPHY	Tignish	Tignish, P.E.I.
ERNEST D. SMITH	Wentworth	Winona, Ont.
ALEXANDER MCCALL	Simcoe	Simcoe, Ont.
JAMES MASON (Brigadier General)	Toronto	Toronto, Ont.
JAMES J. DONNELLY	South Bruce	Pinkerton, Ont.
WILLIAM H. THORNE	St. John	St. John, N.B.
THOMAS SIMPSON SPROULE	E. Grey	Markdale, Ont.
JOHN MILNE	Hamilton	Hamilton, Ont.
CHARLES PHILIPPE BEAUBIEN	Montarville	Montreal, Que.
JOHN MCLEAN	Souris	Souris, P.E.I.
JOHN STEWART MCLENNAN	Sydney	Sydney, N. S.
WILLIAM HENRY SHARPE	Manitou	Manitou, Man.
FREDERIC NICHOLLS	Toronto	Toronto, Ont.
HENRY W. RICHARDSON	Kingston	Kingston, Ont.
GIDEON D. ROBERTSON	Welland	Welland, Ont.
GEORGE LYNCH-STAUNTON	Hamilton	Hamilton, Ont.
ADAM B. CROSBY	Halifax	Halifax, N.S.
CHARLES E. TANNER	Pictou	Pictou, N.S.
THOMAS JEAN BOURQUE	Richibucto	Richibucto, N.B
HENRY W. LAIRD	Regina	Regina, Sask.
LYTTON WILMOT SHATFORD	Vancouver	Vancouver, B.C.
ALBERT E. PLANTA	Nanaimo	Nanaimo, B.C.
GEORGE W. FOWLER	Kings and Albert	Sussex, N.B.
RICHARD BLAIN	Peel	Brampton, Ont.
JOHN HENRY FISHER	Brant	Paris, Ont.
LENDRUM MCMEANS	Winnipeg	Winnipeg, Man.
DAVID OVIDE L'ESPÉRANCE	Gulf	Quebec.
GEORGE GREEN FOSTER	Alma	Montreal, Que.
RICHARD SMEATON WHITE	Inkerman	Montreal, Que.
ANGUS CLAUDE MACDONELL	Toronto South	Toronto, Ont.
RODERICK HAROLD CLIVE PRINGLE	Cobourg	Ottawa, Ont.
AIMÉ BÉNARD	St. Boniface	Winnipeg.

SENATORS OF CANADA

ALPHABETICAL LIST

SEPTEMBER 20, 1917.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
BEAUBIEN, C. P.	Montarville	Montreal, Que.
BÉIQUE, F. L.	De Salaberry	Montreal, Que.
BEITH, R.	Bowmanville	Bowmanville, Ont.
BELCOURT, N. A., P.C.	Ottawa	Ottawa, Ont.
BÉNARD, A.	St. Boniface	Winnipeg, Man.
BLAIN, R.	Peel	Brampton, Ont.
BOLDUC, J. (Speaker)	Lauzon	St. Victor de Tring, Que.
BOSTOCK, H.	Kamloops	Monte Creek, B.C.
BOURQUE, T. J.	Richibucto	Richibucto, N.B.
BOWELL (Sir MACKENZIE), K.C.M.G., P.C.	Hastings	Belleville, Ont.
BOYER, A.	Rigaud	Montreal, Que.
CASGRAIN, J. P. B.	De Lanaudière	Montreal, Que.
CHOQUETTE, P. A.	Granville	Quebec, Que.
CLORAN, H. J.	Victoria	Montreal, Que.
CROSBY, A. B.	Halifax	Halifax, N.S.
CURRY, N.	Amherst	Amherst, N.S.
DANDURAND, R., P.C.	De Lorimier	Montreal, Que.
DANIEL, J. W.	St. John	St. John, N.B.
DAVID, L. O.	Mille Iles	Montreal, Que.
DENNIS, W.	Halifax	Halifax, N.S.
DESSAULLES, G. C.	Rougemont	St. Hyacinthe, Que.
DE VEBER, L. G.	Lethbridge	Lethbridge, Alberta.
DOMVILLE, J. Lt.-Col.	Rothesay	Rothesay, N.B.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
DONNELLY, J. J.	South Bruce	Pinkerton, Ont.
DOUGLAS, J. M.	Tantallon	Tantallon, Saskatchewan.
EDWARDS, W. C.	Rideau	Ottawa, Ont.
FARRELL, E. M.	Liverpool	Liverpool, N.S.
FISHER, J. H.	Brant	Paris, Ont.
FORGET, A. E.	Banff	Banff, Alberta.
FOSTER, G. G.	Alma	Montreal, Que.
FOWLER, G. W.	Kings and Albert	Sussex, N.B.
GILLMOR, D.	St. George	St. George, N.B.
GIRROIR, E. L.	Antigonish	Antigonish, N.S.
GODBOUT, J.	La Salle	Beauceville, West, Que.
GORDON, G.	Nipissing	North Bay, Ont
KING, G. G.	Queen's	Chipman, N.B.
LAIRD, H. W.	Regina	Regina, Sask.
LANDRY, P.	Stadacona	Candiac, Que.
LAVERGNE, L.	Kennebec	Arthabaska, Que.
LEGRIS, J. H.	Repentigny	Louiseville, Que.
L'ESPÉRANCE, D. O.	Gulf	Quebec.
LOUGHEED, Sir JAMES A., K.C.M.G., P.C.	Calgary	Calgary, Alberta.
LYNCH-STAUNTON, G.	Hamilton	Hamilton, Ont.
MASON, J. (Brigadier General)	Toronto	Toronto, Ont.
MACDONELL, A. C.	Toronto, South	Toronto, Ont.
MCCALL, A.	Simcoe	Simcoe, Ont.
MCHUGH, G.	Victoria, O	Lindsay, Ont.
MCLAREN, P.	Perth	Perth, Ont.
MCLEAN, J.	Souris,	Souris, P.E.I.
MCLENNAN, J. S.	Sydney	Sydney, N.S.
MCMEANS, L.	Winnipeg	Winnipeg, Man.
MCSWEENEY, P.	Northumberland	Moncton, N.B.
MILNE, J.	Hamilton	Hamilton, Ont.
MITCHELL, W.	Wellington	Drummondville, Que.
MONTPLAISIR, H.	Shawenegan	Three Rivers, Que.
MURPHY, P. C.	Tignish	Tignish, P.E.
NICHOLLS, F.	Toronto	Toronto, On
PLANTA, A. E.	Nanaimo	Nanaimo, B.C.
POIRIER, P.	Acadie	Shediac, N.B.

SENATORS.	DESIGNATION.	POST OFFICE ADDRESS.
The Honourable		
POPE, R. H.	Bedford	Cookshire, Que.
POWER, L. G., P.C.	Halifax	Halifax, N.S.
PRINCE, B.	Saskatchewan	Battleford, Sask.
PRINGLE, R. H. C.	Cobourg	Ottawa, Ont.
PROWSE, B. C.	Charlottetown	Charlottetown, P.E.I.
RATZ, V.	North Middlesex	New Hamburg, Ont.
RICHARDSON, H. W.	Kingston	Kingston, Ont.
ROBERTSON, G. D.	Welland	Welland, Ont.
ROCHE, W.	Halifax	Halifax, N.S.
ROSS, J. H.	Regina	Moosejaw, Saskatchewan.
ROSS, W. B.	Middleton	Middleton, N.S.
SHARPE, W. H.	Manitou	Manitou, Man
SHATFORD, L. W.	Vancouver	Vancouver, B.C.
SHEHYN, J.	Laurentides	Quebec, Que
SMITH, E. D.	Wentworth	Winona, Ont.
TALBOT, P.	Lacombe	Lacombe, Alberta.
TANNER, C. E.	Pictou	Pictou, N.S.
TAYLOR, G.	Leeds	Gananoque, Ont
TESSIER, JULES	De la Durantaye	Quebec, Que.
THIBAUDEAU, A. A.	De la Vallière	Montreal, Que.
THOMPSON, F. P.	Fredericton	Fredericton, N.B.
THORNE, W. H.	St. John	St. John, N.B.
WATSON, R.	Portage la Prairie	Portage la Prairie, Man.
WHITE, R. S.	Inkerman	Montreal, Que.
WILSON, J. M.	Sorel	Montreal, Que.
YEO, J.	East Prince	Port Hill, P.E.I.

SENATORS OF CANADA

BY PROVINCES

SEPTEMBER 20, 1917.

ONTARIO—24

	SENATORS.	POST OFFICE ADDRESS.
	The Honourable	
1	PETER MCLAREN	Perth.
2	SIR MACKENZIE BOWELL, K.C.M.G., P.C.	Belleville.
3	GEORGE MCHUGH	Lindsay.
4	WILLIAM C. EDWARDS	Ottawa.
5	ROBERT BEITH	Bowmanville.
6	NAPOLEON A. BELCOURT, P.C.	Ottawa.
7	VALENTINE RATZ	New Hamburg.
8	GEORGE TAYLOR	Gananoque
9	GEORGE GORDON	North Bay.
10	E. D. SMITH	Winona.
11	ALEXANDER MCCALL	Simcoe.
12	JAMES MASON (Brigadier General)	Toronto.
13	JAMES J. DONNELLY	Pinkerton.
14	THOMAS SIMPSON SPROULE	Markdale.
15	JOHN MILNE	Hamilton.
16	FREDERIC NICHOLLS	Toronto.
17	GEORGE LYNCH-STAUNTON	Hamilton.
18	GIDEON D. ROBERTSON	Welland.
19	HENRY W. RICHARDSON	Kingston.
20	RICHARD BLAIN	Brampton.
21	JOHN HENRY FISHER	Paris.
22	ANGUS CLAUDE MACDONELL	Toronto.
23	RODERICK HAROLD CLIVE PRINGLE	Ottawa.
24		

QUEBEC—24

SENATORS.	ELECTORAL DIVISION.	POST OFFICE ADDRESS.
The Honourable		
1 Joseph Bolduc (Speaker)	Lauzon	St. Victor de Tring.
2 Hippolyte Montplaisir	Shawinigan	Three Rivers.
3 Philippe Landry	Stadacona	Candiac.
4 Alfred A. Thibaudeau	De la Vallière	Montreal.
5 Raoul Dandurand, P.C.	De Lorimier	Montreal.
6 Joseph P. B. Casgrain	DeLanaudière	Montreal.
7 Joseph Shehyn	Laurentides	Quebec.
8 Joseph Godbout	La Salle	Beauceville, West.
9 Frederick L. Béique	DeSalaberry	Montreal.
10 Joseph H. Legris	Repentigny	Louiseville.
11 Jules Tessier	De la Durantaye	Quebec.
12 L. O. David	Mille Iles	Montreal.
13 Henry J. Cloran	Victoria	Montreal.
14 William Mitchell	Wellington	Drummondville.
15 Philippe A. Choquette	Granville	Quebec.
16 George C. Dessaulles	Rougemont	St. Hyacinthe.
17 Arthur Boyer	Rigaud	Montreal.
18 Louis Lavergne	Kennebec	Arthabaska.
19 Joseph M. Wilson	Sorel	Montreal.
20 Rufus H. Pope	Bedford	Cookshire.
21 Charles Philippe Beaubien	Montarville	Montreal, Que.
22 David Ovide L'Espérance	Gulf	Quebec.
23 George Green Foster	Alma	Montreal, Que.
24 Richard Smeaton White	Inkerman	Montreal, Que.

NOVA SCOTIA—10

	SENATORS.	POST OFFICE ADDRESS.
	The Honourable	
1	LAWRENCE GEOFFREY POWER, P.C.	Halifax.
2	EDWARD M. FARRELL	Liverpool.
3	WILLIAM ROCHE	Halifax.
4	NATHANIEL CURRY	Amherst.
5	WILLIAM B. ROSS	Middleton.
6	EDWARD L. GIRROIR	Antigonish.
7	WILLIAM DENNIS	Halifax.
8	JOHN S. MCLENNAN	Sydney.
9	ADAM B. CROSBY	Halifax.
10	CHARLES E. TANNER	Pictou.

NEW BRUNSWICK—10

	The Honourable	
1	PASCAL POIRIER	Shediac.
2	GEORGE GERALD KING	Chipman.
3	PETER MCSWEENEY	Moncton.
4	FREDERICK P. THOMPSON	Fredericton.
5	JAMES DOMVILLE, Lt.-Col.	Rothesay.
6	DANIEL GILLMOR	St. George.
7	JOHN W. DANIEL	St. John.
8	WILLIAM H. THORNE	St. John.
9	THOMAS JEAN BOURQUE	Richibucto.
10	GEORGE W. FOWLER	Sussex.

PRINCE EDWARD ISLAND—4

	The Honourable	
1	JOHN YEO	Port Hill.
2	BENJAMIN C. PROWSE	Charlottetown.
3	PATRICK C. MURPHY	Tignish.
4	JOHN MCLEAN	Souris.

BRITISH COLUMBIA—3

SENATORS.	POST OFFICE ADDRESS.
The Honourable	
1 HEWITT BOSTOCK	Monte Creek.
2 LYTTON WILMOT SHATFORD	Vancouver.
3 ALBERT E. PLANTA	Nanaimo.

MANITOBA—4

The Honourable	
1 ROBERT WATSON	Portage la Prairie.
2 WILLIAM H. SHARPE	Manitou.
3 LENDRUM MCMEANS	Winnipeg.
4 AIMÉ BÉNARD	Winnipeg.

SASKATCHEWAN—4

The Honourable	
1 JAMES H. ROSS	Regina.
2 JAMES M. DOUGLAS	Tantallon.
3 BENJAMIN PRINCE	Battleford.
4 HENRY W. LAIRD	Regina.

ALBERTA—4

The Honourable	
1 SIR JAMES ALEXANDER LOUGHEED, K.C.M.G., P.C.	Calgary.
2 PETER TALBOT	Lacombe.
? L. GEORGE DE VEBER	Lethbridge.
4 AMÉDÉE E. FORGET	Banff.

CANADA

The Debates of the Senate

OFFICIAL REPORT

THE SENATE.

Thursday, January 18, 1917.

The Senate met at 2.30 o'clock p.m.

APPOINTMENT OF SPEAKER.

A communication under the Great Seal was read announcing that Hon. Joseph Bolduc had been appointed Speaker of the Senate.

The Honourable the Speaker was then conducted to his seat by Hon. Sir James Lougheed and Hon. Mr. La Rivière.

Prayers.

OPENING OF THE SESSION.

The Honourable the SPEAKER informed the Senate that he had received a communication from the Governor General's Secretary informing him that His Excellency the Governor General would proceed to the Senate Chamber to open formally the Session of the Dominion Parliament on Friday, the 19th instant, at three o'clock; also, a further communication from the Governor General's Secretary informing him that the Chief Justice of Canada, in his capacity as Deputy Governor General, would proceed to the Senate Chamber to open the session of the Dominion Parliament on Thursday, the 18th of January, at three o'clock, p.m.

The Senate adjourned during pleasure.

After some time the sitting was resumed.

The Right Honourable Sir Charles Fitzpatrick, G.C.M.G., Chief Justice of Canada, having come and being seated,

The Honourable the SPEAKER commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that: "It is the Right Honourable the Deputy Governor General's desire that they attend him immediately in the Senate."

Who being come,

The Honourable the SPEAKER said:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I have it in command from the Right Honourable the Deputy Governor General to let you know that His Excellency the Governor General does not see fit to declare the causes of his summoning the present Parliament until a Speaker of the House of Commons shall have been chosen according to law; but to-morrow, at the hour of three o'clock in the afternoon, His Excellency will declare the causes of his calling this Parliament.

The Right Honourable the Deputy Governor General was pleased to retire, and the House of Commons withdrew.

After some time the sitting of the Senate was resumed.

On the motion of Hon. Sir James Lougheed that the House do now adjourn:

Hon. Mr. DANDURAND: If it is in order to do so, I wish to express my surprise that one day of the time of Parliament has not been saved by the House of Commons electing its Speaker to-day and being called into this Chamber an hour later for the opening of the session. It seems to me that it is hardly right that a loss of twenty-four hours should be caused by a function which occupies only about half an hour of the time of the other House.

AUTHORITY OF THE DEPUTY GOVERNOR GENERAL.

Hon. Mr. LANDRY: I wish to ask if the Deputy Governor General has a special

commission to open this Session of Parliament, or does he act ex officio as Chief Justice of the Supreme Court of Canada?

Hon. Sir JAMES LOUGHEED: I am informed that the Supreme Court Act provides that the Chief Justice of Canada shall act as Deputy Governor General, in which capacity he comes to Parliamen to perform the functions of that office; so that a commission is entirely unnecessary.

Hon. Mr. POWER: My impression is that Chief Justice Fitzpatrick holds a special commission which was presented to the Clerk of this House some two or three years ago.

Hon. Mr. LANDRY: I presume that was a special commission for the special purpose of opening Parliament at that time.

Hon. Mr. POWER: No.

Hon. Mr. LANDRY: I know that last year another commission was issued. However, I suppose the question may be postponed to be looked into.

Hon. Mr. DANDURAND: My impression is that the commission to the Deputy Governor General was issued by His Royal Highness the Duke of Connaught, and that it has lapsed with the expiration of His Royal Highness's term as Governor General.

The motion was agreed to, and the Senate adjourned until 2.30 o'clock p.m. tomorrow.

THE SENATE.

Friday, January 19, 1917.

The Senate met at 2.30 o'clock p.m., the Speaker in the Chair, and immediately thereafter adjourned during pleasure.

THE SPEECH FROM THE THRONE.

At three o'clock His Excellency the Governor General proceeded in state to the Senate Chamber and took his seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons, and that House being come, His Excellency was pleased to open the Seventh Session of the Twelfth Parliament of the Dominion of Canada with the following Speech:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

I desire on this occasion to express my respectful appreciation of the honour conferred on me by the King in appointing me to the distinguished office of Governor General.

I esteem it a high privilege to become closely identified with Canada at the time when she is taking so splendid a part in the world-wide struggle, and I look forward to her ability and capacity to exercise an ever-increasing influence in bringing the war to a victorious conclusion.

When peace is again happily restored I am confident that the vast resources of the Dominion will continue to be developed for the lasting benefit of the Empire and in the best interests of liberty and humanity.

Although nearly two and a half years have elapsed since the outbreak of war yet that period has not been more than sufficient for the enormous preparation necessary to enable our Empire to throw its full strength into the struggle.

The events that have transpired since prorogation give convincing testimony of the efficiency of the measures thus taken and bear splendid tribute to the valour and heroism of His Majesty's forces in every theatre of war.

With preparation already so ample and still increasing we may confidently anticipate that the not distant future will bring such success to the allied arms as will assure the full maintenance of the purposes and ideals for which we have engaged in this war.

The Canadian forces dispatched overseas during 1916 numbered more than 165,000 and the aggregate of enlistments in Canada since the outbreak of war is nearly 400,000. In attack as well as in defence the valour, endurance and resourcefulness of the Canadian troops have been conspicuous on every occasion when they have met the enemy, and they have splendidly upheld the highest traditions of their country.

Equally notable and impressive has been the fine spirit of loyalty displayed by the people of this Dominion who have freely dedicated their energies and their material resources to the common defence of our Empire.

Steps have been taken by my advisers for better organization of National Service, and attention has been given to the more thorough utilization of our natural resources. Measures have also been taken in co-operation with the Government of the United Kingdom to facilitate the increased production of munitions in Canada.

The Government of the United Kingdom have invited the First Ministers of the Dominions to attend a series of special and continuous meetings of the War Cabinet (of which for this purpose they will be members) to consider urgent questions affecting the prosecution of the war, the possible conditions on which the Allied Nations could assent to its termination, and the problems which would then immediately arise. This invitation has been accepted on behalf of Canada.

The Fiftieth Anniversary of the foundation of this Dominion draws near and brings with it the inspiring memory of all that has been accomplished during the half century in the

upbuilding of a united and powerful nation. My advisers believe that, notwithstanding the continuance of the war, there should be an appropriate commemoration of an event so notable in the history of Canada.

The life of the present Parliament will expire in October next, and under existing legislation a dissolution and election would be necessary in the early future. My advisers, however, are of opinion that the wishes of the Canadian people and the urgent requirements of the war would be best met by avoiding the distraction and confusion consequent upon a general election at so critical a time.

That purpose can only be effected through the medium of legislation by the Parliament of the United Kingdom. A resolution authorizing and requesting the enactment of such legislation as will further extend the life of this Parliament will be presented to you.

Although in some parts of the Dominion weather conditions affected adversely the excellent prospects of an unusually large harvest, yet taking the country as a whole, the labours of our husbandmen have been abundantly rewarded.

The commercial, industrial and financial stability of the country has been well maintained during the past year. There is every reason to believe that the Dominion will be in a position to meet satisfactorily the readjustment of conditions which must ensue upon the termination of the war.

Important measures designed to aid in meeting these new conditions have been in preparation and some of them will be submitted for your consideration.

Gentlemen of the House of Commons:

The accounts for the last, and the estimates for the next fiscal year will be submitted to you without delay, and you will be asked to make the necessary financial provision for the effective conduct of the war.

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

The lofty patriotism, the fine courage, and the inflexible purpose which have animated all His Majesty's Dominions in upholding our great cause are in nowise abated. In common with the rest of the Empire the people of this Dominion are firmly resolved that in this war, which has entailed so much sacrifice and which we have undertaken for the highest ideals of humanity and civilization, our efforts shall be continued and strengthened until they are crowned with an abiding peace.

I commend to your attentive consideration all measures submitted to you for that great purpose, and I pray that the Divine blessing may attend your deliberations.

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

The sitting of the Senate was resumed.

Prayers.

BILL PRO FORMA.

Hon. Sir JAMES LOUGHEED presented a Bill intituled, An Act relating to Railways.

The Bill was read the first time.

CONSIDERATION OF HIS EXCELLENCY'S SPEECH.

On motion of Hon. Sir James Lougheed, it was ordered that the Speech of His Excellency the Governor General be taken into consideration on Tuesday next.

COMMITTEE ON ORDERS AND PRIVILEGES.

Hon. Sir JAMES LOUGHEED moved:

That all the Senators present during this Session be appointed a Committee to consider the Orders and Customs of the Senate and privileges of Parliament, and that the said Committee have leave to meet in the Senate Chamber when and as often as they please.

The motion was agreed to.

COMMITTEE OF SELECTION.

On motion of Hon. Sir James Lougheed, the following Senators were appointed a Committee of Selection to nominate Senators to serve on the several Standing Committees during the present Session. Hon. Sir Mackenzie Bowell, Hon. Messrs. Béique, Casgrain, Daniel, Power, Ross (Moosejaw), Taylor, Watson, and the mover.

IMPERIAL WAR CONFERENCE.

Hon. Sir JAMES LOUGHEED laid on the Table certain papers relating to the Imperial War Conference of 1917.

The Senate adjourned until Tuesday, the 23rd instant, at 3 o'clock p.m.

THE SENATE.

Tuesday, January 23, 1917.

The Senate met at three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATORS INTRODUCED.

The following newly-appointed senators were severally introduced and took their seats:

Hon. W. H. Richardson, of Kingston, Ontario, introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell.

Hon. Gideon D. Robertson, of Welland, Ontario, introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell.

Hon. George Lynch-Staunton, of Hamilton, Ontario, introduced by Hon. Sir James Lougheed and Hon. Mr. Milne.

Hon. Adam B. Crosby, of Halifax, Nova Scotia, introduced by Hon. Sir James Lougheed and Hon. Mr. Dennis.

Hon. Charles E. Tanner, of Pictou, Nova Scotia, introduced by Hon. Sir James Lougheed and Hon. Mr. McLennan.

EXTENSION OF PARLIAMENTARY TERM.

MOTION.

Hon. H. J. CLORAN rose to move:

That an Order of the Senate do issue for a copy of the correspondence, which has passed, between the Prime Minister of Canada, the Right Hon. Sir Robert L. Borden, and the leader of His Majesty's loyal Opposition of Canada, the Right Hon. Sir Wilfrid Laurier, regarding the war extension of time of the life of the present Parliament, be brought down and laid on the Table of the Senate for the information and consideration of the honourable members of this House.

He said: The object I had in view in giving notice of this matter on the opening day of the session and bringing it before the House, has been attained, not in full measure, but in very fair measure, of which you have the proof in the introduction of five new senators, with two more to come. My object was to call public attention without delay to the abnormal condition of things that existed regarding the representation in this honourable House. To attain that object, I had to ask for the production of the official correspondence between the Prime Minister of Canada and the leader of His Majesty's loyal Opposition in the House of Commons which dealt exclusively with this question of representation.

In my opinion the Prime Minister acted wisely in consulting the leader of the Opposition in regard to the parliamentary representation during war time. The Prime Minister requested that all vacancies occurring in the House of Commons during war time should be filled by representatives of the same political faith as that of those who had resigned or died during the existing term of Parliament. That was a fair proposition. The proposition was entertained by the leader of the Opposition; but it went only half way. He was prepared to allow any vacancy caused by death to be refilled by a Conservative or a Liberal, according to the political faith of his predecessor. I may say that neither the Prime Minister nor the leader of the Opposition made any provision for the death or the resignation of Nationalists. They were left on one side. That is a very strange thing; and I simply call the attention of this honourable House to the fact.

Pourparlers went on, as demonstrated in the correspondence, between the leader of the Government and the leader of the Opposition, with this result, that the latter was prepared to stand by an agreement whereby vacancies caused by death should be refilled by representatives of the same political faith as those who had previously occupied the seats. He would not consent to have members elected to vacancies caused by resignations. That was a most fair proposition. Vacancies caused by resignations are not in the same class as those caused by death. Vacancies may be caused by resignations for political purposes, and the leader of the Opposition was perfectly justified in resisting the demand of the Prime Minister that such vacancies should be filled by Conservatives.

Now, what has happened since then? The membership of this honourable House has been depleted very largely during the period of this war. Even to-day one of our trustiest and best workers has gone to his heavenly reward, the honourable senator from Prince Albert, Tom Davis. So we go, and so we come. It is hard to get here, but ah, it is so easy to go. What provision has either the leader of the Government or the leader of the Opposition in the Lower House made—and I blame them not—regarding representation in this honourable House? They have made absolutely none; and to-day seats in this honourable House that were held by Conservatives are refilled by Conservatives and seats that were held by Liberals are refilled by Conservatives. Is that a fair attitude for the Government to assume in this time of war? Why protect a representative in the House of Commons and refuse similar protection in the Upper House, called the Senate of Canada? Is it fair or just? I appeal to my honourable friends on the other side: is it fair under the circumstances and during a time like this, that the same rule should not apply to representatives in the Upper House as is applied by joint consent in the Lower House? There is the position involved in the correspondence for which I am asking, between the leader of the Government and the leader of the Opposition.

Now, hon. gentlemen, until I called attention to the matter last Thursday, the opening day of Parliament, no steps had been taken to fill the vacancies in this honourable House. Seats are unoccupied not only on account of death, but many

owing to other reasons, such as sickness, absenteeism, and, I must add, to a very small degree owing to resignations. But, to the credit of the Senate, to the credit of its stability, very few resignations are handed in. During the fourteen years that I have been here I can recall only three senators who resigned their seats in this honourable House. There was one from the province of Quebec, but he did not retire into oblivion; he resigned to take a judgeship. Another retired to take the Lieutenant Governorship of his native province of Nova Scotia. The third was from New Brunswick, and he resigned, not to retire from public life, but to occupy the high and honourable position of Lieutenant Governor of his province. These are the only three.

Strange to say, but it must go on record, that in all the population of Canada since Confederation there has been found only one man who declined—refused, indeed—to take a seat in this House, although duly appointed by Order in Council, duly signed by the Governor General, who, I think, was Lord Minto.

Vacancies have been caused by death, by illness and by absenteeism, so this is a question that should appeal to the members of this honourable House. We should see that our rights are protected as well as those of the House of Commons. The people of the country will look for fair representation not only in the House of Commons but also in this House. If things go on as they are going, if the war lasts much longer, there will be only a corporal's guard left on this side of the House. It is an ill wind that does not blow some one good, and the Conservative Government is very fortunate owing to the war; the membership of this House is being depleted, and will continue to be depleted to the detriment of the Liberal sentiment and the people of this country. Is that a fair situation in face of the extensions of time that have been granted? If so, then I say, no more extensions, we do not want to be obliterated. If the Government are counting on the duration of the war to wipe out the Liberal party, it is the duty of the Liberal party to deny any further extensions. That is the stand I take, and that is the stand the country will justify. I hope that the production of this correspondence will lead to a discussion of this situation, which I say is not fair, is not just, is not in accordance with the demands and requests of the Prime Minister in the Lower House.

The motion was agreed to.

THE GOVERNOR GENERAL'S SPEECH.

ADDRESS IN REPLY.

The Senate proceeded to the consideration of His Excellency the Governor General's Speech at the opening of the Session.

Hon. JOHN S. McLENNAN rose to move that an Address be presented to His Excellency the Governor General to offer the humble thanks of this House to His Excellency for the gracious Speech which he has been pleased to make to both Houses of Parliament. He said:

Honourable gentlemen, it is usual at a time like the present, when there has been a change of the head of the State, to make some reference to that change in speaking to the resolution which I have the honour to lay before you. The thought naturally arises in one's mind, "Le roi est mort, vive le roi"; but, though kings may die, viceroys do not die. Many of Canada's viceroys have passed on to situations of the greatest importance, and have done work for the Empire elsewhere which has added new laurels to those which they had gained in Canada.

The predecessor of the present Governor General, the Duke of Connaught, has gone back to the Old Country to continue there that active interest in all things Canadian, that kindly care for Canadians in England and in the field of battle which endeared him to the people of Canada while he was here and made his tenure of that high office one of the most successful since Confederation.

The present Governor General gives us full cause for the expectation that he will adequately fill the high office to which he has been called. He comes of a very noble house, a house of great achievements. Going back no further than our own time, his grandfather united the rarest qualities. He had an academic career in which he won the highest honours at that university which I am bound to consider in the very forefront of institutions of learning. He endowed that university with equipment for research which made it possible for Cambridge to enlarge the boundaries of scientific knowledge; and for many years he ruled over its affairs as Chancellor. Turning his attention to affairs, he became what is now called a captain

of industry, but, unlike many captains of industry, he risked his own money. When he turned his attention to Barrow on the northwest coast of England it was only a fishing hamlet. In its development he risked his own money. It is now a shipbuilding place and a seat of metal working only less important than the great centres of the Clyde and the rivers of the East Coast. His successor was a statesman who thrice might have been the Prime Minister of Great Britain, had he so willed, one whom his political opponents, as well as his political allies regarded as a man of unswerving loyalty to his convictions, of integrity and of unselfishness. With such a history and such forebears His Excellency comes to begin his tenure of office with us. He brings with him Her Excellency to renew the memories of her childhood in Canada. Like himself, she comes from a house famous for its high ideals, its statesmanship, and its scholarly attainments. Canada welcomes them; her people wish them health and prosperity, and that they may so discharge the duties of their high office that they shall hand on to their descendants the achievement of well-done public service more splendid than the memories which they themselves have inherited.

His Excellency comes to us at a happy time. When one looks at the war map on which has been traced a line of battle, there are but few changes in that long front; but there is a different spirit abroad in the air. If we turn to the actual conditions with regard to munitions, with regard to the spirit of our troops, with regard to foreign nations, with regard to our military plans, both those of Great Britain and those of her Allies, there is everything to make us feel confident that we have now turned into "the straight," and that no matter how far off the goal may be, it is only necessary that we go on as we have begun, developing our resources to the utmost and using them with the highest efficiency and skill, to reach the goal with all that means to us, to the Allies, and to civilization.

Some hon. SENATORS: Hear, hear.

Hon. Mr. McLENNAN: With regard to what Canada has been doing in the year that has passed, our troops have well sustained the reputation made by them in the first years of this war; but to their valour I shall only pay a tribute of proud and grateful silence. At home the products of our fields, our forests, our fisheries and factories, have been useful not only to our own troops and to those of Great Britain, but have also provided materials and supplies for our Allies. Time was, and not so long ago, when the art of making munitions was supposed to be one of the most difficult of all manufacturing arts. The composition of the materials which went into them, the delicacy and accuracy which were required in the adjustment of the parts when they were made, were supposed to be within the power of only very few. But Canadian metallurgists have been able to compound materials which have stood the most exhausting tests. Canadian manufacturers have been able to work to that high degree of precision which is required, and to-day there are between four and five hundred establishments in Canada turning out munitions of war which are not only being used on the western battle front, but are also, after that long journey across Canada, across the Pacific, and across Siberia, helping to supply the Russian troops who are gallantly facing the Germans on the shores of the Black sea.

On the financial and economic side, much has been done. Within the past year a domestic loan was offered in Canada; its amount was $100,000,000. Thirty-five thousand subscriptions were received; their aggregate was $200,000,000. In addition to that our financial resources have been such that over $150,000,000 of Canadian money has gone to support the purchases in Canada of the Imperial Munitions Board.

Our Red Cross societies and similar philanthropic institutions have supplied handsomely the wants of our soldiers at the front. They have aided not only our own soldiers, but also those of our Allies.

The Patriotic Fund, which supplements the liberal pay and separation allowances to soldiers with dependents, began its career in supplying these wants by calling on the people of Canada. The first call was made shortly after the war broke out, and $6,000,000 was raised. A second call was made last year; then $10,000,000 was raised. The campaign for the third contribution has just begun, and the Fund expects $12,000,000. It needs that amount, for the Patriotic Fund disburses among 65,000 people close on a million each month. The campaign has been completed in only one place—the city of Hamilton, in Ontario. The managers of the Patriotic Fund expected that that city would do as well as it did last year, namely, contribute $500,000. The result of the campaign which has just finished has been that Hamilton has contributed $650,000. If that goes on, the $12,000,000 which the Patriotic

Fund confidently expects will stretch out to 15 or 16 million dollars.

But charities like these, which begin well at home, it has always been found, spread far afield. The Red Cross Society has aided the Red Cross societies of Great Britain, France, Italy, Russia and Montenegro.

Special funds also have been started in Canada and have been carried to a successful conclusion. The claims of Belgium, the first of all the claims, appealed very strongly to the imagination and the sympathies of the Canadian people. Serbia also has been assisted. The fund to relieve Eastern Jews has been handsomely assisted. Within the last few months a fund for the widows and orphans, dependents of British seamen, has met with the handsomest response. I understand that $50,000,000 has been contributed by the people of Canada to these various philanthropic and beneficent purposes within these last years.

But these contributions and the loans which have been made to help the fighting forces have been made posible only by the saving of the Canadian people. Although we are in the race, we do not know how long it will be before the winning post is reached; but to continue in the race means thrift, more thrift, and always thrift. The figures with which I have been dealing have been large: $100,000,000 to the loan, $150,000,000 in aid of the Imperial purchases in this country, and forty or fifty millions of philanthropic money, mean a good deal. While they undoubtedly mean a heavy burden upon us and upon future generations, a burden which we are bound to meet and bound to pay, for the sake of what the result will mean to us, it is not a matter for discouragement. Those who have actual money in their safes are the keenest critics of the resources of the people who come to them with promises to pay in future. Wall street and the United States are in a better position than any other people to know what are the resources of Canada and what are the probabilities that Canada will meet any obligations that she may undertake. They know the situation, for they have examined it. It is a proud thing for Canada to be able to say that, notwithstanding these large burdens, her obligation in the exchanges of the United States sell on as favourable terms as the loans of France, the loans of Great Britain, and that loan which is backed not only by the great resources of Great Britain, but as well by the thrift and the specie of France.

In carrying on this war the aim of our military organization has been two-fold: first to turn citizens into soldiers, and get them to the front; secondly to take those soldiers, their service done, and turn them back into citizens, bettered, as far as may be, from their experiences at the front. The Militia Department has equipped and put under arms 380,000 men. In the second case it is with the disabled and the invalided we have to deal. The Military Hospitals Commission of which Sir James Lougheed is chairman, and of which I have the honour to be a member, has passed through its institutions some 9,000 invalided. We are now extending our work as the calls on us increase, and within a week or two we shall have no less than 64 institutions, extending from the Atlantic to the Pacific, fully equipped for the care of between eight and nine thousand invalids at one time. Our problem is to do the best we can for the invalided soldier. That consists in his restoration, as far as it is possible for medical skill to restore him, to the complete use of his functions—and medical skill has made enormous advances within the last few years. The skill of Canadian medical men has been freely placed at our disposal. Then, that man has to be re-educated, improved, during his stay in our convalescent homes, or, it may be, trained to take a new employment; and then employment has to be found for him. The latter work is being carried on by our allies, the Provincial Soldiers' Aid Commissions. In every province of this Dominion there is an organization to take care of the man when the Hospitals Commission has done its best for him. Then, in an other allied work, there has to be a repayment, as far as repayment is possible, of the obligations the country owes to the man who has been permanently injured in his country's service. That is taken up by a Pensions Board which has made a very careful study of what has been done in all countries; and that Board is promptly and effectively dealing with one of the most delicate and intricate problems that can arise out of the war.

There is but one other point of the Speech from the Throne to which I shall direct your attention. It is that which speaks of the fifty years which have passed since the scattered provinces in this part of the British Empire were brought together in Confederation. The older of us are apt to forget, the younger people never knew, how difficult, how dangerous, and how uncertain

was the trend of events during, say, thirty years of that period. In the first Parliament, which sat after Confederation, Sir John Macdonald, the leader of the Government, had occasion to use these words:

> I hope to live to see the day, and, if I do not, that my son may be spared to see Canada the right arm of England, to see Canada a powerful auxiliary to the Empire, not as now a cause of anxiety and a source of danger.

The dawn of the day for which Sir John Macdonald longed, broke last year on the battlefields of France and Flanders, when Canada proved herself the right arm of the Empire. During those thirty years people in Canada, of all parties, felt that its economic and industrial development was largely dependent on our relations with the United States. Every ministry which held office in those thirty years tried, and tried with every power which they possessed, to improve those trade relations. Not one of those efforts was successful. Canada never in those thirty years ceased to regard her great neighbour as a Hercules, but it was only toward the end of the period that she found herself an Antæus gaining the strength of self-reliance from every downfall. Many things contributed to the result which was finally reached when Canada found herself and felt that she was no longer dependent. None of the causes was more potent in securing this result than the fact that the leaders of both parties of both races were in harmony about the one essential element in our national development. Howe, no less than Tupper, Geo. Brown and Sir John Macdonald, Dorion equally with Cartier, believed with absolute conviction in British connection and British traditions. I think all will unite in feeling that this half century which has passed should be marked in some appropriate way. In the circumstances through which we are at present passing, ceremonial or celebration, save of the soberest kind, would not be fitting. I would venture to suggest that nothing could be more fitting as a memorial which would be permanent and appropriate than that the new Parliament House, which, like our national life, is a new building on old foundations, should be dedicated to our splendid past, which has made possible a still more splendid future.

Hon. W. H. SHARPE: In rising to second the Address to His Excellency the Governor General, I desire to express my thanks for the honour conferred upon me. I wish also to join with all that has been said in regard to the departure of our former Governor General, and in extending a welcome to our new Governor General of Canada.

We have entered upon the third year of this great war. Canada, in my opinion, has done nobly. We have enlisted almost 400,000 men; we have sent overseas almost 300,000 men; we are keeping four divisions on the front line facing the Germans, and we are keeping these men properly equipped and properly recruited. These four divisions are holding eleven miles of the front line. I visited these four divisions last fall, and I want to tell you to-day, honourable gentlemen, that a better and finer class of men never took up arms in the history of the world—

Some hon. SENATORS: Hear, hear.

Hon. Mr. SHARPE: —and the feeling, the morale, the manhood, of these Canadians in France cannot be beaten any where. I had the honour also of visiting a large number of our wounded in the hospitals. Here I found the very best of feeling, and the only ambition those poor boys had was that they might soon get better and go and have another crack at the Germans. The Canadians in France have played an effective and glorious part in this great war: they have met and have defeated the Prussian Guards that the Germans are so proud of. Many of our boys have fallen in this conflict, and many of them will fall before it comes to a conclusion.

There is work for us all to do in this country at the present time. Britain is calling for more products of the land, and she needs more munitions of war. We need more men to fill up the vacancies that occur from time to time in our front ranks in France. We must provide the money for all this. This is work that every one in Canada can help in. We must have men to reinforce our boys at the front; in fact, in my opinion, every man in Canada should be a volunteer to go and work where he can do the most good.

In 1914, if any person had told us that Canada would have done as well as she has, we would not have believed it. Besides enlisting almost 400,000 men and equipping them, we have manufactured a billion dollars worth of munitions of war, and I am informed that more orders are coming to us, to the extent of almost five hundred millions of dollars. Truly, Canada has done wonderfully well.

But what would happen to us, what would our position be, if Germany and her allies should win this war? We have not won this war, and it is a long way from being finished. What would happen if Germany were victorious in this war? We would no longer govern ourselves in Canada. We would pay tribute to Germany and pay heavily for many, many years. There would be no more free speech in this country.

Some people in Canada have refused to do their duty in this hour of the Empire's need. I believe that all agitators against National Service, who are going from one end of Canada to the other, where ever they may be found, should be locked up.

Some hon. SENATORS: Hear, hear.

Hon. Mr. SHARPE: The man who is not prepared to serve his country at the present time should have no place in the affairs of Canada.

I fully believe that we are going to win this war, but the end is not in sight. Look for a few moments at the conditions in Europe. We were driven out of the Dardanelles; Montenegro and Serbia were overrun; Belgium has been crushed to the dust and her men have been taken away in cattle cars to Germany and forced to serve as slaves. The papers last fall gave us to understand that Germany was on the run, and just at that time Roumania threw in her lot with the Allies, and what happened? Germany held every front she had and went through Roumania without any difficulty at all.

Now, honourable gentlemen, if we are to win this war every man in Canada must do his duty and do it now. We must double our efforts in every direction; we must conserve everything that is possible for us to conserve. I think the Government would be well advised if they would stop granting homesteads during the continuance of this war, because, honourable gentlemen, in my opinion, the only men who are getting the good land in Canada to-day are slackers and foreigners, and I think we should hold this land for our own men, because they are away fighting to save Canada, and they should have the first choice.

Some hon. SENATORS: Hear, hear.

Hon. Mr. SHARPE: Another thing that I wish to speak of is the system of sending our troops to England. We have been raising battalions in Canada and sending them to England. I think that this at the present time is the wrong policy. I do not think it will serve any good purpose to send any more senior officers to England. I am speaking feelingly on this matter because I have had some experience: I raised a good battalion and took it to England, and it was there broken up and sent as drafts to France. I was willing to serve but there was then nothing for me or for my senior officers to do. The authorities there told me that the best thing for me to do was to go home, which I did, as soon as I got my affairs in connection with my battalion straightened out. While I was in England, I looked into this question very fully, and I believe that the Government would be well advised not to send any more battalions or drafts to England. I think it would be better to train them here in Canada, to complete units, and then send them directly to France. For a long time we have been told that we cannot complete their training in Canada; but honourable gentlemen, I want to tell you that my battalion received no training whatever in England, and they are practically all in the firing line to-day. I claim that we can train our men in Canada as well as they can do it any where, and I think that we can do it cheaper

There has been considerable talk in the papers about the shortage of food in England. There are a large number of Canadian women and children in England, and if there is any danger over a shortage of food I think that these women and children, who are not employed at some useful work there, should be returned to Canada.

Everything in connection with the army should be standardized. We should not have one standard in Canada and another in England or France.

The right honourable the leader of the Government has been invited to attend an Imperial war conference in the old country. This marks another milestone in the growth of Canada towards nationhood. We in Canada and throughout the British Empire are fighting for a just cause; we are fighting for an abiding and lasting peace. We want peace, but we only want peace with honour, and the peace that will protect all small nations in the future.

Hon. HEWITT BOSTOCK: Honourable gentlemen, I wish to congratulate both the mover and the seconder of this Address upon the excellent speeches which they have given us this afternoon. The statement which the honourable gentleman from Sydney (Hon. Mr. McLennan) presented to us as to the financial assistance which Canada has been able to give to the Em-

pire in this time of stress is an extremely satisfactory one for the people of Canada to consider.

The honourable member from Manitou (Hon. Mr. Sharpe) has to some extent dealt with the question of our military organization. I quite agree with him in regard to sending battalions from this country to England. I think that the Government would have been better advised at the beginning, if, instead of raising the large number of battalions that were raised, they had formed battalions in certain districts, and, after sending the first battalions overseas, they had sent over the rest of the men in the form of drafts to fill up the vacancies in those battalions. There would then have been a closer connection between the men from different parts of this country and those at the front. There would have been developed an esprit de corps which would have had a beneficial effect on both the men themselves and the people in the different districts from which the battalions went forward.

With regard to the officers in England at the present time who now find themselves without any position, I had hoped that a large number of them would have seen their way either to accept a reduction in rank and go to the front or else come back here to help in the work of the war.

Reference has been made to the departure of His Royal Highness the Duke of Connaught. I wish to join with the mover and seconder of the Address in expressing the regret of the people of Canada that the term of service of His Royal Highness in this country has come to an end. We had thought that it was the intention that His Royal Highness should remain in Canada until the end of the war. When he first came out here it was understood that it was at great inconvenience to himself, and that he desired that his term of office should extend only for a couple of years. But when the war started he consented to remain on, and I am sure that everybody throughout the length and breadth of this land appreciated his devotion to duty and his desire to render all the service he could to Canada and the Empire in the position which he so nobly filled. We all join in regretting that he should have left us, and we realize that in the future he will do all that he can for Canada and for Canadians who are in Great Britain.

In welcoming to this country His Excellency the Duke of Devonshire we are welcoming a man who has had considerable experience in public life, and whose training has been largely in the public affairs of his country. His experience will be of great benefit to Canada in the problems arising out of this war—problems referred to by the hon. gentleman from Sydney (Hon. Mr. McLennan) in regard to the return of the soldiers and in dealing with those who have so nobly served their country, and who, in doing so have received wounds which will make it necessary to take care of them and provide for them during the rest of their lives. There is also the problem of absorbing into civil life men who have returned and who are no longer fit for duty. It is a very difficult question, and one to which I know the right honourable the leader of the Government is giving great attention. In this connection we realize that the experience of His Excellency the Governor General should be of very great value to this country. We welcome also Her Excellency the Duchess of Devonshire and her family, and hope to see them interested in the affairs of this country.

On behalf of the members of the Senate, I have the pleasure of congratulating my honourable friend the leader of the Government on the honour which, since we last met, he has received at the hands of His Majesty—the honour of knighthood. We appreciate any distinction that comes to my honourable friend in this manner as we in this Chamber appreciate his good qualities. We would have been pleased, however, had some further distinction come to him in the way of his receiving an to him in the way of an appointment to a portfolio in the Government. This Parliament has now met for the seventh session. In the ordinary course, the Parliament would not be in existence now; but owing to the conditions arising out of the war we meet again for another session. During the recess an opportunity occurred for the Government, had they so desired, to place my honourable friend in the position of controlling a portfolio. We know that to-day his services are very fully occupied by the chairmanship of the Military Hospitals Commission and the Economic Commission, but at the same time we think that it would have been only due to the dignity of the Senate that his claims to a portfolio should have received the consideration which they so strongly merit.

We had hoped before we separated at the end of last session that possibly the condition of things throughout the world, in connection with this war, would have been further advanced than they are to-day. There were at that time men who thought there was a possibility of our arriving at a state which would mean the termination of the war before we met again in this House; but, although the progress made in the war has not been as great as we hoped for at that time, still the progress that has been made on the western front, as well as on the east by the Russians, and even at Salonica, has been of a nature that does not give cause at this time for any feelings of anxiety. The splendid work done on the western front by the French, in the fight at Verdun, which was so admirably carried through in the latter months of last year, and the work done on the Somme by the British troops, including all the troops from the different Dominions, have been, I think, a revelation to the Germans, inasmuch as, from all accounts that we receive, they had made preparations and had intrenched themselves as if they had thought that they could not be turned out. But all their ideas and calculations have been upset by the valour and the determination of men of all parts of the Empire and by our Allies the French. Moreover, the co-ordination between the different branches of the service—the artillery, the infantry and the aviation corps—has been a revelation to everybody who has seen the work that has been going on. The way in which the different services have been able to co-ordinate their work and to co-operate in carrying it out has revolutionized the system of warfare from what it was at the beginning of the war. We appreciate the good work that has been done by the Canadian soldiers along with the other troops of the Empire, and desire that everything possible shall be done by the people of this country to support them and let them realize that they have the whole force of the country behind them.

In talking of the war we must not forget that, as far as Canada is concerned, we really owe our position and our freedom from actual contact with this struggle to the admirable work that has been done by the British Navy. The British Navy has had a most difficult part to play, a part that has not appealed to the ideas of the people in the same way as the part that the army has to play. It is very seldom that we are able to read of any work that has been done by the navy, and we are apt to think, when we read, as we have lately done, of a German raider having escaped into the south Atlantic, that the navy has not been able to do all that it should do. It is only natural that sometimes the Germans, with all their tricks and arts of disguise, should be able to rig out a ship that would escape the notice of the watchdogs of the British navy, slip past them, and do a considerable amount of damage before being caught. The reports that we now receive seem to indicate that already this particular raider has been brought to time.

We are threatened at the present time with a further attack by the submarines, possibly on this side of the Atlantic, but I think that we all feel that, even should those submarines be able to do a certain amount of damage at the start, the British navy will eventually prove itself entirely competent to deal with them and bring them to time and that eventually the submarine will prove as great a failure as the zeppelins have proved to be in the raids which they have from time to time made on England. We realize that those attacks, made at different times on undefended parts of the country, have had no military effect whatever.

The Speech from the Throne deals with certain questions with which the Senate has not very much to do. I do not propose, for instance, to discuss the question of the extension of the term of Parliament, as that is a matter which pertains more to the work of the other House, and will, I presume, be discussed when the resolution is brought down. If it comes to us we shall then have an opportunity of dealing with the matter.

The question of National Service, to which my hon. friend from Manitou (Hon. Mr. Sharpe) referred, is one that we are all ready to consider and to deal with at the proper time. I agree with him that the country must rise to a realization of the situation in which it is placed to-day, and that every one, from one end of Canada to the other, in duty to the country and to himself, should put forward every effort to help in the prosecution of this war .

With regard to the question of the Imperial Conference, we have heard from the Premier of England that he is desirous of consulting the Premiers of the Dominions on questions concerning the further prosecution of the war, and those questions which will arise after the termination of the war. The idea is, to some extent, a new one. It is a further step in bringing together the

different parts of the British Empire for the purpose of co-ordinating a policy that will affect the interests of the whole Empire. So far as the different parts of the Empire outside of Europe are concerned, there is no doubt that the Premiers of the Dominions can give very valuable advice and assist in many ways in settling questions that will arise; but I do not suppose for one instant that representatives of any of the Dominions would think of offering any advice on questions arising out of such a complicated situation as that which exists in the Balkans at the present time. These are questions which, to my mind, are entirely outside the scope of the Dominions and will probably, in the good judgment of our representatives, be left to be dealt with by those who have made a much closer study of them for many years.

In conclusion, may I say that we shall, as hitherto, endeavour to meet all questions that may arise with regard to the war in a fair and straightforward manner, and to give such criticism to all measures that the Government may propose as will help, and not hinder, in improving the work that the Government has to do, and in such a way as to show the country that in the prosecution of this war we present a united front and are only anxious to do all that we can to bring it to a successful termination.

Hon. Sir James LOUGHEED: Hon. gentlemen, I beg to join with my hon. friend the leader of the Opposition in extending congratulations to the hon. gentlemen who have moved and seconded the Address in reply to the Speech from the Throne. It is a time-honoured custom in speaking on the Address to extend the congratulations of the Chamber to those hon. gentlemen. On this particular occasion, entirely irrespective of custom, we can extend our congratulations with every feeling of sincerity and felicity, purely on the ground that the mover and seconder have performed in a most able way the task that was allotted to them. Both speeches have been interesting, instructive and able, and augur well for the thought and ability which those hon. gentlemen will bring to bear on the deliberations of this body.

It may not be out of place to make reference to the first clause of the Speech from the Throne, namely, that which refers to the appointment of His Excellency the Governor General to the high office which he has recently been called upon to fill, and which we know, from the valuable public services which he has already rendered to the state, he will fill with acceptability to the people of Canada and with due regard to the high and important duties associated with the office of Governor General of Canada. While it was with the deepest regret that Canada extended its farewell to his immediate predecessor, His Royal Highness the Duke of Connaught, than whom no previous Governor General gave more anxious thought and time to the performance of the high duties of his office, we are conscious that in the person of His Excellency the present Governor General we have a very fitting successor to represent the Crown in Canada.

This is the fourth session that has been called since the declaration of war. All these sessions may be said peculiarly to have been war sessions in the sense that all other public considerations have been subordinated to the all-absorbing responsibility that has been thrown upon Canada in taking its part in the unprecedented struggle that is now being waged between the Allies and our enemy. In August, 1914, when the declaration of war was made, we could scarcely have anticipated the magnitude which the struggle has assumed and the unlooked-for responsibilities which Canada has been called upon, and that gladly, to assume. If in August, 1914, it had been predicted that we would have furnished more than the first contingent, it would have been received with doubt in many places. If it had been predicted that the first contingent would have been increased to the number of men already recruited, namely, approximately four hundred thousand, it would have been looked upon as visionary and as something outside the pale of possibility. But during the progress of the war the patriotism of Canada in its adhesion to and love for the Empire has so increased and risen as to bring within the bounds of the practicable that which in 1914 seemed to be the impossible.

Not only has Canada enlisted 400,000 men, but the financial burdens which she has assumed in addition to the response to patriotic benevolence which has exhibited itself throughout every part of the Dominion, has given her a prominent place amongst the Allies in the war, and has increased the pride of every loyal Canadian in the great imperial role which it has been our privilege to play. This is the first time in the history of Canada we have raised our public loans in the shape of war loans within our own boundaries, and that to the unprecedented extent of two hundred millions of dollars. We have been in addition thereto of valuable assistance in financing large

amounts within our own boundaries for the accommodation and convenience of the Imperial authorities. In the men we have enlisted and forwarded to the seat of war and in the enormous sums we have raised within our own money markets, Canada has far transcended the ability and resourcefulness which she thought she possessed. We have thus revealed to ourselves and to the world at large the unbounded possibilities which we possess, possibilities abounding in all the national resources of men and treasure, and ability to furnish every element which goes to make a great nation. Wherever Canadians have fought in the titanic struggle which is now being waged in Europe, the name of Canada has loomed large and important. Our troops have fought with a courage and gallantry and resourcefulness second to none of the finest troops in Europe. We have exhibited to the Empire a spirit of patriotism of which we are proud and which we feel assured will have marked results in the conduct of the war and an important bearing hereafter in the important part which Canada must play in the Empire.

It is difficult to predict how long the war will last, how great the demands yet to be made upon the resources of Canada both in men and in treasure, and the strain to which Canada will be subjected in playing its part to the end in the conduct of this great struggle. However, we in Canada are as fully determined as the Allies in doing our utmost until the war is brought to a successful conclusion. The fate of Canada is as much, if not more, involved in the result of this war than the fate of any of the Allies. Occupying as we do the northern half of this great continent, settled sparsely as it is, and with its development only superficially touched, the triumph of Germany would mean the occupation by the Teutonic powers where the Anglo-Saxon has laid broad and deep the foundations of his civilization. While certain indications point to the probable termination of the war at no distant date, yet we cannot afford to deceive ourselves that the utmost preparation must not be made to continue the struggle until a peace is concluded that will absolutely assure the world for generations to come of a continued peace from German menace. For over a generation not only Europe but the whole of civilization has been menaced by the peril of Prussian militarism. The continuous building up by the Teutonic powers for the last forty years of an unparalleled war machine consisting of armaments and munitions of all kinds, threw upon every country in Europe the necessity of expending fabulous sums in making preparation to meet this impending peril. So great had the strain become upon the different nations in Europe, the result of which we in Canada also felt, that it was almost with a sense of relief that the Allies entered upon the struggle for the purpose of crushing the most dangerous menace that of late years civilization has faced. The war programme of Germany was obviously to smash France and Russia and then concentrate its attention upon Great Britain. Having been engaged in preparing this programme for some forty years and concentrating all the national energies of the Germanic people toward this end, it is not surprising that during the first year of the war Germany found itself in possession of large territorial areas in France, Belgium, Russia, and the Balkans. It was a peculiarly studied plan on the part of the Teutonic peoples that, having accomplished this achievement in the war and realizing that their resources were being rapidly expended, they should announce to the world that while in possession of this territory they were prepared to dictate terms of peace to the Allies. They now realize only too well that in the inverse ratio to the expenditure of their national resources the Allies are increasing their military resources to an extent almost beyond conception Thus we have the situation to-day of Germany having reached a point where its resources are being exhausted while those of the Allies are being increased many fold. It would, therefore, under these circumstances be a world-wide crime to permit of Germany directing a peace which should be accepted by the Allies. Germany, having assumed the responsibility through its inordinate ambition and the vanity of its rulers to make war on Europe and become the masters of our civilization, finding itself facing defeat, disaster, revolution and disememberment, like the brutal bully of which it has played the part throughout the whole of the war, would naturally seek to maintain its national entity if nothing more, and thus escape the dire punishment which outraged justice as represented by the Allies should administer.

Peace at such a time and on such terms as those indicated by Germany would render futile the enormous and inconceivable sacrifices made in men and treasure by the Allies. Entirely apart from the terms which

should enter into such a peace, the most basic and dominating principle, which must overshadow every other provision, is that Germany should be so driven in this war as to be forced to give assurance to civilization that the military power and brutality of German militarism will in future be unknown in the fabric of our civilization. This has been the overwhelming cause and factor and force underlying this gigantic struggle; and until this cause is eradicated humanity will have no assurance against a return at any time of this the most brutal and destructive demon that has ever been let loose upon the free peoples of Europe.

It is a matter of gratification that the Government of the United Kingdom, as indicated in the Speech from the Throne, have invited the first ministers of the Dominions to participate in the deliberations of the War Cabinet. While this may in a sense be regarded as a concession to the Overseas Dominions owing to the policy which has hitherto been pursued by the Government of the United Kingdom, yet it is not more than the recognition, both contitutional and moral, that should be accorded to the self-governing Dominions of the Empire. It is a matter for comment that notwithstanding the important part played by the Overseas Dominions in the destinies of the Empire, greater advantage has not been taken by the Government of the United Kingdom in seeking the assistance of the different parts of the Empire in dealing with Imperial questions. The war has particularly accentuated the change which must come in this direction. Canada, Australia, South Africa, New Zealand and the other Overseas Dominions are as much interested in the destiny of the Empire, and have proportionately suffered as much, as the United Kingdom, and hereafter their interests in the Empire must be consulted by the Government of the United Kingdom concerning affairs of the Empire. Out of the war must be built up an Imperial edifice including the self-governing parts of the Empire that will stand forth as an evidence to the world of the unity and consolidation of a people, united in one constitutional whole for all the beneficent services that can be rendered to humanity.

Probably the greatest problem that Canada will have to consider after the war will be the demobilization of our Canadian forces, their return to Canada and their absorption into the civilian life of the country. Large and important questions must necessarily grow out of this subject. This will not only involve absorbing into civilian channels those who have so gallantly defended their country during the war, but must also involve questions dealing with the diversion of labour from the channel in which it has been engaged, such as munitions, etc., within the boundaries of Canada. Labour problems of the most difficult character will have to be worked out by the Government. These questions will particularly concern the finding of employment for the many thousands of men who will find themselves unemployed through the extraordinary conditions which will have occurred, and the duty will also fall, not only upon this Government, but upon the provinces of Canada, to deal with the large questions which we shall have to settle on the cessation of the war. New channels of industry will have to be opened up, problems of a Federal or provincial nature touching the development of Canada will have to be grappled with. The establishment of new industries, and those on a large scale, can alone satisfy the employment requirements with which we shall be confronted. It is difficult, if not impossible, at the moment, to outline how these questions can best be solved. Suffice it to say that the national enterprize and patriotism of the people of Canada should be sufficient to deal with them. The settlement of our lands and the development of our natural resources will necessarily demand special attention when this period arrives. Already the Government has given consideration to these problems. Entirely apart from settling returned soldiers upon our lands and adopting such steps as the Government may take for their employment, the development of our resources, including the settlement of our lands, is probably the most important question with which Canada has to deal.

The Address very fittingly refers to the proposed celebration of the 50th anniversary of the foundation of our Dominion. For half a century Canada has been laying wide and deep the foundations of its national edifice to establish on the northern half of the American continent a people with all the virility, energy and enterprise of the races from which they have sprung. Notwithstanding the magnificent heritage which we possess, a heritage equal in all its possibilities to that of the great republic to the south of us, we must confess disappointment at the growth which has taken place during the half century which has passed since Canada laid the foundation of

its union of provinces. It is scarcely overstating the facts when we say that our lands, our forests, our fisheries, our water stretches, our mineral resources of gold, of silver, of iron and of coal, are not inferior to those fo the United States, yet, for reasons difficult to explain, we find them very largely undeveloped and not contributing to that degree of wealth and prosperity and population which we have the right to expect. We have built up magnificent systems of transportation not excelled in any part of the world. We have assumed great financial obligations for the carrying out of those enterprises, and yet in growth and population and in the settlement of our lands and the development of our minerals we are lamentably lacking. These are problems with which we shall have to grapple with all the earnestness and ability which have marked our people in the strides of progress made in other directions. A country like Canada, with less than eight millions of people, which has been able to surpass all expectations in enlisting 400,000 men, in floating enormous loans within our own boundaries, in assisting the Empire in the titanic struggle which is now going on, by fully realizing the necessity of concentrating its attention upon the problems of the development of Canada and the growth of its population, should be equal to adopting such a policy as to ensure the growth of this country by leaps and bounds. No progress will be made in this direction until Canada breaks away from the narrow channels in which she has been moving in dealing with great national questions, and adopts a large and comprehensive national policy looking to an increase of all its spheres of development, resourcefulness and energy which she has shown during the present war .

Reference is made in the speech from the Throne to the intention of the Government to ask Parliament for an extension of the term of Parliament which will expire in the month of October next. This is a matter upon which I need not enlarge. Its importance and significance will present themselves to the minds of honourable gentlemen with quite as much force and lucidity as I could present them to the House. The Government is not seeking as a suppliant to have the term of its office extended, but recognizes that with the important and tragic questions with which it has to deal, growing out of the war, the time would be singularly inopportune to plunge the people of Canada into all the excitement and rivalry and intense heat and jealousy of an election contest. At a time when hundreds of thousands of Canadians are fighting in the trenches in France and Belgium for the defence of the Empire, at a time when they are giving their life-blood, at a time when they are leaving desolate, parents, wives and children of the families to which they belonged, no more unfitting time could be conceived for precipitating the people of Canada into all the undue excitement and unfriendly aggravations of an election contest. At the last session of Parliament a Bill was unanimously adopted extending the life of Parliament for one year. The conditions which then obtained and which appealed to Parliament as warranting this action, not only exist to-day, but are intensified in the many tragic features which I have pointed out of the losses which Canada has sustained in the great struggle in which she is now engaged.

Measures which will be brought before the Chamber at the present Session will be largely measures growing out of the war, and I have no doubt they will receive the same support and sympathic consideration that have been given to the different war measures presented by the Government since August, 1914.

I trust that Parliament may not be unduly prolonged in the transaction of its business, and that the same patriotic and valued consideration will be given to all measures introduced by the Government which we have the right to expect at the hands of the Senate of Canada.

Before sitting down, may I be permitted to refer to the very flattering remarks which my hon. friend the leader of the Opposition has made with regard to myself. I am always overcome when I attempt to reply to the very kind sentiments which are so frequently expressed by my honourable friends opposite, in whom I find that I have the hearing ear and the understanding mind, and sometimes the helping hand, just as much as I find them on this side of the House; and I can assure the honourable gentlemen that I appreciate the very gracious remarks which have been made by my honourable friend the leader of the Opposition. I hope that as long as I am discharging my duties upon this side of the House I may have the confidence of my friends opposite, to the extent, at least, to which they have shown it in the past.

Hon. L. G. POWER: Honourable gentlemen, I cordially endorse the sentiments expressed by the honourable the leader of the Opposition with respect to the leader of

the Government. If we have got along in this House in a harmonious and satisfactory way for some years, I think it is due largely to the good feeling and tact that the honourable gentleman has shown in his important position.

With respect to the honourable gentlemen who moved and seconded the Address to His Excellency, I endorse what has been said by the speakers who have preceded me. The honourable gentleman from Sydney (Hon. Mr. McLennan) talked good sense in graceful English; and the honourable gentleman from Manitou (Hon. Mr. Sharpe) told us in a very distinct and impressive manner things which he had seen for himself, and therefore he knew what he was talking about. I think that these two honourable gentlemen are to be complimented because their remarks were so much to the purpose.

With respect to the Speech of His Excellency, there are just one or two points that I should like to make, apart from those which have been made by honourable gentlemen who have preceded me. The Governor General says:

> I desire on this occasion to express my respectful appreciation of the honour conferred on me by the King in appointing me to the distinguished office of Governor General.

Now, I think that the fact that the Duke of Devonshire succeeds His Royal Highness the Duke of Connaught makes his appointment a really more important, more desirable, and more honourable one than it would otherwise have been.

With respect to the Duke of Connaught, I quite endorse all the good things that have been said by the honourable the leader of the Opposition and by other honourable gentlemen. I think that some stress might be laid upon the fact that the Duke of Connaught, being here at a critical time, being an experienced soldier and in every way an able man, exercised an influence on the conduct of the war which had a very beneficial effect indeed. These things were not published, but there is no doubt about them.

If we had been asked to select a man to follow the Duke of Connaught, there is, I suppose, hardly a nobleman in England whom we should have chosen in preference to the Duke of Devonshire. The Duke belongs, as has been pointed out already, to a line of very distinguished men—men distinguished for ability and high character; and characteristics of the whole line have been strong common sense, business capacity, and, perhaps above all, independence of feeling. A Cavendish was the private secretary of Cardinal Wolsey, and although, at least towards the end, Cavendish did not share the religious belief of the Cardinal, yet after the Cardinal had fallen and was out of the favour of Henry VIII, when it was a risky thing to say anything in favour of the Cardinal, Cavendish was independent enough and true enough to his old master to write a life of the Cardinal which was particularly friendly; and that sort of independent character has clung to the line ever since: they have always shown themselves constant and trustworthy.

It had occurred to me to say something about the Canadian forces overseas, but the honourable the leader of the Government has anticipated what had so often struck me. If anyone had told us in 1914 that by this time Canada would have sent 300,000 men across the ocean, he would have been looked upon as more or less lacking in intellect. I think it a perfectly wonderful thing.

The next subject that I wish to speak of is one that I do not feel altogether clear about. We are unanimous about nearly everything to-day; we are not in a critical mood; but I must confess that I do not clearly understand what is meant by the organization of National Service, my ideas on that question are hazy. There are a great many people who think that National Service is a preliminary to conscription, I do not think it is; I do not think the case is so urgent as to need a resort to conscription. Then we have the assurance of the right honourable leader of the Government that National Service is not intended as a preliminary to conscription; but unfortunately there are many people throughout the country who are not sufficiently informed on the subject, and who are of the opinion that it really is preliminary to conscription.

It was rather saddening to me to be informed only yesterday that during the past month some 30,000 people had migrated from Canada to the United States, largely due to the dread of conscription. They are very foolish, I think; but I think it only right to call attention to that statement, and I think that every reasonable step should be taken to remove the impression which has undoubtedly been made upon the minds of a good many people.

There is one point which has not been referred to but which I think really does deserve to be considered by the Government as well as by the members of the two Houses. Honourable gentlemen have of course read that recruiting in the Dom-

inion has fallen off. I think at the present time it is proceeding pretty well; but there was a falling-off for some time, and the question was what this falling-off in recruiting was due to. Now, honourable gentlemen, I do not think it was due to any shirking, as a rule, or to any lack of loyalty or of readiness on the part of the people to bear their share of the risk and burdens of the war. I think it can be put down to other causes. First, there is the exhaustion of the sources of supply; the number of young men to be drawn from has been very considerably diminished. When you take 400,000 men out of a population of 8,000,000 people, the supply of young men is very appreciably diminished. Another point is that some of these men cannot be spared in the places where they are working, for, in making munitions or in farming, they may be really doing as much to bring the war to a successful end as if they had donned khaki uniforms. Then, too, there is the character of the reports that come to us from the scene of action. The Canadian troops have distinguished themselves on a great many occasions, but how much do we know about it? Perhaps months after a fight has taken place we find that at Courcelette or at Givenchy or at some other place the Canadians have distinguished themselves greatly; but has any honourable gentleman seen any interesting and instructive account of any of these fights within a reasonable time after the fight has taken place? I can understand that it is right and proper that anything which might convey useful information to the enemy should not be made public; but, after the fight is over, why should not our people be allowed to know what their brothers and sons have been doing? There is no doubt that love of glory and fame is a very strong motive with the average man. These young men who risk their lives feel, and have a perfect right to feel, that if they distinguish themselves their friends at home should be informed of it. I think that stupidity on the part of the censors is responsible to a very great extent for the lessening of the tide of recruiting. It seems to me that things have been done with very little regard for the natural feelings of the men. This has been referred to by one honourable gentleman already.

Organizations have been broken up. For instance, we had in Nova Scotia what was called a Highland brigade. This brigade consisted of either four or five battalions, I have forgotten which. At any rate, if there were only four in the first brigade, there was a fifth battalion which was intended to make up the losses from death and wounds. These men were recruited in Nova Scotia by officers who were supposed to be speaking with authority, and who went around amongst our people and said: "This is to be a Nova Scotian Highland brigade; they are to go into action together; they are to fight together and live together." That had a great deal to do with the triumphant success of the recruiting of that brigade. The late Governor General reviewed them in September at Aldershot, and he said that they were the finest body of men that he had reviewed. These men went over to the old country, and they had hardly got there when they were broken up; the 85th, the backbone of the brigade, was sent on ahead, and the others have gone no one knows where. You can understand the disappointment amongst both the men themselves and their friends in the province. It would be difficult to go into Pictou, or Antigonish, or any other county and recruit owing to the disappointment of the people.

What I think really the most effective cause of the slackness in recruiting is the delay which has taken place in getting men to the front. I just mention this 85th battalion as an illustration. They began to organize in August, 1915. In October, 1915, the battalion was practically completed and the men were ready to go almost any time after October. When it came to March the men were all keen to go, and disliked very much being kept back. That battalion did not leave Nova Scotia until October, 1916. They might have been eight months at the front before they were sent. The young men who enlist for the war do not enlist for the purpose of spending month after month drilling in Canada. They want to get to the front and do something, and the misfortune has been that they have not had the chance. I think if the honourable the leader of the Government will speed up his colleagues in sending the men across he will probably promote the cause of recruiting and render National Service quite unnecessary.

There is just one more matter which does not impress me very favourably, and that is the proposal to celebrate the fiftieth anniversary of the foundation of the Dominion. It seems to me, honourable gentlemen, that a time like this, when the country is engaged in what one might call a life-and-death struggle, when our young men are being killed or wounded or made prisoners on the other side of the Atlantic, is a singularly inappropriate time to under-

take a national celebration. I think it is exceedingly inappropriate. I think that the right time for a celebration is after the war is over. When the war has been brought, with our help, to a triumphant conclusion, then we can celebrate the victory and celebrate the jubilee of the country at the same time.

On motion of Hon. Mr. David, the debate was adjourned.

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

THE SENATE.

Wednesday, January 24, 1917.

The Senate met at three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATOR INTRODUCED.

Hon. Frederic Nicholls, of Toronto, was introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell, and took his seat.

THE GOVERNOR GENERAL'S SPEECH.

ADDRESS IN REPLY.

The Senate resumed the consideration of His Excellency the Governor General's Speech at the opening of the session.

Hon. L. O. DAVID: Honourable gentlemen, as you all know, I concur in practically everything that has been so well said by the honourable gentlemen who spoke yesterday. There are a few points, however, to which I take exception. I share their views absolutely in regard to Canada's obligations in the great struggle which is going on for the triumph of true civilization and liberty against the most formidable military power that has ever existed. However, honourable gentlemen, I do not feel well enough to make any extended remarks to-day, and I would beg to be allowed to postpone my address to some later time.

Hon. A. BOYER: Honourable gentlemen, before the motion is carried, may I add my quota to the compliments paid to the mover and seconder of the Address? They have accomplished their task as only senators, and experienced ones at that, can do. All young members realize what a task it is to speak for the first time before the Senate. I must say for my honourable friend from Sydney (Hon. Mr. McLennan) that he spoke like an old parliamentarian, and said things which cannot be forgotten.

I concur in the regret expressed throughout the Dominion of Canada at the departure of His Royal Highness the Duke of Connaught, the Duchess, and the Princess Patricia. The Duke himself was an old friend of ours. I can well remember, as a boy, seeing him stationed in Montreal with the old Rifle Brigade. It was one of the pleasures of our school days to go and gaze at the son of Queen Victoria commanding a company of the Royal Victoria Rifles on the Champ de Mars. The royal family has always taken a very keen interest in the Dominion of Canada.

Canada has reason to compliment itself upon the Governors who have been sent out to us. In the present Governor we have a man whose ancestors have shed a bright lustre upon their time. It was my good fortune to be in England when the Marquess of Hartington was the right-hand man of the late Hon. Mr. Gladstone. We followed his policy the world over, and when the unfortunate crisis occurred in which the Marquess of Hartington severed his connection with Mr. Gladstone because they had failed to agree on the question of Home Rule for Ireland, we young men, growing up in the old Liberal school, and having for our ideal the Gladstonian policy, regretted to see the separation. We tender the hand of fellowship to the new Governor, and I trust that Their Excellencies will not regard the cold winter as a criterion of the welcome which we extend to them.

There are only two points in the Speech from the Throne upon which I will say a few words. The first is National Service. Like a good many others I received through the post office on the 22nd of December, if I remember correctly, a card asking for certain information. This card I filled in and mailed on the same day. The question has been asked: how are those in charge of the National Service to ascertain who have signed and who have not signed the National Service cards. The idea of distributing those cards through the country post offices was a very good one, but it had one weakness. The postmasters were not instructed to keep a register of those to whom the cards were delivered. I know a half-a-dozen municipalities in the immediate vicinity of Montreal in which the postmasters delivered the cards. I know of one family in which there were a father and three boys. The father, who

generally called for the mail on his way home from work at six o'clock, was given only one card. What about the boys?—there were none for them. In a dozen municipalities where I have asked: "Have you received your National Service card?" I have received the reply: "No, I do not know what it is." It seems to me that, as we wanted a thorough inventory of the resources of the man power of Canada, there should have been some other way of delivering these cards. There are voters' lists; why should not they have been used and a card addressed to every man on the lists? We could then have exercised a check on those who received the cards. But when it comes to inquiring from different men throughout the Dominion, "Have you not received your card? Why have you not sent back your card?" the answer will invariably be, "I never received one;" and if you persist and say, "Yes, you did," the answer will be, "Prove it;" and how can you prove it when the postmasters have kept no registers? I specially inquired at the post office in Montreal if they had any envelopes, or if they had the necessary papers, and the answer was, "We have not received them yet." We in Quebec are ready and anxious to do our duty to the utmost, but we want the means of doing it. Do not allow the only chance we have of making effective our resources throughout the Dominion to slip by through a lack of organization.

The Speech from the Throne refers to the coming year as the fiftieth anniversary of the foundation of the Dominion of Canade. I quite concur in the sentiments expressed with regard to having a national celebration of this event, but I quite agree with my hon. friend from Halifax (Hon. Mr. Power) that there should be no celebration until victory in the war has been achieved. I should like to see our boys brought back victorious from the old country to join in the celebration of the fiftieth anniversary of the creation of the Dominion of Canada. They have done wonders for us; they have made illustrious the name of the Dominion throughout the world; and they should not be left out of the celebration. If we are sure that the war will be over by the date set for the national celebration, well and good; but, if not, I would humbly beg the Government to postpone the celebration until all the Canadians abroad are brought back to join in it; and then with a mighty shout we may say to the world, "See what a young nation, only fifty years of age, has done."

I have a very good piece of news to impart to this honourable House with reference to the celebration. We all regretted the burning of our House of Parliament in the unfortunate fire which took place on the 3rd of February last. I particularly regretted the destruction of that huge canvas, the work of Mr. Harris, which hung in the Railway Committee room. It was what one might call a national manuscript; it contained a true portrait of each and every one of the men who were sent by the different provinces to set their seal on the creation of the Dominion of Canada. Sir Robert Borden, on the recommendation of Sir Joseph Pope, wrote to the Advisory Art Council asking if it would be possible to secure from the artist the original drawings of the picture, and I may tell the House that the Advisory Art Council has been successful in securing from Mr. Harris those original drawings. Unfortunately Mr. Harris is too advanced in years to remake the picture; but we must rest satisfied in possessing once more the portraits of those men who laid the foundations of the Dominion of Canada, whose fiftieth anniversary we are preparing to celebrate.

The Address was adopted.

TRIBUTES TO DECEASED SENATORS.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, almost each session of Parliament brings with it the melancholy fact of vacancies in our ranks made by the grim hand of death. Since we last met death has been busy amongst us. The grim reaper has garnered more than his usual harvest. No less than seven of our members have reached the bourne from which no traveller returns.

With the exception of one they were with us during the last session of Parliament, interested with their colleagues in the proceedings of this Chamber, and thus practically active in their duties until the last call sounded. As long as I have been in this Senate I have no recollection of so numerous a group during the recess having to answer to the last call. They were all men who for years had been active in the public life of Canada. With the exception of two, all have been prominent in political life, had enjoyed the confidence of their electors and had sat for years in the House of Commons, afterwards coming into this Senate and bringing with them the activity of the lower Chamber.

Senator Derbyshire was the first to precede his fellows. He was in continuous at-

tendance with us until the end of the last session. Then came Senator Frost, who with his friendly greeting had almost regularly filled his seat from day to day. Then was gathered in Senator Costigan, who for over fifty years had been one of the most active figures in the public life of Canada. For a year or more Senator Kerr, urbane, energetic and emphatic, had been prostrated by a painful illness which finally brought the strong man low. Then came Senator Mackay of Montreal, who for years had gone in and out amongst us in his quiet, unostentatious way, finally to leave vacant the chair which he had occupied for some fifteen years. Then came the news of Senator Fiset's death, a man always eager and intense, and who seemed to give promise of many years of life. And yesterday over the wire came the news of the death of Senator Davis, one of the most active men in our membership, and one who had looked forward to many years of public activity. To-day the flag flies on these buildings at half mast as his death signal.

But death laughs at our promises and expectations and gathers in its victims when least we expect it. We visualize all those our fellow members as we last saw them and as with one exception they filled last session the seats they had occupied so long. Invariably at such a time we ask ourselves the question, what chair will next be vacated? To-day we call up friendly memories of all of our late colleagues. The touch of the vanished hand of each is easily recalled by us. In view of the uncertainty of life and the certainty of death we are more impressed than ever with the futility of our rivalries, with the vanity of the shadows we are pursuing, and with the value of cultivating toward our fellowmen those kindly thoughts that never die. We thus place on record the deep regret of our Chamber at the vacant chairs that have thus been left, and would convey to the families of our departed colleagues our deepest sympathy in the loss and bereavement which they have suffered.

Hon. HEWITT BOSTOCK: It is difficult to add very much to what has been so admirably said by the leader of the Government with regard to the departure of our friends since we last met together in this Chamber. They were known to all the members of this Chamber for their long service to their country in many ways in public life. Some of them came to this country in the first instance from the old land and spent their lives, as in the case of Senator Mackay, in developing and building up the industries of Canada. Senator Davis was born of Irish parents in the province of Quebec, but had spent most of his life in the development of the western country, and had been a very energetic and capable representative of that part of Canada. Senator Frost was descended from a family from the United States, but had spent most of his life in Canada and had been instrumental in the building up of a large industry in the province from which he came. He was dearly beloved by those who knew him and by all the employees who were associated with him in his work. Senator Derbyshire was a representative man in his part of the country, as a farmer and dairyman interested in the agricultural pursuits of Canada, and also as a worthy and capable public man doing his duty to the country. Senator Kerr was for some years Speaker of the Senate, and we can to-day see the effects of his handling of the affairs of the Senate when he was in that position. He was also a very prominent Mason, and in his professional career he had been associated with the leading members of the Ontario Bar.

Senator Costigan had spent possibly more time in public life than any of the other men to whom I have referred. He was in the Government of Sir John Macdonald; afterwards in the Government of Sir John Thompson, he was a minister with my honourable friend opposite, Sir Mackenzie Bowell, and later was a minister under Sir Charles Tupper. He had, I might say, the almost unique record of never having been defeated in an election from the time he commenced to take a position in the public life of this country. Subsequently he was appointed to the Senate, and on the occasion of his seventieth birthday he was presented by the Liberal members and senators with a token of respect by the hands of Sir Wilfrid Laurier, the leader of the Liberal party.

Senator Fiset was a prominent man. Not only had he taken a great interest in the affairs of the district which he represented, but he was also very prominent in matters connected with the militia, from which he retired with the rank of lieutenant colonel. He has left behind him sons who have taken an active part in the present war. His eldest son, at present Deputy Minister of Militia, was distinguished for his services in the South African war. Another of his sons,

I regret to say, has been returned to Canada badly wounded.

Hon. Mr. CASGRAIN: Dying.

Hon. Mr. BOSTOCK: My honourable friend here informs me that he is dying from the wounds that he received at the front, while doing his duty to his country. The other members of the family are also engaged in doing their share, both in France and in this country, in the terrible struggle which we are now carrying on.

I join with my honourable friend in expressing our regret at the loss of so many of our friends from the Senate, and our condolence with their families and friends.

Hon. RAOUL DANDURAND: Honourable gentlemen, when I look at the names of our departed colleagues, I am struck with the fact that they constitute a group which is typical of this chamber as a whole. They are from all parts of Canada, west, east and centre; all the races of our population and the various activities of the men who make up the House of Commons and the Senate of Canada. It is often stated in the press that the Senate is not a very active body and seems to be composed of men who have reached the age when they take life easily. Yet when I look at this list of men I find that up to their last days they had been active in the various walks of life, and had only become inactive when sickness prevented them from crossing the threshold of this Chamber. They have all been men of prominence in their respective localities. Five of them received the endorsement of their people as worthy to represent them in the House of Commons, and from there they came direct to this Chamber.

I can but second the remarks of the two leaders in this House; but I would like to add a word about one of those seven members, one with whom I have been closely associated, the late Senator Mackay; and what I shall say of him I am quite sure I could say equally of the other six of our colleagues who have passed away. I have known Senator Mackay in Montreal for forty years, and have been able to estimate him in his private as well as his public life. He was a public-spirited man, wise in council, and most generous to all charitable institutions and not only those which knocked at his door, but many others; and his name in most cases did not appear to tell the public what he was doing. I have sat with him on some boards, and have always felt that his advice was precious, and I have heard encomiums on all sides as to his life, both private and public. I join in expressing sincere sympathy with the families of our late colleagues.

Hon. Mr. POIRIER (translation): Honourable gentlemen, as one of the old members of this honourable Chamber, I may be permitted to add a word to the eulogies which have been expressed towards those of our colleagues who, during the past year, have passed away. I of course concur in what has been said by the honourable gentlemen who have preceded me. In rising to follow them I do so to speak more particularly of my friend the Hon. John Costigan. The honourable leader of the Opposition has told us that for fifty years he had without interruption represented the same constituency. This, honourable gentlemen, is a record. One does not represent the same constituency for fifty years without possessing great and solid qualities both as a public man and as a private citizen, especially, I may say, when the nationality of the member is different from that of the electors. The Hon. Mr. Costigan was an Irishman; those who elected him were Acadians, compatriots of myself. I consider the facts stated to be a compliment both to the elected and the electors. The fidelity which united them to each other was not broken by the change of political allegiance on the part of Mr. Costigan. Mr. Costigan was essentially an honest man. This only can explain the fidelity of his electors and their unalterable confidence in him.

But there was another thing. Mr. Costigan, while the intrepid chief of the Irishmen of the Dominion, was just to other nationalities. He had within him an innate sense of justice. He exemplified the real qualities of a leader of a national party in the Dominion, vindicating the cause of those whom he specially represented, while at the same time conceding generously the rights of others. It is to Sir John Macdonald, of regretted memory, and the Hon. John Costigan, whose loss we mourn to-day, that the Acadian minority owes the honour of having a representative in this Chamber, however small his claims and personal qualifications for that position may be. The affectionate tribute which I render to his memory is an act of gratitude both for my compatriots and for myself. Let us hope that Canada will produce other national party leaders with views as large, as philanthropic and as liberal as those which have characterized my deceased and much regretted friend.

Hon. N. A. BELCOURT: May I be permitted to join the hon. leader of the Gov-

ernment and the hon. leader of the Opposition, as well as the hon. colleagues who have preceded me, in the eloquent and feeling tributes that have been paid to the memory of our colleagues who during the recess have gone to their eternal reward. It is said that it is a salutary practice to think of the day when we individually must go from this earth to take the long passage to the Great Unknown. The celebrated order of Trappist monks practise that idea daily, and constantly, when they meet one another in their monasteries, they exchange the austere salutation, "Brother, remember we must die." Although in this Senate we do not exchange the salutation, death so frequently gathers members from the Senate—and at no time has it done so in such large numbers as during the last recess—that in this House we are constantly reminded of death, and the thought manifests itself in many ways unconsciously to ourselves in our remarks to one another. Certain it is that a great deal of the animosity, one might say acrimony, which exists in other places, is not manifest in this House.

I heartily and thoroughly agree with what has been said much more eloquently than I could say it with reference to the seven colleagues who are no longer among us. I should like, however, to be allowed to say just one word with reference to one of them, because he belonged to the province which is both my native and my adopted province. He belonged to the Bar of the province of Ontario, and I can remember being engaged with him and against him over thirty years ago before the courts of this province. I refer to the late Hon. Mr. Kerr, who practised at the Bar of Ontario for nearly half a century. He always displayed the strictest professional ethics and a fine dignity in his professional relations. He had a large practice, and during his whole career he afforded an example to the members of the Bar in the province of Ontario which I am sure will be long remembered. In the years during which he occupied the position of Speaker of the Senate, we can all remember the dignified, courteous, affable and able way in which he performed the duties of that high office. To-day, when he has gone to his reward, I think it is due to his memory that these matters be specially recalled.

I cordially join in offering our sympathies to the families of the gentlemen who have left us. To the widow of the late Mr. Kerr I think probably every heart in the Senate will beat a little more strongly in sympathy, because no wife of any of our Speakers had by her constant charm of manner so thoroughly won the hearts of the senators and all those who in the social functions were called to meet her. The members of Mr. Kerr's family also have given an example of duty to country and Empire which should be remembered on this occasion. I think that not less than three or four of them are to-day or have been in active service in the war.

I join cordially in all that has been said, and hope that the families of our deceased colleagues will be inspired by God with courage and resignation under their sad bereavement.

Hon. LOUIS LAVERGNE: I agree with what has been said by other hon. gentlemen in regard to the loss of our late colleagues in the Senate, with all of whom I was very friendly. Amongst those seven senators there was one from the province of Quebec, Senator Fiset, who rendered eminent services as a doctor in the district of Rimouski, and also valuable military service as a member of the militia in Quebec, in which he was a lieutenant colonel. His sons have also been engaged in military affairs. Surgeon-General Fiset, who is now the Deputy Minister of Militia, was in active service in South Africa. I concur very heartily in all that has been said of our deceased friends, especially of Dr. Fiset, who was one of the greatest surgeons we had in Quebec, and was always very kind to any of his colleagues who were ill or who asked for his advice.

Hon. H. J. CLORAN: Before the last flowers are placed on the graves of our lamented colleagues, allow me to cast a few handfuls of sand upon at least two of those graves. One is the grave of the late Hon. John Costigan, popularly known some thirty-five years ago as "Honest John Costigan"—and no man in this honourable House remembers him better than our venerable colleague, a model for all Canadianhood in this great Dominion, Hon. Sir Mackenzie Bowell, who will remember the Hon. John Costigan as one of his trusty, loyal, faithful colleagues. Can I pay him a higher compliment in the face of posterity than to have as a living witness of his value as an honest statesman, a true friend, a representive of the people, the right hon. gentleman himself, Hon. Sir Mackenzie Bowell? What higher tribute can be paid to any man in his grave than the respect and esteem, the love and devotion, of the men whom he has left behind? What the Hon. John

Costigan did for the Conservative Government for many years, from 1882 to 1896, he did not for Canada alone, but the same "Honest John Costigan" worked for imperial interests thirty-five years ahead of his time. The Imperial Council called at present by the British Government, to be composed of Prime Ministers from all the Dominions over the seas, was first thought of and first inaugurated by the Hon. John Costigan, aided by my right hon. friend, Sir Mackenzie Bowell, who was then Minister of Customs in Sir John Macdonald's Government. How was it that Hon. John Costigan became an imperial factor thirty-five years ahead of his time? Because he sought then for Ireland what all the world is seeking to-day for poor Belgium. He then was the first to rise on the floor of the House of Commons and ask and pray the British Government and the British Parliament to grant to Ireland that measure of Home Rule for which to-day, on behalf of Belgium, England is bleeding to death and spending her treasure without limit, as well as Canada and the other overseas dominions. But, oh, how the ears of England were closed and her eyes were dimmed at that time! They would not think of poor little Ireland; it was a crime then. I remember, when I was a young man, coming out of the University 35 years ago, that it was a crime to be called a Home Ruler. To-day the noblest medal that an Englishman can put on his breast is to state to the world, "I am fighting—not for England, but for Belgium, for Serbia, for Montenegro, for all the small nations of the earth." Thirty-five years ago Honourable John Costigan was officially and publicly alone, in fighting for the same principles, the same rights, that are to-day involved in the struggle of Great Britain on behalf of those outlying nations, whilst at her doors was a nation which for over 700 years had been on her knees asking for self-government. To-day, thanks to the Honourable John Costigan for having initiated the movement which has now reached a glorious climax, not only Ireland, which has suffered long and severely, but also the other poor nations which I have mentioned, are to be emancipated. This honourable House can not do itself more honour than to cast a last glance on that grave from which springs a light which is now illuminating the world —the light of Home Rule for small nations and small peoples. Such was the work accomplished by "honest John Costigan," a colleague of our right honourable nonagenarian representative on the floor of this House some 35 years ago.

At the end of 30 years the spirit of the nation rose again, because one of the famous Irish patriots said, "The spirit of a nation can never die," and I believe the poet who wrote those sublime words was an uncle of the senator whose seat, now vacant, is adorned with flowers—Davis, the Irish national poet; Davis of the Gavin Duffys and the O'Connells and the D'Arcy McGees in the time when I was a boy, in the time of my honourable colleague here, whom I respect and admire as the foremost type of Canadian manhood in this Dominion, Sir Mackenzie Bowell. Fair—may I say it?—in spite of his official position as the president of organizations which we then considered, and which many of us, though not myself, still consider to be enemies of certain faiths, certain classes of religion. Never has his allegiance to those societies broken his allegiance to his adopted country, Canada. He has always been a champion of the minority as well as a friend of the majority. I bow before him; I take my lessons in public life from his conduct; I take him as my model. I devote my interest and my time, but not all my time and all my interest, to those special societies as against the interest and the devotion that I owe to our common country, Canada. There is my model. We have to regret one who disappeared only yesterday morning, in the person of Tom Davis, a nephew of the Irish national poet. Let our sympathy go out to him, and I say to him, now in his grave, "Tom, your name shall remain, with that of your uncle, deeply impressed in the hearts of the people of Canada. You were a trusted friend of the people, especially of the people of this country, as your famous uncle was a champion of Irish rights sixty years ago when Gavin Duffy and D'Arcy McGee and other patriots were exiled to the overseas Dominions, then colonies." When Gavin Duffy reached the shores of Australia he was asked, "Well, Gavin, how does poor old Ireland stand?" And he replied, "Ask me not; I have left her corpse on the dissecting table." That same Gavin Duffy was afterwards for years Prime Minister and Governor of Australia, showing that the heart of the Irish is true all the time when it rocks and beats against justice and truth; but the heart of the Irish is in open rebellion or concealed rebellion when it confronts injustice, when it confronts what is not right and not in accordance with the laws of humanity and civil-

ization. Honourable Tom Davis was a descendent of those men, and, in conjunction with the name of the Honourable John Costigan—" Honest John "—I say to Tom: " My friend, you have done well by your native land, Canada; you have fostered a name which shines gloriously in the pages of your ancestors. I say farewell to you both."

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

THE SENATE.

Thursday, January 25, 1917.

The Senate met at three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATOR INTRODUCED.

Hon. Thomas J. Bourque, of Richibucto, N.B., was introduced by Hon. Sir James Lougheed and Hon. Mr. Poirier, and took his seat.

Hon. Mr. LANDRY (translation): Honourable gentlemen, may I be permitted to express my regret that the commission of the new senator who has been sworn in has not been sent to him in French. It seems to me that in this country, where the two languages are placed upon an equality, the Clerk of the Crown in Chancery should be aware of this requirement and comply with the spirit of the law. If he was not obliged to write the commission in French, he should, recognizing the circumstances of person, time and place, understand as a man of intelligence that when he sends a commission to a French member, that commission should at least be drafted in French. My own commission was issued in French. Law and courtesy go hand in hand in such cases.

COMPANIES ACT AMENDMENT BILL.

MOTION.

Hon. Mr. POWER introduced Bill (A), An Act to amend the Companies Act, which was read the first time.

THE NEGOTIATIONS FOR PEACE.

MOTION.

Hon. RUFUS H. POPE moved:

That in the opinion of the Senate only the representatives of the Nations who have taken part or have been engaged in the war, should participate in the negotiations for peace.

He said: Honourable gentlemen of the Senate, I appreciate as much as any honourable member of this House can appreciate that the question which I have placed on the Order Paper may have a very important bearing upon grave issues which must be settled sooner or later; and possibly this question could have been dealt with better by some of the senior members of this honourable House than by myself. Therefore I shall no doubt, in the inperfection of my remarks, leave an opportunity for any or all of the honourable gentlemen present to take part in this discussion, that we may arrive at a conclusion that will be worthy of the dignity of this honourable House and will convey to the world some expression of the opinion of this portion of the Empire, as it is represented by the Senate of Canada.

The horizon of the future of Canada is, in this day in which I am speaking, much broader than ever before. While we have in the past had sympathy with many world-wide catastrophies, and while we have offered words of sympathy and shown our generosity by way of gifts to people in different corners of the earth who have suffered from calamity, never before have we taken part as we are taking part to-day in such a serious conflict as is going on in the centre of Europe. Never before have we offered such a sacrifice for liberty, for the permanency of the small nations of the world, in order that they might enjoy those special favours of birth and inheritance that are so dear to them. Never before has any colony of Great Britain offered the tremendous sacrifices of men and money that Canada is to-day offering on the fields of Flanders.

Believing that our vision is broadening, and observing that all kinds of legislators and legislatures and senates and powers are taking upon themselves the privilege of expressing their views with regard to this war, whether they happen to be neutral or otherwise, I have thought that possibly it would not be out of place—that it would not be an interference with the policy of Canada, nor with the plans of the governments in whose hands the conduct of this war is placed—for this honourable House to take into consideration the very vital question embodied in this motion. I believe that it is within the constitutional rights and prerogatives of this honourable Assembly to express our opinion upon this question.

There was another motive, a purely selfish one, I admit, that prompted me to move this resolution—that it would give me the great pleasure of expressing my views upon this subject in a public assembly of which I happen to be a member.

Honourable gentlemen, why do we fight? First, permit me to say that we are not "too proud to fight" in this great world struggle. Secondly, our intense love and devotion for peace and all that goes with peace prompt us to fight. Thirdly, it is our conviction that England had a just cause when she went forth to battle in this great war, and we as Canadians have the courage of our convictions. Under those circumstances we find ourselves called upon to make the sacrifices that we are now making, not alone for the independence of Canada or of the Empire to which we belong, not alone for the defence of those liberties that we possess, but, I firmly believe, as I am sure the honourable gentlemen of this House believe, for the liberty of the world—of the smaller as well as the larger nations, of the land and of the sea—for liberty in its purest and best sense. That is why we have pledged our faith, our money and our lives, and have gone forth with the battalions of all the Allies and with those of the diverse parts of this magnificent Empire to which we belong.

The President of the United States has said that we should have peace without victory. Honourable gentlemen of the Senate, the President of the United States, Mr. Wilson, has the privilege of entertaining any set of opinions he sees fit. It was his privilege to be the head of a great college and an instructor of boys growing to manhood; but, upon my sacred honour, when I read the last two or three messages that he sent to the Senate of the United States, and that have been published throughout the wide world, I thought that possibly he had made a mistake when he ceased to instruct the youth and undertook to educate full-grown men and the full-fledged nations of the world.

Peace without victory! In the first place, we are great lovers of peace. It is our inclination to have peace at the earliest possible moment, and I am sure that every honourable gentleman and every citizen of Canada would read gladly and attentively any message appearing in the papers or elsewhere headed by the word "Peace.' But we have a right to consider from whence such a message comes and whether Mr. Wilson is an authority upon peace. In the first place, his ideas as to the methods for establishing peace—adopted by himself, not by his predecessors—can be found in his dealings with Mexico; and, if he cannot direct us, who are at war for a righteous cause, with a more certain and absolute knowledge of the arts of making peace than he has shown in the case of Mexico, we had better look in some other direction to find the method of a doctor who would administer the medicine of peace.

President Wilson speaks of protecting small nations, and says that there should be no trafficking in nations—that their ideas and ideals are as important to them as are those of the greater nations. I agree with him that there should be no trafficking in nations. I have only to direct the attention of this honourable body to the Philippines, and point out that he presides over a nation that has trafficked in small nations, but nations which have not enduring peace even to this time.

Hon. Mr. DENNIS: And only a few days ago he completed the barter and purchase of the Danish West India Islands, and paid for them in so much cold cash.

Hon. Mr. POPE: Yes, they trafficked in them, quite contrary to the splendid phraseology that was used in his message:

> No peace can last, or ought to last, which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property.

The hon. gentleman presides over a nation which believes in acquiring what will profit. The nation of which he is the presiding officer participated in a treaty in which were laid down the principle of the protection of the smaller nations, and more particularly the methods of international warfare that would be tolerated by civilized powers. As first magistrate of that great republic, President Wilson knows that it is his bounden duty to read and digest all matters appertaining to public affairs of this kind. He knows that there is not a single article in that code of international law which has not been violated a hundred times by Germany in this conflict. And still he says that these principles shall be the guiding star. No man knows better than the President of the United States that Germany marched upon Belgium before war was declared. Nobody knows better than he that for forty-eight hours Belgium was looking across to see if the relieving arm of old England was coming to the rescue, and that at the end of eight and forty hours it did come, but a handful of veterans who did valiant service after their arrival in France. Nobody knows better than the President of the United States that the womanhood of Belgium and of parts of France has been violated, and that things

have taken place beyond mention in this honourable House. Nobody knows better than President Wilson that many small children have been put to death, and many others maimed for life. He knows, too, of the murder of Nurse Cavell. He reads, and he must remember these things. Nobody knows better than he of the violations of all the laws of civilized nations, at sea as well as by land, because some of his own fellow-citizens have suffered and gone down to their death. It is not for me to say what action the President of the United States should take with regard to the loss of the Lusitania and other losses of American citizens. He can write notes or he can remain silent. I am no citizen of the United States; I am a British subject and a Canadian; I have no criticism to offer. The President of the United States knows of what I have spoken, and much more; and in his first message for peace to the world he has the audacity, if that word is strong enough, to say in his public message that the objects of the Central powers of Europe and the objects of the allied forces of the British Empire, France and Russia, in entering the war were the same. He invites us to sit down with these murderers and violators of women on an equal footing in a council of peace. I enter my most solemn protest against that, and, I trust that this honourable body will take this opportunity of entering its protest.

There are so many matters connected with this subject that if one were to deal with them all, it would take an inordinate time. I think one of the greatest courtesies that we as members can pay to this honourable body is to deliver what we have to deliver in the fewest possible words; so I will just mention one other matter, which I think the President of the United States may possibly be looking forward to as of more importance than the traditional history to which he pointed in his academic message to the United States Senate.

Honourable gentlemen of the Senate, one of the results of this war will be to give Canada a better place among the nations of the world. We belong to this great continent of America and we are, as we may say, an independent colony under the British flag, and not obliged to participate in the wars of Europe. But what did we do? We selected from among the youth and manhood of the best blood of Canada, a half million of our best young men and sent them over to fight with the Mother Country and her Allies the battles of civilization. We have won a place in the hearts of the allies that no other nation has ever had. We have attracted the attention of the world. This will have the effect of opening to the eyes of the world a marvel of natural resources of which under ordinary circumstances they could have formed no idea. This will draw commerce, finance, and immigration to Canada.

The United States of America know full well that after this war is over, if two boxes of goods, one marked, "Canada" and the other "United States," are shipped to any of the nations along with whom we have fought and died, the goods marked "Canada" will sell first and all the time. She knows that a broad opportunity has been afforded to us and that the connections and associations which we have formed will make us a preferred competitor against the United States in the markets of the world. I do not say that this will be a result of tariff arrangements; I do not know what those tariff arrangements may be; but I say that, as a reasonable body of men, whether we have been free traders or protectionists in the past, we do know that the tremendous expenditures of all these nations will necessitate large revenues. I believe that the basis of taxation in so far as Europe is concerned, will be broadened as a result of this war; but whether it is or not we have a broadened sympathy which will give to us a renewed—aye, a new position, in the markets of the people of the Allied Nations.

Now, nobody knows this better than the people of the United States. Consider our position as it will be after the war. A man wanting to do an export business from America will be able to do it on a much better basis from Canada than he can from the United States. When the delegation from Belgium came to see the President of the United States, and gave absolute proof of the outrages committed in Belgium, he received them in that placid way of his and said, "We will attend to that after the war." Now, after the war, these trade arrangements of which I am speaking are going to be attended to, and a nation which has become as sordid as the United States apparently has, which has enjoyed an accumulation of wealth to the extent which they have in the last two years and a half, will be considering in what manner they can interfere in order that their future may be as bright as their present. Knowing the devastation that has taken place in Europe and the tremendous demand that must arise for products from the outside world, it is only natural that they should be interested in this question. I have no

objection to fair competition in trade; I am not here to discuss what the United States can get; but I am here to stand by my words when I say that the boys in the trenches who are giving us a place on the map of the world will have something to say about the peace terms. We should take good care that we participate in every advantage that belongs to us, or we shall have been untrue to those hundreds of thousands of men who have made the supreme sacrifice in the name of liberty on the battlefields of France.

There is just one more matter that I think should be placed on Hansard. It shows how the world's history repeats itself from time to time, that this great war is centred precisely where other wars have centred; and that the same conditions are about to arise that arose when England and France were negotiating as to peace one hundred and sixteen years ago, when Pitt, the Prime Minister of England, in answer to those who urged peace at any price, said:

> I see no possibility at this moment of concluding such a peace as would justify that liberal intercourse which is the essence of real amity; no chance of terminating the expense or the anxieties of war or of restoring to us any of the advantages of established tranquillity. . . . . As a lover of peace, I will not sacrifice it by grasping at the shadow, when the reality is not substantially within my reach. Why, then, do I refuse peace? Because it is deceptive, because it is perilous, because it cannot exist.

The motion was put and declared agreed to.

After some time:

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I may be belated—in fact, I am belated—but I had intended to ask my honourable friend the member from Compton (Hon. Mr. Pope) not to press for a pronouncement by the Senate on the motion which he has made. It seems to me that it would be inadvisable for the Senate to urge its opinion not only on the Imperial Parliament but upon the Allied Nations as to the course they should pursue in negotiations for peace.

Some hon. SENATORS: Hear, hear.

Hon. Sir JAMES LOUGHEED: I thought the discussion would continue for some little time, and that I should have an opportunity of discussing the matter with my honourable friend; but it terminated so quickly as not to leave me that opportunity. I think the House will agree with me that, while it may be quite proper to discuss the course that should be pursued in regard to negotiations that may take place looking to the establishment of peace, it would be undesirable and unbecoming of the dignity of this Senate, that we should arbitrarily express our opinion as to what should be done by the Allied Nations. With the leave of the House, I would therefore move that the motion which has been passed be rescinded, and if my hon. friend desires to bring it up again I shall be very glad to facilitate his doing so.

Hon. Mr. POWER: We have a rule of the House which prescribes the method in which a resolution of the House may be rescinded, and the honourable leader of the Government is not pursuing the course laid down.

Hon. Sir JAMES LOUGHEED: I have assumed that it was by leave of the House.

Hon. Mr. POWER: I notice that the honourable gentleman from Compton (Hon. Mr. Pope) is not here. If there is no difference of opinion and the unanimous consent of the Senate can be procured, I for one will not object.

Hon. Mr. DAVID: While there is much to be said in favour of the position taken with so much eloquence by the hon. member for Compton, I think it would be undesirable for the Senate to pass such a resolution.

Hon. Mr. CLORAN: Does the rescinding of the motion expunge the speech from Hansard?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. POPE: As I was called out of the Senate, I would like to ask the leader of the House what is desired.

Hon. Sir JAMES LOUGHEED: I would suggest to my honourable friend that we rescind the motion that has been passed, and that my honourable friend allow it to stand on the motion paper for further discussion.

Hon. Mr. POWER: You cannot do that.

Hon. Sir JAMES LOUGHEED: There is nothing to prevent it.

Hon. Mr. POWER: I understand that the honourable leader of the House has asked for unanimous consent to rescind the resolution. We had better accept that, and if the honourable member from Compton wishes to bring the matter up on some other day, he can do so.

The motion to rescind was agreed to.

Hon. Mr. POWER: Now that this motion to rescind has been carried, I suggest to the leader of the Government that, as this resolution was apparently adopted without due consideration, it should not appear in our Minutes.

Hon. Sir JAMES LOUGHEED: Yes, I think it is desirable that the motion should not be in the Minutes.

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

THE SENATE.

Friday, January 26, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

IMMIGRANTS IN THE MARITIME PROVINCES.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government the number of immigrants that landed in New Brunswick, Nova Scotia, and Prince Edward Island in the years 1915 and 1916.

Hon. Sir JAMES LOUGHEED: The number of immigrants who settled in the Maritime Provinces—Nova Scotia, New Brunswick, and Prince Edward Island—during the fiscal year 1914-15, was 11,104, and during the fiscal year 1915-1916, was 5,981.

GOVERNMENT COMMISSIONS.

MOTION.

Hon. Mr. LEGRIS moved:

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will cause to be laid before the Senate a statement showing the date and object of all commissions instituted by the Government of the day, since its accession to power in 1911, up to the present date; the number of days during which each of these commissions sat, and what was the cost of each to the country.

Hon. Mr. BELCOURT: I would suggest that the motion be amended to include the names of the personnel of the various commissions.

Hon. Mr. POWER.

Hon. Mr. LEGRIS: I have no objection.

The motion, amended as sugggested, was agreed to.

OFFICIAL REPORT OF THE DEBATES.

PROPOSED APPOINTMENTS.

Hon. the SPEAKER: I have the honour to lay before the Senate the following communications:

The Senate, Clerk's Office,
Ottawa, 18th January, 1917.

Sir,—Adverting to the Order of the Senate of the 17th of May last, that shorthand writers be secured to report the debates of the Senate, I have the honour to report that Mr. Albert Horton, chief of that branch of the staff, who was authorized to organize the same, has submitted the names of Messrs. D. J. Halpin and H. H. Emerson, as the best men he could find to assist him in his work, and these two men are now awaiting being appointed to assume the discharge of their duties.

As the skill requisite to perform this work is somewhat peculiar, if not technical, these appointments could be made under Section 21 of the Civil Service Act, 1908, subject, however, to the provisions of Section 19 of the said Act.

I have the honour to be, sir,

Your obedient servant,
(Sgd) Sam'l E. St. O. Chapleau.

Hon. Joseph Bolduc,
Speaker of the Senate,
Ottawa.

The Senate,
Speaker's Office,
Ottawa, January 26, 1917.

Referring to the letter of Clerk of the Senate of the 18th instant, relative to the proposed appointment of shorthand writers to report the debates of the Senate, I recommend the appointment of Messrs. D. J. Halpin and H. H. Emerson, as suggested by the Chief of that branch of the Staff, at the minimum salary of Subdivision B of the First Division, subject, however, to the provisions of Section 19 of the Civil Service Act, 1908.

(Sgd) Joseph Bolduc,
Speaker.

Hon. Sir JAMES LOUGHEED: I think these communications should be referred to the Standing Committee on Debates and Reporting, and I move accordingly.

The motion was agreed to.

ADJOURNMENT.

Hon. Sir JAMES LOUGHEED: It is usual at this period of the Session to have a short adjournment while awaiting the arrival of business from the Commons, and I purpose moving that when the House adjourns to-day it shall stand adjourned until a week from Monday at three o'clock in the afternoon.

Hon. Sir MACKENZIE BOWELL: I would suggest that the hour of meeting should be eight o'clock instead of three o'clock.

Hon. Sir JAMES LOUGHEED: I consent to that.

Hon. Mr. BOSTOCK: Is there any reason why the adjournment should not be until Tuesday?

Hon. Sir JAMES LOUGHEED: I took the matter up with the Prime Minister, and it is expected that the Commons will adjourn for a considerable period during the same week. I therefore think it desirable that we should be here on Monday.

The motion was agreed to.

The Senate adjourned until Monday, February 5, at eight o'clock.

THE SENATE.

Monday, February 5, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATOR INTRODUCED.

Hon. Henry W. Laird, of Regina, Saskatchewan, was introduced by Hon. Sir James Lougheed and Hon. Mr. Sharpe, and took his seat.

GOVERNMENT CONTROL OF ELEVATORS.

INQUIRY.

Hon. Mr. POPE:

Is it the intention of the Government to take over at an early date all the terminal elevators at Fort William and Port Arthur, either by purchase or lease? If not, why not?

Hon. Sir JAMES LOUGHEED: It is not the present intention of the Government to take over the terminal elevators at Fort William and Port Arthur by purchase or lease. The Government as a matter of policy determined to construct certain terminal and internal storage elevators. This has been carried out as far as considered advisable at present, and no further extension will be made unless further consideration and an easier financial situation render it desirable and feasible.

HUDSON BAY RAILWAY.

INQUIRY.

Hon. Mr. CASGRAIN:

1. What is the total amount expended as on the first day of December, 1916, on the Hudson Bay Railway enterprise? (a) How much on the railway itself? (b) How much on the terminals? (c) How much on the port, wharves and the excavation of the channel to deep water?
2. What will be the length of the excavation to deep water?
3. What will be the depth of the water at low tide in the excavated channel?
4. What will be the width of this artifical channel?
5. What is the estimated cost of all the excavation in the port and channel when completed?
6. How many miles of the railway have been graded from Le Pas?
7. How many miles remain to be graded?
8. What is the distance to-day from Le Pas to the end of steel?
9. What is the estimated cost of the said railway when completed?
10. What is the estimated cost of the terminals when completed?
11. What is the estimated cost of the grain elevators, if any, to be built at the terminals?
12. What is the price of coal to-day at Port Nelson?
13. How many men have been employed in the Government works at Port Nelson last summer?
14. How many are there now in the pay of the Government at Port Nelson?
15. How many steamers have been chartered or otherwise employed by the Government to transport men, materials and supplies to Port Nelson?
16. What are the names of these steamers?
17. What has the Government paid for that service?

Hon. Sir JAMES LOUGHEED:

1. Total amount expended to December 1, 1916, $17,557,100.42—(a) expended on the railway, $12,103,603.43; (b) expended on Port Nelson terminals, $5,453,496.99 (includes ports, wharves, excavation of channel.
2. The channel from turning basin at docks to deep water of natural channel will be about three-fourths of a mile in length, beyond which some improvements will be made at isolated points in the natural channel for a further distance of one and a quarter miles.
3. 20 feet.
4. 500 feet.
5. No separate estimate of cost of dredging has been made.
6. About 413 miles ready for track.
7. 11 miles.
8. 332 miles.
9. $16,000,000.
10. $10,000,000.
11. $1,000,000.

12. No coal on sale at Port Nelson. Cost of each cargo varies with the class of vessel used to transport it.

13. The number of men employed varies from week to week. The maximum number on any monthly pay-roll was 578.

14. 90 men on December pay-roll.

15. Two steamships were employed during the season of 1916.

16. Durley Chine and Sheba.

17. Both vessels owned by the Government. Cost of operation on the Hudson Bay route during 1916 was $31,355.

COMPANIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (A), an Act to amend the Companies Act.

He said: Honourable gentlemen, I have taken charge of this Bill at the request of the honourable gentleman from Rothesay (Hon. Mr. Domville), who is not able to be present.

The reason for the introduction of the Bill is, briefly, this. At the present time it is practically impossible for any person interested in a company incorporated under the Joint Stock Companies Act to get information as to the financial condition, the officers, or the internal affairs of the company. Under the existing law there is a procedure by which, in certain cases, an application may be made to a judge, and an order made, to allow a person interested to inspect the documents of the company; but that is not workable. The object of this Bill is to enable such persons to get reasonable information of what the company is doing. There are in the Bill provisions with respect to the inspection of companies, under which, instead of persons interested having to apply to a judge for an order, the Secretary of State may appoint one or more competent inspectors to investigate the affairs of any company, and to report thereon in such manner as the Secretary of State may direct. Then, as at the present time there is practically no provision for annual returns from these companies, the eleventh clause makes provision for such annual returns.

While this Bill is by no means complete or perfect, it is a step in the right direction, and I know that certain officers of the Government have been giving a good deal of attention to this question. What I purpose doing—and I trust that the honourable the leader of the Government will have no objection—is to have the Bill read a second time, and then referred to the Committee on Banking and Commerce, who will hear the officials to whom I have referred; and in that way I hope there will be produced a respectable and complete measure.

Hon. Sir JAMES LOUGHEED: I must confess that I have not had an opportunity of examining the Bill closely; but, without committing myself to its principle, I cannot see any serious objection to referring it to the Committee on Banking and Commerce.

The motion was agreed to, and the Bill read the second time.

On motion of Hon. Mr. Power, the Bill was referred to the Standing Committee on Banking and Commerce.

THE PARLIAMENTARY ADJOURNMENT.

Hon. Sir JAMES LOUGHEED: I have been asked by several honourable gentlemen whether any arrangements had been arrived at concerning the parliamentary adjournment which is expected shortly to take place. I am informed that the House of Commons will in all probability adjourn on Wednesday of this week until the 19th of April. I would suggest that when this House adjourns it might safely adjourn to the 23rd or 24th of April. The 19th of April will be a Thursday and the 24th the Tuesday following.

Hon. Mr. BOSTOCK: My honourable friend has not told us what legislation we may expect.

Hon. Sir JAMES LOUGHEED: I do not anticipate any legislation other than war financial measures and a proportion of the estimates sufficient to carry us over the adjournment.

Hon. Mr. THOMPSON: Would that necessitate sitting at night?

Hon. Sir JAMES LOUGHEED: That will depend on what legislation may come down to-morrow.

MILITARY HOSPITALS COMMISSION EXHIBIT.

Hon. Sir JAMES LOUGHEED: On behalf of the Military Hospitals Commission, I desire to invite honourable gentlemen to view some exhibits made by the convalescent soldiers, which will be found in the lobby of the House of Commons. This exhibit shows the different kinds of work done

under the vocational branch of that institution.

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

THE SENATE.

Tuesday, February 6, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

ROYAL COMMISSION ON INDIAN AFFAIRS.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. When did the Royal Commission on Indian Affairs complete its work?

2. Has the final report been made to the Dominion Government?

3. If so, has this report been submitted to the Provincial Government of British Columbia?

4. Has the Dominion Government considered making any alteration in the policy previously announced, of settling the question of the adoption of the report by the governments before hearing any representations that the Indian tribes interested may wish to make in their own behalf.

5. At what date did the members of the Royal Commission and the Secretary, cease to draw their remuneration?

6. What has been the cost of the Royal Commission to date?

Hon. Sir JAMES LOUGHEED:

1. On 30th June, 1916.
2. Yes.
3. Yes.
4. No.
5. The commissioners ceased to draw salaries on the 30th June, 1916; the secretary on the 30th October, 1916.
6. The total cost to date, $315,604.36, of which half is borne by the province.

APPOINTMENTS TO THE SENATE.

INQUIRY AND DISCUSSION.

Hon. Mr. CLORAN inquired of the Government:

1. Is it the intention or the policy of the Government during the war extension of time, unanimously and gratuitously, granted to it by Parliament, to continue to fill all Liberal vacancies in the membership of the Senate of Canada with supporters of the Conservative party, irrespective of the rights, interests and claims of His Majesty's Loyal Liberal Opposition in the Upper House of Parliament, and of the rights, interests and claims of His Majesty's Loyal Liberal subjects throughout the Dominion of Canada, and particularly of those Liberals who are overseas fighting for and defending the common cause of the Allies?

2. If such be the intention and the policy of the Government does it, or can it, expect the undivided support of Parliament and the people of Canada in regard to its party or political ends, over administrative measures?

3. Is the Government prepared, in contradistinction and in contravention of the agreement which obtains in the House of Commons regarding representation in that House to set aside similar conditions regarding the representation in the Upper House of Parliament?

Hon. Sir JAMES LOUGHEED: As this is purely a matter of policy, the Government does not feel called upon to answer this question.

Hon. Mr. DANDURAND: I know that there can be no debate on a question put and an answer given; but, as there is nothing else on the Order Paper for to-day, I would ask the leave of the Senate to say a few words on this question. If the House is unanimous in granting permission I will say a few words now.

Some hon. SENATORS: Go on.

Hon. Mr. DANDURAND: The Senate of Canada is in a constant state of evolution. As senators we are immortals, because our number remains the same; but our names change. I rise to speak more particularly for the information of those members who are not absolutely au fait of what has taken place in this Chamber during the last fifteen years. Since I entered this Chamber in 1898, we have had quite a number of debates—academic debates, if you will—on the constitution of the Senate and on various suggestions of reforms to make it more democratic or representative, and more useful as one of the chambers of Parliament.

The question which the honourable gentleman from Victoria (Hon. Mr. Cloran) put on the Order Paper some days ago recalled to my mind some suggestions which I made to the Senate about ten years ago, during a debate in which members on both sides of the House expressed their views as to the proper constitution of the Senate. I recognized then that the Fathers of Confederation had had in view the constitution of a second Chamber which would act as a moderator on hasty legislation, a body which would be in general sympathy with the administration of the day, but would be composed of independent men who would exercise their own judgment in passing

upon the public acts which come before them. It was recognized, apparently, in most of the debates on the subject which took place in this House, that senators were all party men—that, whatever the mode of their appointment was, they would meet in the second chamber as men affiliated with one of the two parties in Canada. It also seemed to be generally desired by those who took part in those debates that some mode of appointment should be devised under which it would not be possible for a Government perpetuating itself in power to wipe out all opposition, by preventing the appointment of representatives holding views somewhat different from those of the Ministerial party. The problem was to devise a mode of appointment which would provide a more even balance between the two parties in this Chamber, in order to enable the more independent minds, or those less subservient to party feeling, to have full play in the decisions of this body.

In the debates of 1906-7 or 1907-8, I suggested that perhaps the following modification in the appointment of senators could be adopted with advantage to this Chamber. My suggestion was that senators should be appointed, not by the Cabinet, but by the House of Commons, which would naturally give a preponderating influence to the Cabinet, since it would enjoy the confidence of a majority of the House of Commons. When a party on coming into power, found itself with a minority in this Chamber, it could, through its majority in the House of Commons appoint senators to vacancies as they occur—until it had attained a certain given majority, say five or ten. When that majority was reached, the appointments should be made alternately, one by the majority of the House of Commons, and one by the leader of the Opposition, whose candidate would be the one obtaining the greatest number of votes from the members of the Opposition. I thought that this would perhaps give the Senate a greater influence with the public at large, inasmuch as it would put the two parties in this Chamber somewhat on a parity, the Ministerial party always having a slight majority for the reasons that I have given. Of course, many and diverse opinions were expressed by the various members of this Chamber; but I thought that, until the people of Canada should decide on some form of direct election of senators, that mode of appointment would result in maintaining a fairly equal division between the two parties, and in giving to the more independent members a larger influence in the decision of the important questions that come before us.

Hon. Mr. DANDURAND.

I recall this expression of opinion of ten years ago because at the present moment the two parties have almost reached that ideal condition which I have mentioned, in which the party in power has a small majority in this Chamber; and for the better administration of the affairs of Parliament it should be satisfied with a small margin, rather than an overwhelming majority. I recall it also because we are in a transitory stage—the Parliament elected in 1911 having practically expired last autumn, and because the two parties to-day are continuing, of their own volition, to perpetuate themselves in Parliament without going back to the electors for a new mandate. I mention it because it seems to me appropriate at this particular time. If the leaders of the two parties feel that there is a public advantage in maintaining a certain equilibrium in this Chamber, now is the time, before an election, in the peculiar conditions which exist, to decide upon a new policy. To my mind this is one of those exceptional occasions when the two parties, in face of a dissolution of the House of Commons, standing practically on an equal footing, can decide upon a new policy. I mention it now because I feel that at such a time the two parties are entitled to claim an even division of public opinion in this country. Of course, only an election will tell, but, for that reason, I thought it proper that I should recall the remarks that I formerly made. We had those debates in this Chamber without consideration of party advantage. We were discussing in absolute sincerity what would be the best solution for the criticism that we sometimes hear in the country as to the mode of appointment to this Chamber.

Hon. Mr. DAVID: Would not those members appointed by the House of Commons be themselves members of the House of Commons, or would they be taken from outside?

Hon. Mr. DANDURAND: I do not remember touching upon that point, but I should take it for granted that the Government of the day, or the leader of the Opposition, might make the selection and nomination of a senator even from among their colleagues. I admit that there are arguments pro and con, and I have not applied my mind to the solution of that question.

Hon. Mr. CLORAN: Will the hon. senator who has just taken his seat allow me to put to him a question in regard to his remarks as the the majority in the Senate? What difference does it make—

Hon. Sir MACKENZIE BOWELL: Before the hon. gentleman proceeds, I wish to ask the Speaker whether we are to understand that this is a general discussion upon the whole principle of the constitution of the Senate, or whether consent is given by the Senate to hear my honourable friend make a speech. If we are to have a general discussion, it may lead to further discussion. My own impression is that we ought not to depart from the principle of parliamentary practice laid down, that there should be no discussion unless the order of business provides for it. If we are going to have a general discussion, I may have a little to say in reply to my honourable friend.

Hon. Mr. CLORAN: I fail to see that the honourable senator has a right to interrupt me. I am simply asking a question. I am not continuing the discussion, and I think my right hon. friend should have waited until I put my question. I am asking the senator who has been informing the House on the question of majorities, in this House or elsewhere, what is the difference between a majority of one and a majority of 25 or 100? So long as you carry a majority, what is the difference?

Hon. Mr. DANDURAND: The difference is this, that a very small majority, in a body constituted as is the Senate, is likely to give a greater influence to those members of the Senate who have been less active partisans in their lifetime than perhaps the majority of us, and who could perhaps bring a greater independence of mind to their actions in the Senate.

Hon. Mr. CLORAN: There is not a member of this House who has not been an active partisan, and that is the reason why we are here.

The Hon. the SPEAKER: The point raised by the Hon. Sir Mackenzie Bowell is, I think, well taken. The hon. member for De Lorimier (Hon. Mr. Dandurand) was allowed to speak by the unanimous consent of this House; but, as soon as a member objects to any other remarks being made, I think further discussion is out of order.

Hon. Mr. CLORAN: I have not finished my inquiry yet. The second inquiry is:

If such be the intention and the policy of the Government does it, or can it, expect the undivided support of Parliament and the people of Canada in regard to its party or political ends, over administrative measures?

Now, I want an answer from the Government. The first question has been answered: the Government has no policy in regard to the first question. Now I want to know what the answer of the Government is to the second. Will the Government say yes or no?

Hon. Sir JAMES LOUGHEED: The second question is answered by my answer to the first.

Hon. Mr. CLORAN: Very wise government! Now, the third question is this:

Is the Government prepared, in contradistinction and in contravention of the agreement which obtains in the House of Commons regarding representation in that House to set aside similar conditions regarding the representation in the Upper House of Parliament?

What is the policy on that?

Hon. Sir JAMES LOUGHEED: The third question is answered by my answer to the first and second questions.

Hon. Mr. CLORAN: Oh, the country will judge your answers, I tell you.

AGRICULTURAL, INDUSTRIAL AND TRADE INTERESTS OF CANADA.

MOTION FOR A COMMITTEE.

Hon. Mr. BEIQUE moved:

That a committee composed of nine members of this House be appointed to further inquire into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war, such committee to be composed of the following members: The Honourable Messieurs Bolduc, Lougheed, Sir James, K.C.M.G., Dandurand, Edwards, Bostock, Ross (Moosejaw), Taylor, Ross (Middleton), and the mover, and to report from time to time to this House.

He said: Honourable gentlemen will remember that at the last session a committee was appointed, with instructions to inquire into what was being done and what could be done to best promote the agricultural, industrial and trade relations of this country, both during and after the war. The committee caused to be issued throughout the country some 20,000 letters inviting all incorporated bodies to make their own suggestions. A large number of answers were received. Many of them were limited to local interests, which can hardly be taken into consideration; but a great many made valuable suggestions, which are being tabulated by the clerks of the committee in a statement giving the names of the parties or of the body making the suggestion, and giving an abstract of the suggestion when it is of general interest. If the committee is re-appointed, the work could be completed by the month of April, when this House sits again after the adjourn-

ment, and when the committee can again take up the question of the inquiry and dispose of it finally.

The motion was agreed to.

PUBLIC LOAN BILL—$100,000,000.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill 19, An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

The Bill was read the first time.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, in view of the possibility of Parliament adjourning to-morrow, I would ask, with the leave of the House, that this Bill be given a second reading to-day. It is a Bill that has for its object the borrowing of $100,000,000 in the event of the Government finding it necessary to exercise its borrowing powers to that extent. This is not a war measure; it is a borrowing Bill for civil purposes; such as we almost invariably pass each session. My recollection is that last session we passed a somewhat similar Bill, or at least a Bill involving the same principle of borrowing, for $75,000,000. There are certain payments falling due during the ensuing recess—some $75,000,000, I believe; there are three loans to be repaid, two aggregating $50,000,000, and one approximately $25,000,000. That, of course, will leave a margin of borrowing power which may be exercised by the Government in the event of our necessities requiring it. I would therefore move, seconded by the Hon. Mr. Landry, and with the consent of the House, the second reading of the Bill.

Hon. Mr. BOSTOCK: I do not propose to make any lengthy remarks on this matter, but I would like to ask my hon. friend if he can give us some explanation as to the amount of financing that the Government has been doing for the benefit of the Imperial Government. If my hon. friend has the figures there, and can give us the information, I think it would be very interesting to know just to what extent the Government has been able to assist the British Government in financing and in dealing with the question of munitions. I think the country is reasonably proud that Canada has been able to provide certain financial arrangements which have very greatly assisted the Mother Country in connection with the manufacture and supply of munitions of war.

Hon. Sir JAMES LOUGHEED: I would prefer that my honourable friend would wait until the War Measures Bill comes before this House. That question will be involved to some extent in any discussion that may arise upon that measure. In the meantime I shall acquaint myself more exactly than I can speak to-day regarding the amount of advances which we have made on behalf of the Imperial Government.

Hon. Mr. POWER: As a matter of procedure, I submit that the better plan would be for the honourable leader to move the suspension of the rule which forbids two stages of a Bill being taken at the same sitting, and then we shall be at liberty to discuss the merits of the Bill on the second reading. There is no objection at all, I fancy, to suspending the rule.

Hon. Sir JAMES LOUGHEED: Acting upon the suggestion of my hon. friend from Halifax, I would move the suspension of rules 23f, 24a, and 63, with a view to permitting the Bill to be read a second time this afternoon.

The motion for the suspension of the said rules was agreed to.

Hon. Mr. SPROULE: Would the hon. leader give us any information with regard to what unused borrowing powers the Government have, in addition to this Bill? They have still borrowing powers which are not used up.

Hon. Sir JAMES LOUGHEED: I understand that the margin of borrowing powers which we now have will be exhausted by the end of the fiscal year.

Hon. Mr. BELCOURT: Will my hon. friend tell us what loans are maturing this year, the dates at which they were contracted, and the amounts?

Hon. Sir JAMES LOUGHEED: I cannot give you that with exactitude. All I can say is that in the discussion that took place in the Commons upon that question the Minister of Finance said that there are two short-date loans, aggregating $50,000,000, due in April and May; and he also stated that a $25,000,000 loan will mature in New York on August 1st. Then we shall be clear, I think, until past the end of the year.

Hon. Mr. BELCOURT: That is all the information?

Hon. Sir JAMES LOUGHEED: That is the statement made by the Finance Minister. Of course, my hon. friend is aware, as

I have already said, that this is not a war loan; it has nothing to do with the various war measures which we have passed from time to time; it is purely for civil government purposes.

Hon. Mr. BELCOURT: That might depend on the date of the loan, and that is why I asked the question.

Hon. Sir JAMES LOUGHEED: No, one is distinct from the other.

Hon. Mr. BELCOURT: Perhaps my hon. friend will have that information for us by the time the Bill is reached again.

Hon. Mr. CLORAN: The Government has given the country an explanation for the demand for a $100,000,000 loan to pay off two loans. It has given an explanation in regard to $75,000,000 of the amount at present demanded—$50,000,000 to pay off a loan that is coming due in April, and $25,000,000 to meet a loan falling due in August. Has the Government yet told the country, or the Senate, or Parliament, what it is going to do with the balance of the $100,000,000—the $25,000,000? The Government has not stated anything about that. The country is waiting for its answer and its explanation. It has no explanation and no answer—a dumb Government!

Hon. Mr. POWER: Is the hon. leader of the Government in a position to inform the House what rate of interest the Government expects to pay upon these loans?

Hon. Mr. CLORAN: You will not answer that.

Hon. Sir JAMES LOUGHEED: That will depend on the market at the time the loan is negotiated.

Hon. Mr. POWER: Suppose the loans were made to-morrow?

Hon. Sir JAMES LOUGHEED: They would probably cost from 5 to 5½ per cent.

Hon. Mr. CLORAN: "You pays your money and you takes your choice."

Hon. Mr. POWER: I am not proposing to oppose or unduly delay the passing of this important measure, but I wish to express my regret that the Government have not paid any attention to the efforts that have been made on two or three occasions in this House to secure something more like fair play in the rate of interest allowed by the Government to different lenders. I understand that to-day no money is being borrowed at a lower rate than 5 per cent, while at the same time the depositors in the Government savings banks and in the Postal savings banks, who are as a rule our own citizens, and generally people who are striving to save a little out of their comparatively limited means, are getting only 3 per cent. I think that on the face of it that is a most unjust and indefensible distinction. Some years ago, when the rate of interest paid on loans from outside was 3½ or 4 per cent the Government of that day paid to the depositors in the Government savings banks the same rate that they paid to lenders outside. They paid at one time 4 and at another time 3½ per cent. Under the late Administration the Minister of Finance reduced the rate to 3 per cent, on the ground that the Government were paying only 3 per cent to outside lenders, and he did not think it was a businesslike thing for the Government to pay more to the depositors in the savings banks than the rate at which they could get the money from other lenders. Now, as they say, the boot is on the other foot, the depositors in the savings banks, who, as I say, are our own citizens and as a rule people not overburdened with wealth, are getting only 3 per cent, while the lenders, the capitalists, whether they are American, English, or Canadian, are getting 5 per cent. I contend, hon. gentlemen, that that is a most unjust and indefensible position, and I feel that it is my duty, while this measure is going through, to call attention to the unfairness of the manner in which the Government deals with these depositors.

Hon. Mr. EDWARDS: I recall full well the statements made by the honourable gentleman on several occasions in the House in regard to this matter; but I am afraid that if he inquired into the situation he would find that the very condition to which he referred has existed for some time back. The fact is that for some time Canada has not been receiving loans from Great Britain, as she formerly did, but has been aiding Great Britain, as has already been mentioned. But that is not all. The position to-day is that the very parties to whom the honourable gentleman refers have had the opportunity for some months back, and have the opportunity now, to withdraw their money from the savings banks and invest it in the loans which are offered by the Government.

Hon. Mr. POWER: It is not probable that the average poor person—widow or child—would know enough to invest in the bonds.

Hon. Mr. EDWARDS: Well, it would be absolutely impossible to be the guardian of every individual in the country.

Hon. Mr. CLORAN: No, but they are the majority.

Hon. Sir MACKENZIE BOWELL: Under a new order which has been issued by the Finance Minister, persons who are depositors in the savings banks to-day can withdraw as low a sum as $25 and invest it in Government debentures, and draw upon that sum at the end of three years a sum equal to interest at 5 per cent per annum.

Hon. Mr. POWER: May I be pardoned for saying another word? I felt there was a good deal of force in the view taken by the honourable gentlemen who have just spoken; but I was rather surprised, on looking at the Canada Gazette, to find that the amount deposited to-day in the savings departments of the various banks in this country is much larger than what was deposited there a year ago.

Hon. Mr. EDWARDS: That is absolutely true. We have a phenomenal condition, a condition unprecedented in Canada, because of the great stimulus which has resulted from the activity in manufacturing and the high prices that are obtained for agricultural products and everything else that we have to export. There is no doubt that the banks are to-day overburdened with deposits, and it is because of this plethora of deposits that the banks have been able to come to the aid of the British Government.

Hon. Mr. DANDURAND: I may inform my honourable friend from Halifax (Hon. Mr. Power) that there are to-day banks which refuse to pay 3 per cent on large deposits unless they be time deposits. A plethora of money in the banks is not necessarily an indication of a healthy condition in the country.

Hon. Mr. DANIEL: I have no doubt that the remarks of the honourable senator from Rideau (Hon. Mr. Edwards) are entirely correct. I remember reading within the last few weeks the statements of two of our banks, according to which the deposits in those two banks—deposits bearing interest and deposits bearing no interest—amounted to nearly $500,000,000. The amount of deposits in those two banks, bearing interest at the same rate as is paid by the Government savings banks, amounted to millions—I have forgotten the exact figure. Apparently there is any amount of money in Canada to-day. I think the statement of the honourable senator from Halifax (Hon. Mr. Power) in regard to savings bank interest is entirely answered by that. To the honourable gentleman from Rideau (Hon. Mr. Edwards) I might say that the Treasury certificates now available for small investors, bearing 5 per cent interest, and which are negotiable, offer a very good reply, and show how the small investor can get from the Government of the country 5 per cent for his money, which is the same rate they are paying on larger investments.

Hon. Mr. CASGRAIN: The honourable senator from De Lorimier (Hon. Mr. Dandurand) says that some of the banks refused large sums at 2½ per cent. That is strange. If the conversion is so easy, you would think that those banks, in justice to their shareholders, would get the money at 2½ or 3 per cent, make the conversion, and get 5 per cent, and I am surprised that his own bank does not do so.

Hon. Sir JAMES LOUGHEED: The Government is issuing war certificates in denominations as low as $25, and any person purchasing these can realize a little over 5 per cent. All they have to do in order to realize 5 per cent is transfer their account from the post office savings bank.

Hon. Mr. POWER: The people will gradually catch on to that.

The motion was agreed to, and the Bill was read the second time.

STAFF OF THE SENATE.

STATUTORY INCREASES.

Hon. Sir JAMES LOUGHEED: I understand that His Honour the Speaker has submitted to the House the recommendation of the Clerk of the Senate with reference to the provisions contained in section 3, chapter 15, of the statutes of 1908, that the Senate should allow the members of its staff to enjoy the benefit of the provisions of the said Act—that is, the section covering the statutory increases to which the officers and servants of the Senate would be entitled, with the consent of the Senate. With the leave of the House, I move seconded by Hon. Sir Mackenzie Bowell, the adoption of this recommendation.

Hon. Mr. POWER: In the ordinary course of events, I think this recommendation should go to the Committee on Internal Economy, but, inasmuch as the House is likely to adjourn to-morrow until the latter

end of April, and if we did not adopt this recommendation now the gentlemen referred to in the report might possibly lose some of the advance to which they are entitled, I trust that there will be no objection to adopting the motion of the honourable the leader of the Government.

The motion was agreed to.

THE SHORTAGE OF COAL.

Hon. H. W. RICHARDSON: With the leave of the Senate, before we adjourn, I wish to say that this country is in a very difficult position with regard to transportation and the coal supply. I have lately been associated with coal men of the United States and transportation men of this country, and I commence to realize the gravity of the situation. Never before in the history of this country has anything like the present condition existed. To-day we are facing a coal famine, which would mean almost the complete stoppage of transportation; we are struggling to move our supplies; we are weeks behind with our shipments; we have had to cancel a certain number of our passenger trains, at which the public did not demur, realizing the gravity of the situation. Ontario, unfortunately, has to depend on the United States for its coal supply. At the present time the mines in the United States are working to the limit. In the past the mines were able to supply the demands of the trade. The demands, however, have increased wonderfully. Factories that were working eight hours a day are now working twenty-four hours a day, and new factories have been established. Railroads that were able to operate and to transport the products of those factories are not able to transport three times that production, as we have it to-day. You can see how this has exhausted the coal supply of the country. Then, too, the wages of the operators on the railroads, the cost of steel, the cost of ties, the cost of spikes, and so on, have increased so enormously that the railroads have not been able to keep up their equipment.

In our country we have three or four lines of railway. We all know how they are prospering. There is not an hon. gentleman here who has not a full knowledge of the prosperity of our railroads. Take the Grand Trunk Railway; the English capitalists have never received one cent for their money. Take our own Intercolonial Railway: year after year it has shown a deficit. And last year we had the Canadian Northern Railway coming before us asking for help to tide them over. There must be a cause for all this, and the cause is largely that the railroads are not receiving sufficient from the people for the freight they are carrying. If we do nothing but stand still here and watch these railroads with their extra cost of maintenance and with the same old rates, we shall soon see them in bankruptcy; there is nothing else for it. Not one of us who goes into a store to-day demurs at paying the shopkeeper twenty-five to fifty per cent more for goods, because we know they are costing more; but we do not extend the same treatment to the railway companies.

It is useless for me to speak to you, honourable gentlemen, unless I have some solution to offer. The railways in the West have experienced unusually severe weather, and the cost of operating has increased at least 40 per cent. They have to move their coal supply, and that necessitates unshipping goods that need to be moved. Grain has to remain until they are able to ship it. The cost of coal is enormous. Only last week one railroad out of Toronto paid $8.50 a ton for five cars of coal. A shipment of coal crossed to Cobourg the other day and the railroads gobbled it all up. One railroad in our country has contracted with the mines in Pennsylvania for two hundred tons of coal at $4.16 at the mines; adding $1.25 for freight to Suspension Bridge brings this coal to $5.41, and further freight charges of $2 or $2.50 have to be paid before this coal can be used by that railroad. The Canadian Northern is bringing coal from Fort William to Montreal, and our Government railroad is doing practically the same thing. The coal at Lethbridge is coming east to Winnipeg. I think the situation is serious enough for our intervention—if we can intervene—and the only means that I see of getting over this stoppage of transportation is to order the railroads to purchase sufficient coal, irrespective of cost, to operate their roads. At the same time we can assist them by allowing an increase of 7½ per cent on the present freight rates to compensate them for the loss sustained, owing to the unusual condition of affairs caused by the war. This increase of rates would only last until normal conditions are resumed.

Hon. Mr. CASGRAIN: I think the honourable gentleman has put the situation very well; but at the beginning he said that the railroads were doing more busi-

ness than ever before—in fact, that they had more than they could handle. Therefore they should be making more money, notwithstanding the great cost of everything. Would he explain why they need assistance when they are doing more business than they can take care of?

Hon. Mr. RICHARDSON: They are doing more business, but the cost of doing that business has increased very considerably; in other words, they are not doing business at a profit, as they have been for years.

In the past the coal supply in Ontario has been taken care of largely by means of water transportation. During the summer months freight by water is very much cheaper than by rail. Fort William receives its coal from lake Erie at the very low rate of 30 cents a ton, and, strange to say, although every other rate went up last year, this old rate of 30 cents a ton was maintained almost until the end of the season; while tonnage from ports on lake Superior to lake Erie ports was $1 a ton for ore, and 4½ to 5 cents a bushel for grain. Owing to the shortage of cars in the United States and to the great demand for coal, the coal supply at the Lake Erie shipboard was not as good as usual. Steamers had to delay two or three days, waiting for a cargo; therefore they would go up light and sacrifice the cargo of coal; consequently the coal supply was lessened. Coming to Eastern Ontario was a class of ship that we call full-sized canal boats; they carry somewhere about 2,700 or 3,000 tons, and owing to the very high freight rate on the Atlantic ocean, any of these boats that were fit for sea service went into the ocean trade. Transportation through the Welland canal to Ontario and Montreal was greatly reduced; there was no tonnage to carry it, although rates went up from $1 a ton to Montreal to as high as $2.50. Taking it altogether, the situation is a result of the war, the wonderful demand, and the increased production of the factories, which are operating twenty-four hours a day, instead of eight. The only solution I see is for the Railway Board to order the railroads to buy coal, and give them a sufficient advance in rates to compensate them for the increased cost.

Hon. Mr. CLORAN: Evidently the honourable gentleman is an expert in the railway business. Before he takes his seat, will he please state to the House and to the country what amount of dividends and bonuses were paid by the various railroad systems in Canada during the past year? That would be of more consequence to the people and to the Senate than any statements about coal shortage. I would like him, if he is able to do so, to tell us the amount of dividends paid by the various railroad companies.

Hon. Mr. SPROULE: No answer.

Hon. Mr. CLORAN: No answer. That means there has been too much paid.

Hon. Mr. SPROULE: I think there is a good deal in the statement of one honourable senator, who said that the railways appeared to be working overtime this last year and that their earning powers were very much increased. I know, after looking over the statement of the earnings of the Canadian Northern Railway, that there is a great improvement on last year; evidently they have done much better, and I presume that a like condition will be found in the finances of the Canadian Pacific railroad and other railroads. But, notwithstanding that, it may be, as the hon. senator (Hon. Mr. Richardson) has said, that their freight rate is still too low to pay. However, the suggestion of the hon. senator that they be authorized to go on and contract to carry at a rate that will pay I do not understand. Of course, this House has no authority to do that. I merely wish to refer to the fact that we have a Railway Commission whose special duty it is to look into freight rates, upon the complaint that they are either too high or too low, and I would suggest that it would be the part of wisdom, if anything is done, that it be done through that Commission. The Railway Commission can have but one object: that is, to do whatever is fair, and, if it is clearly established to their satisfaction that the rate is too low, and they so represent to the Government and to the country, I am quite sure it would then be an easy matter to give the railway companies the power to impose a higher rate. But until that is done I think we should be acting rather prematurely, or in the dark, if we were to make any special deliverance here with reference to what the railway companies should do.

Hon. Sir MACKENZIE BOWELL: I know that the Railway Commission has the power to increase the rate if it is satisfied that the existing rate is too low. Therefore I think that whatever is done ought to be done through the Commission.

Hon. Mr. McSWEENEY: I may inform the honourable gentleman that the General Manager of the Intercolonial railway states that it will have a surplus of $2,000,000 for the fiscal year ending the 31st of March. The net earnings have never before been as large as they are now. The Canadian Northern had a deficit of only $245,000, according to its last report. It has done very well. But if there is any difficulty the Railway Commission can remedy it. Of course, they have no jurisdiction over the Intercolonial.

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

THE SENATE.

Wednesday, February 7, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

OFFICIAL REPORT OF THE DEBATES.

APPOINTMENT OF REPORTERS.

Hon. E. M. FARRFLL presented the second report of the Standing Committee on Debates and Reporting.

The Report was read, as follows:

Your Committee have, in obedience to the order of reference of the 26th January, 1917, considered the report of the Clerk of the Senate, dated 8th January, 1917, and the recommendation of His Honour the Speaker of the appointment of Messrs. D. J. Halpin and H. H. Emerson as Official Reporters of the Senate, and now beg to recommend to the Senate the adoption thereof, with the addition that, on the recommendation of the Chief of the Reporting Branch, Mr. Thomas Bengough, who has been in the service of the Senate for nine sessions, be employed as a reserve sessional reporter at $1,500 per session.

All of which is respectfully submitted.

(Signed) E. M. Farrell,
Chairman.

Certain rules having been suspended:

Hon. Mr. FARRELL moved that the report be now concurred in.

Hon. Mr. SPROULE: If I heard correctly the reading of that report, it proposes to attach another employee to the Senate who will be permanently under salary. I do not know whether or not that proposal has been submitted to the consideration of the Committee on Internal Economy, but it seems to me that it ought to be. The other recommendation, I understand, was submitted and approved of. As the Committee on Internal Economy is charged with looking after the expenditure of this House, it would seem to me to be appropriate that they should exercise their judgment on the proposal referred to before it should be reported to the Senate.

Hon. Mr. DANDURAND: These matters are generally dealt with exclusively by the Debates Committee. It was that committee which last year examined the situation and recommended the appointment of Mr. Horton as Editor of the Debates, with the responsibility of organizing the staff. He has organized the staff, and it is upon his report that we are now acting.

Hon. Mr. SPROULE: But I understand that the proposal referred to is an addition to that report. The original report recommended that two new stenographers be employed, and they are, according to the recommendation of the committee, to be employed; but the last recommendation, which is tacked on, is that a former reporter of the Senate, who is now practically out of business, be continued at a salary of $1,500 per session as an extra.

Hon. Mr. DANDURAND: That matter was being studied by the editor at the same time, but the understanding with the party concerned had not reached such a point as to enable Mr. Horton to make his recommendation last week. He did so this morning before the committee, and we took for granted that His Honour the Speaker, who was present with us for a time, would accept our report and not raise any objection to the procedure in connection with it.

Hon. Mr. LANDRY: As his predecessor used to do.

Hon. Mr. DENNIS: I am sorry I was not able to be present to-day at the meeting of the committee, of which I am a member, but I would like to ask the chairman if this is the unanimous report of the committee.

Hon. Mr. POWER: It is.

Hon. Mr. DENNIS: And, further, was the salary of $1,500 for this auxiliary reporter recommended by Mr. Horton?

Hon. Mr. FARRELL: He was present at the meeting.

Hon. Mr. DENNIS: Did he recommend that the salary be $1,500?

Hon. Mr. FARRELL: No.

Hon. Mr. DENNIS: That was fixed by the committee. What is the salary to be paid to the other reporters?

Hon. Mr. DANDURAND: $2,100.

Hon. Mr. DENNIS: While Mr. Bengough is undoubtedly a first-class reporter and entitled to the consideration of the committee, he is very fully and amply paid at $1,500 a session, which, as we all know, may last only a few weeks.

Hon. Mr. DANDURAND: Yes, but we have to take sessions as they come; they may be short or they may be long.

Hon. Mr. DENNIS: In addition to that, we are paying Mr. Holland a pension of $1,000 a year.

Hon. Mr. DANDURAND: But, taking all these figures into consideration, the sum total does not exceed the amount this branch cost previously.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, may I say a word in connection with this matter? I am not a member of the Debates Committee, but I took some interest last session in endeavouring to arrange a readjustment of our reportorial staff, owing to the dissatisfaction which had for some time prevailed. We were fortunate enough to secure the services of Mr. Horton as Chief of the Reporting Branch. It was understood at the different conferences which we had that we should endeavour to make provision for the officers who had been for a considerable time connected with that branch. Mr. Bengough had been, as the report of the committee states, connected with the reporting of the Senate for some nine sessions. I think he had some anticipation that he would be charged with the carrying on of the work of his predecessor, Mr. Holland. However, we viewed the matter differently and appointed Mr. Horton to that important position. I have looked into the saving which the change will effect. The reporting will not cost the Senate as much as it has previously cost, and we shall have a very much more efficient reportorial staff. I cannot say anything as to the formalities of the matter, which apparently were discussed at the committee meeting this morning. The only thing I can say, on the merits of the question, is that every consideration should be given to the claims of Mr. Bengough.

The motion was agreed to.

Hon. Mr. FARRELL.

PRIVATE BILL INTRODUCED.

Bill B, an Act respecting the Essex Terminal Railway Company.—Hon. Mr. Taylor.

INTERIM SUPPLY BILL.

FIRST, SECOND, AND THIRD READINGS.

A message was received from the House of Commons with Bill 20, An Act for granting to His Majesty certain sums of money for the public service for the financial years ending respectively the 31st March, 1917, and the 31st March, 1918.

The Bill was read the first time.

Hon. Mr. SPROULE: Honourable gentlemen, I wish merely to make an observation with regard to Bills of this class. When money Bills or resolutions are introduced into the House of Commons, they must of course first have been recommended by the Crown, and that information is given to the House by the minister who introduces them; but since I have come to this House it has seemed to me that it would be an improvement in our practice to follow the practice which obtains in the Imperial Parliament, of having such Bills marked as having received the recommendation of the Crown. As it is, in the event of the representative of the Crown in this House accidentally overlooking or neglecting to state the fact, we do not know whether the recommendation of the Crown has been received or not.

Hon. Sir JAMES LOUGHEED: I may say to my honourable friend that it would be rather a reflection—would it not—upon the House of Commons to suggest that so important a preliminary was omitted by that House before sending a Money Bill to us? At any rate, I think we can safely take it for granted that Bills of this kind do not escape the keen scrutiny of His Majesty's opposition in the House of Commons. However, the suggestion is worthy of consideration, and I am not at all opposing it.

Hon. Sir MACKENZIE BOWELL: The practice in the past has been for the minister of the Crown in charge of a money Bill to state to the House that the approval of the Governor General has been obtained; and that practice applies to this House as well as to the House of Commons. In England, in the House of Lords, a written statement is read to the effect that the ap-

propriations asked for have received the approval of the Crown. I do not see why we should not follow that practice here.

Certain rules having been suspended:

Hon. Sir JAMES LOUGHEED moved the second reading of the Bill. He said:

The object of this Bill is to vote supplies to the amount of $32,195,441.17, being 25 per cent of the main Estimates passed by the House of Commons during the present session for the fiscal year ending March 31, 1918. It will therefore be apparent to honourable gentlemen that the total Estimates for the year amount to $128,781,764.70. Of this amount $107,668,214.70 is chargeable to Consolidated Fund, while the balance, $21,113,550, is chargeable to Capital Account.

I may say that the total estimated expenditure for the year 1917-18, as shown in the main Estimates, amounts to $203,472,765.94. Of this amount $182,359,215.94 is chargeable to Consolidated Fund and $21,113,550 to Capital Account.

The estimated expenditure on account of Consolidated Fund, of which $74,691,001.24 is statutory, has been greatly increased in consequence of the heavy charge for interest on Public Debt and Pensions; but for other services the Estimates now presented will be found to be materially reduced from those of the previous year. The reduction will represent no less a sum than $67,542,779.

Hon. Mr. BELCOURT: What departments do these cover principally?

Hon. Sir JAMES LOUGHEED: I cannot give that information to my honourable friend with any exactitude. Practically all public works have been cut off, as well as absolutely unnecessary expenditure.

Schedule B of this Bill is composed of the Supplementary Estimates for the fiscal year ending the 31st of March, 1917, amounting to $9,127,777.42. Of this amount $8,378,697.43 is chargeable to Consolidated Fund, $680,220 is chargeable to Capital, and $68,859.99 consists of unprovided items for 1915-16. Of this estimated expenditure $6,375,000 is a further amount required for the working expenses of Government railways, and $1,200,000 is a further sum required for the purchase of seed grain under Governor General's warrants.

In further answer to my honourable friend from Ottawa I may say that the Estimates for 1918 would give him the information which he seeks; but to analyse those closely would occupy too much time at present. The main reduction has been in public works.

Hon. Mr. BELCOURT: The difficulty is that we do not know which of these Estimates have been voted by Parliament.

Hon. Sir JAMES LOUGHEED: Parliament has voted 25 per cent of the main Estimates, entirely irrespective of the uncontrollable expenditure, payable by statute, which, as I have said, represents no less a sum than $74,691,000.

Hon. Mr. BOSTOCK: This has nothing to do with war expenditure?

Hon. Sir JAMES LOUGHEED: No. I shall be prepared to explain that later.

Hon. Mr. LANDRY: I suppose the motion which we have adopted, suspending the rules of the House, gives me the opportunity of making a few remarks on this money Bill. The Senate has no power to make any change in this Bill; we must accept it or reject it as a whole; but I think it my duty to call the attention of the House to a certain item which I have noticed. Last year the Senate did not choose to vote the salary of a certain officer in the Library. In the dying hours of the session I called the attention of the honourable leader of the Opposition to the matter, but nothing was done. Let me recall the facts. A few days before Parliament met last year, an Order in Council was passed appointing a man of the name of Aubry as curator of the Library. This man had passed the legal age for appointment; but he was nominated, and a recommendation was placed in my hands, which I refused to sign, because he was over age and because he was not recommended by the two Librarians. In such cases there should be a joint report of the Librarians, and upon that the Speakers of the two Houses make their recommendations. All this was done with the exception that the recommendations were missing. The Order in Council was passed a few days before the Session began, and the law provides that it must afterwards be approved by both Houses. The recommendation was brought here, and the Order in Council was laid upon the table. That Order in Council was approved of by this House, but without the recommendation of the Speaker. The Auditor General refused to pay this man because he was not recommended according to the law, and because he was beyond the age limit. He was nominated against both the letter and the spirit

of the Civil Service Act. I find in the Bill before us the following item:

Library of Parliament.

To provide for the salary of Napoleon Aubry, housekeeper, from January 12, 1916, to March 31, 1917, at $900 per annum—$1,100.

Allowance to housekeeper in lieu of quarters, from January 12, 1916, to March 31, 1917, at $300 per annum—$366.67.

We will not amend that; we have no right to amend it. Far larger interests than this have imposed upon us the duty of accepting the Estimates as given; but, though I accept them, I think it my duty to protest against this way of solving a difficulty. I should have thought that, if I was in the way at that time, my removal from office, which was voluntary on my part, would have placed the Government in a position to obtain the recommendation from my successor. He might not take the same view of the law that I took. Under the circumstances I think that an effort should have been made to get the signature of the new President of this Chamber. I do not think the Senate should accept things in this way.

Hon. Mr. DAVID: Does the honourable gentleman contend that the vote of the House of Commons and the vote of the Senate do not cover the illegality?

Hon. Mr. LANDRY: The Parliament is supreme. All we can do is to protest. The majority rules, and in this case the majority in the House of Commons, and I suppose in this House as well, will rule that this salary must be paid.

Hon. Mr. SPROULE: As I understand the Civil Service Act, it contains provision for making an appointment during the time that Parliament is not in session; that is, it can be done by Order in Council. It may be that it requires the consent of the Speakers of the two Houses to make appointments to the Library, antecedent to the passing of the Order in Council; but there might be a time when there would not be two Speakers in existence and when the necessity for an appointment might arise. Therefore I should think that when an Order in Council was passed making such an appointment, and an item put in the Estimates to cover that appointment and voted by Parliament, it would be absolutely legal. I think there is no question whatever about that. There may have been an irregularity in the first instance; but I think that, after the Order in Council was laid upon the Table here and was endorsed by the House, it was too late to raise the question as to what antecedent requirements were neglected before the Order in Council was passed.

Hon. Mr. LANDRY: I think that the remarks made by my hon. friend, who has been Speaker of the House of Commons, are not in accordance with the law. The law says that during the recess an appointment may be made by Order in Council, but that Order in Council must be submitted to the House in the first days of the ensuing Session and must be approved by the House. As a matter of law, that Order in Council cannot be passed without the joint recommendation of the Speaker of the Commons and the Speaker of this House.

Hon. Mr. SPROULE: I understand that the Order in Council was passed.

Hon. Mr. LANDRY: I say that the Order in Council cannot, as a matter of law, be passed without the recommendation of both Speakers.

Hon. Sir MACKENZIE BOWELL: He is right.

Hon. Mr. LANDRY: And it is because the proceeding was irregular and illegal that we have to-day that item in the Estimates. I will not object to the payment; I do not care about that at all; it is a petty sum; but I want to state my position and to explain why in that instance I was backed up by the Auditor General, who refused to pay, and by the officials of the Library, who refused to accept that man. The man is, as I have told you, over age. What is the use of having a law?

Hon. Mr. SPROULE: I can only say that I must have misunderstood the honourable senator in his first explanation, because I understood him to say that the Order in Council was passed and was submitted to this House, and it was upon the strength of that understanding that I made the observation I did.

Hon. Mr. LANDRY: As I have informed this House, the Order in Council was passed. It was submitted to this House and was approved by this House; but it lacked the signature of the Speaker of this House in both cases—when it was passed by the Council and when it was passed by this House; and it is for that reason that the Auditor General refused to pay the man. The position we are facing to-day is that, not having complied with the law, the Government has put that item of salary in the Estimates as a special vote. By doing so it is evading the law.

The motion was agreed to, and the Bill was read the second time.

Hon. Sir JAMES LOUGHEED moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

QUEBEC HARBOUR BILL.

FIRST, SECOND, AND THIRD READINGS.

A message was received from the House of Commons with Bill (23), An Act to provide for further advances to the Quebec Harbour Commissioners.

The Bill was read the first time.

Certain rules having been suspended:

Hon. Sir JAMES LOUGHEED moved the second reading of the Bill. He said:

This Bill proposes to advance by way of loan to the Quebec Harbour Commission $1,500,000. Under the legislation of 1913 we made provision for advances to that Commission to the extent of five and one-half millions of dollars.

Hon. Mr. BOSTOCK: That is all we have advanced so far?

Hon. Sir JAMES LOUGHEED: That is all we have advanced up to the present time. Previous to that date there had been made certain advances, which have been duly protected, not only by legislation, but also in the payment of interest and in different other obligations.

Hon. Mr. McSWEENEY: What is the rate of interest?

Hon. Sir JAMES LOUGHEED: These debentures, I understand, bear interest at the rate of 3½ per cent. At the time the agreement was entered into between the Federal Government and the Quebec Harbour Commissioners it was arranged that this rate of interest should be charged. Of course, the Government cannot at the present time negotiate loans upon that basis. But, notwithstanding the extra rate of interest which we shall have to pay, we must regard it as assistance that may be legitimately given to a national undertaking. Since the reconstruction of the Harbour Commission its affairs have been conducted in a most satisfactory way. Its revenue has increased very substantially. For instance, since the year 1913, when the revenue was $126,000, it has increased to $288,000, an increase of $162,000. At the end of last year there was a substantial surplus, after paying interest and expenses of all kinds, aggregating, I believe, about $30,000. We therefore regard the loan as one that can be made with the greatest possible safety; provision will doubtless be made to meet the maturing interest as it may fall due from time to time. It is proposed that the advances provided for in the Bill shall be distributed over about two years. I think provision has already been made for the expenditure of about one-half the amount, or at any rate it is anticipated that within two years it will be absorbed in the carrying on to completion of the undertaking as at present designed.

Hon. Mr. BOSTOCK: Is this amount for the extension of works or the completion of works?

Hon. Sir JAMES LOUGHEED: The completion, as designed between the Harbour Commission and the Government.

Hon. Mr. THOMPSON: I understand that the Commission have paid the interest?

Hon. Sir JAMES LOUGHEED: Yes, there has been no trouble whatever with that.

The motion was agreed to, and the Bill was read the second time.

Hon. Sir JAMES LOUGHEED moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

WAR APPROPRIATION BILL—$500,000,000.

FIRST, SECOND, AND THIRD READINGS.

A message was received from the House of Commons with Bill 24, An Act for granting to His Majesty aid for Military and Naval Defence.

The Bill was read the first time.

Certain rules having been suspended:

Hon. Sir JAMES LOUGHEED moved the second reading of the Bill.

Hon. Mr. LANDRY: Before the Bill is read a second time I want to call the attention of my hon. friend, the late Speaker of the House of Commons, to a rule of this House, which he did not quote a while ago, but of which I am sure he knows. It is this:

The Senate will not proceed upon a Bill appropriating public money, that shall not,

within the knowledge of the Senate, have been recommended by the King's representative.

I suppose we all have this knowledge now and can proceed?

Hon. Mr. SPROULE: I was only endeavouring to inform the House that this recommendation had been made.

Hon. Mr. LANDRY: That is the way I took it.

Hon. Mr. SPROULE: I spoke from a knowledge of what has frequently occurred in the Commons. Owing to the evidence not being available at the proper time, a Bill has sometimes been passed through several stages without it and afterwards the omission has had to be supplied.

Hon. Sir JAMES LOUGHEED: Well, hon. gentlemen, I have great pleasure in informing the Senate, with respect to this Bill, and also the previous money Bills with which we have dealt, that they have been recommended by the King's representative. May I now be permitted to say that this Bill proposes voting so large an amount as scarcely to admit of anything being said about it. If it were for a smaller amount we should most exhaustively discuss it.

Hon. Mr. POWER: Then, I suppose, you would say it was such a little one?

Hon. Sir JAMES LOUGHEED: I may say that the anticipated expenditure for the fiscal year ending March 31, 1918, will amount to $433,274,000. The details of that may be set out in this way: for Militia and Defence there will be required $196,171,000; for the Ministry of Overseas Military Forces, $219,000,000; for Naval Service, $17,500,000; for the Department of the Interior, $75,000; for Railways and Canals, $300,000; for Finance, $60,000; for Public Works, $133,000; for Labour, $15,000; and for Agriculture, $20,000; making in all $433,274,000. As hon. gentlemen can very well appreciate, the ascending ratio in which war expenditure increases is something that almost transcends human imagination.

Hon. Mr. THOMPSON: Goes up like an aeroplane.

Hon. Sir JAMES LOUGHEED: It may be interesting to hon. gentlemen to know that in 1914-15 our war expenditure amounted to $60,750,476; in 1915-16 it amounted to $166,197,755; in the present fiscal year, up to January 20, 1917, we expended $216,901,822.

Hon. Mr. LANDRY.

Hon. Mr. McSWEENEY: This $500,000,000 makes it nearly a billion, does it not?

Hon. Sir JAMES LOUGHEED: It may. It is estimated that our net national debt at the present time is, in round figures, $750,000,000. One cannot say what it will be by the time this expenditure is made. My honourable friend the leader of the Opposition asked me yesterday if I would inform the House as to the financial relations between the Government of Canada and the Imperial Government with reference to the amounts which we have advanced from time to time in assisting the Imperial Government in the payment for munitions which have been made in Canada or in the United States. The state of that account is as follows. Up to the present time we have made advances to the Imperial Munitions Board to the extent of $116,000,000, and we have agreed to advance them a further sum of $34,000,000, making a total of $150,000,000 that the Government of Canada has advanced to the Imperial Government for the purpose of buying munitions and supplies in Canada. On the other hand, we owe the Imperial Government about $97,000,000; so there is at present a balance due us by the Imperial Government of about $18,000,000. Honourable gentlemen are probably aware of the fact that our war account in England is at present being carried by the Imperial Government; that is to say, they make payment to the Canadian forces and we in turn liquidate those payments periodically. But the account with the Imperial Munitions Board, as I have mentioned, shows a balance in our favour at the present time of about $18,000,000.

Hon. Mr. BOSTOCK: That has nothing to do with the credit supplied by the banks? That is a separate matter altogether?

Hon. Sir JAMES LOUGHEED: That, I understand, is entirely separate from this. I understand that the chartered banks of Canada have made advances approximating about $100,000,000 to the Imperial Government. It is scarcely necessary to point out that our ability to have successfully carried out these financial transactions is a great tribute to the resourcefulness of the Canadian people. There was a time when we considered it absolutely necessary to negotiate even the smallest public loan in Great Britain. After the declaration of war we found the money market of England closed to our requirements; we then had occasion to resort to other channels for the purpose of negotiating our loans. It seemed to us

at that time absolutely necessary to go to a foreign country; hence we floated our first loan in the United States. Then we awakened to our national ability and resourcefulness, and suddenly discovered that we could float our loans more advantageously within our own boundaries; and this we have been successful in doing. We have not only succeeded in raising the money from our own people, but we have been of substantial assistance to the Imperial Government in facilitating its meeting of its obligations on this side of the Atlantic.

Hon. Mr. EDWARDS: I do not desire to criticise the actions of the Finance Minister in connection with the matter just discussed by the leader of the Government, but I am one of those who have dreaded very seriously the beginning of the flotation of our own loans in Canada. Even with our present plethora of money, looking to the future, I have thought that it was an undesirable practice. However, I do not wish to criticise, because I think the Finance Minister has done admirably during this period; but it would be an unhappy condition of affairs if Canadians should come to think that the present condition could continue, because a period is coming when we certainly shall not be able to float our own loans in Canada.

Hon. Mr. SPROULE: In my opinion the Finance Minister has acted admirably and with very good judgment, and I think the results will be good. This is because of the method he has adopted, of selling our bonds at home and putting their denominations low enough to enable the common people of the country who desire to make investments to do so safely. He has provided that they may buy the securities of their own country and receive a higher rate of interest than the banks and other financial institutions will pay. Many years ago I spoke of this question in the House of Commons—not merely once, but on different occasions—and I heard the same arguments advanced that the honourable senator who has just taken his seat has advanced to-day: that it was a mistake to raise money at home, but rather that we should borrow abroad and spend at home, and that we were not enriching the country when we borrowed from our own people. I disagree with that conclusion. I think the best principle is to give the money earners at home an opportunity to invest their money at a reasonable rate of interest, and I do not know where they can get as good security. If the rate of interest is fixed as it has been in this case, I do not think it will do the country any harm. I hope we shall continue to make these loans at home, thus giving the people an opportunity to make such investments, and enabling them to get some reasonable return of interest, which heretofore they have not been able to get from the Post Office savings banks, the Government savings banks, the chartered banks, or the loaning corporations of the country.

Hon. Mr. EDWARDS: There is no one in Canada who has a greater respect and admiration for the Finance Minister than I have, but he will be the last person to subscribe to the statements of the honourable gentleman who has just taken his seat.

Hon. Mr. BOSTOCK: We have heard from the honourable the leader of the Government as to the enormous amount of money that we are being called upon to provide at the present time. We all realize the enormous responsibility resting upon the Government in dealing with these matters; but, as one honourable gentleman has said, the figure in this case is so enormous that we can hardly realize what it means to pass a vote of this kind.

I do not wish to take up the time of the House in discussing this question, but I would have liked to have had some particulars about the new appointment of a minister in England to handle the affairs of Canada there. According to the statement of the Government, he is probably dealing with the greater part of the enormous sum that we are asked to vote to-day. I presume that in connection with his work he has a very large organization, and of course very heavy responsibilities rest upon his shoulders. So far as I know, no real explanation of this matter has been given to the country. I think it would be of great interest to the country to have such an explanation. It is a new departure for us to be carrying on business in this way, and I imagine that it entails new methods of doing business.

Hon. Sir JAMES LOUGHEED: Under the War Measures Act it was considered to be in the interest of Canada and in the interest of Imperial defence that we should exercise the powers which were vested in us by that Act, and practically duplicate in England the machinery that we have on this side of the Atlantic. It is not difficult for honourable gentlemen to appreciate the fact that, in dealing

with the several hundred thousand men who have been sent from Canada to Great Britain to take their part in the defence of the Empire, in France, or in whatever part of Europe they may be, the financial and departmental administration of that business could not be successfully carried on in Canada. Consequently it was desirable to establish administrative machinery in Great Britain, so that we could be in touch with the various questions arising from day to day, just as though we were administering similar business on this side of the Atlantic. I do not think that one need appeal to the imagination or the reason of any person in order that he may appreciate the good judgment shown in pursuing this course. Of course, in a time of war like the present, machinery, so to speak, develops itself from conditions which arise from day to day; and those conditions have so developed as not only to warrant but to demand that the Government of Canada should consult an overseas Minister of Militia who would administer the affairs of Canada in England in relation to our participation in the defence of the Empire in the same way as if he were in Canada.

Hon. Mr. BELCOURT: I should like in a very few words to express my cordial support of this measure.

Five hundred millions of dollars is indeed a very large sum of money, probably more than we can mentally visualize, though we are getting our minds daily accustomed to think in huge figures. For my part I am quite prepared, as I have said on many other occasions here and elsewhere, to have Canada contribute to the war as much as she possibly can, consistently with the interests and requirements of the case. I have put no limit whatever upon the contributions of Canada in this war except that which would be prohibed by Canada's own interest and capacity. It must be a matter of pride to all Canadians that Canada is able to raise $500,000,000, besides the large expenditure which she has already provided for; it must be a matter of additional pride that she can raise these moneys among her own people. Nothing could show more clearly the increasing importance and financial strength of Canada than what has been done by her since the war began. These are tremendous sums, but the issues involved in this great struggle far transcend money considerations; indeed, the issues transcend Canada, transcend Great Britain, transcend the British Empire; they interest the whole world, they involve the fate of world democracy. They are the interests upon which civilized humanity absolutely depends for the future, unless the clock is to be put back for centuries and the world shall content itself with the ethics and customs of savagery. If we had to contribute twice or three times the amount of this loan in order to accomplish the victory which democracy and civilization are bound to achieve in this war, we should not hesitate to do so.

I desire to call the attention of my honourable friend to one section of the Bill which I do not understand, and which, it seems to me, will require some change. I refer to section 5:

> When securities issued under this Act have been pledged as security for a loan, and the loan has been paid off and the pledge redeemed, the securities shall not be deemed to have been extinguished, but shall be deemed to be still alive, and may be re-issued and sold or pledged as if the former pledging had not taken place.

If that were carried to its logical conclusion, pledges might be issued for the whole amount of the loan, and then be re-issued for another $500,000,000. This contemplates the buying in of some securities, forming part of the $500,000,000; but, if you have redeemed $490,000,000 of these securities, can you go on and re-issue the whole of them again?

Hon. Sir JAMES LOUGHEED: Certainly. We have inserted the same clause in many private Bills.

Hon. Mr. BELCOURT: That does not make it any clearer to me. I hope my honourable friend understands my meaning.

Hon. Sir JAMES LOUGHEED: I see my honourable friend's point; but it may be necessary to exercise power of that kind; that is to say, where the securities may be temporarily pledged.

Hon. Mr. BELCOURT: I do not dispute that, but it should be provided that that shall not be done beyond the amount of $500,000,000.

Hon. Sir JAMES LOUGHEED: We cannot go beyond that amount, because the securities cannot exceed the amount of the borrowing power of the Bill. We might exercise the borrowing power to the limit temporarily; we might have an opportunity of securing a temporary loan for that amount. If we retired that loan—

Hon. Mr. BELCOURT: The difficulty is not that you would exceed your powers of borrowing, but that you would have issued

certain securities in exercising that power which you could still re-issue.

Hon. WILLIAM B. ROSS: If you made a loan of $100,000,000 at 70 cents on the dollar, and then you took up that temporary loan, as the law stands those securities would be dead; but this Act provides that you could re-issue them. You have $500,000,000 of securities, and you can call them in or put them out, but you do not make the amount any more.

Hon. Mr. BELCOURT: That is not the difficulty. If you issue the whole $500,000,000, and then redeem them, you can go on and pledge them over again and borrow another $500,000,000; but if you issue only $490,000,000, and pledge them, you can go on and re-issue them.

Hon. Sir JAMES LOUGHEED: Not if you have issued them.

Hon. Mr. POWER: I do not purpose entering into the general question of this Bill, because I agree substantially with the honourable gentleman from Ottawa (Hon. Mr. Belcourt). As he put it, I do not feel that this is a war between England and Germany, or between the Entente Allies and the Central Powers; but I do feel that it is a war between freedom and civilization on one side and tyranny and barbarism on the other. In a case of that kind, one cannot halt between two opinions: he must cordially support the right side.

I just wish to call attention to the advice which the Minister of Finance, a very capable and admirable officer, has been giving to the people of this country for some considerable time. The advice is that the people of this country should be very economical and should scrutinize every dollar before undertaking to invest it and should be satisfied that the investment of that dollar, in no matter what, is necessary. It seems to me that in this particular respect the Minister of Finance is somewhat like the person of whom Shakespeare speaks in Hamlet: he treads "the primrose path" of extravagance and "recks not his own rede." I just wish to call attention to one point which has been discussed in another place, but which it will do no harm to say a few words about here, to show that the Minister does not reck his own rede. I propose to say a few words in order to illustrate my meaning by referring to the Government's dealings with the question of the rifle with which the Canadian troops are armed.

I do not propose to take any part in the controversy as to the relative merits of the Lee-Enfield and Ross rifles. I know that there are very marked differences of opinion, both among the men who have used the two weapons in the field and among the higher authorities who may be supposed to know something about them. I am not qualified to judge, and I do not propose to say anything about that question; it is not essential to the point I wish to make. Neither do I propose to deal with the correspondence and discussions which took place before the Canadian Government abandoned the Ross rifle as a weapon for use in active service. I simply wish to call attention briefly to certain things that have happened in the later stages of this controversy. On June 5, 1916, Sir George Perley—I am not quite sure whether he was Sir George then or not—cabled to the First Minister to the effect that the Army Council in England had decided that no more Ross rifles were to be sent to England; and about that same time on June 11, I think, within a few days after this cable, the British military authorities decided that they would be prepared to supply all the Canadian troops who went overseas with the Lee-Enfield rifle; and it was stated on June 8 by the English authorities that the Lee-Enfield as manufactured in the United States would be a satisfactory weapon. The military authorities in England then decided that they did not wish any more Ross rifles sent to England, and they did not wish any more Canadian troops to come over armed with that rifle. That being the case, what would the average man do? Here we have a contract with the Ross Rifle Company providing for the furnishing of about 100,000 rifles at a price of $25 each, that is, $2,500,000, and we have the British military authorities declaring that these rifles shall not be used. They do not wish the Canadian troops to use them; and we have the Canadian Government concurring in that view and deciding that they will not arm any more of their men with the Ross rifle, and will not ship any more to the other side. As I say, what would any ordinary business man do in these conditions? The natural thing, I should say, would be for the Government to go to the company with whom they had the contract for the manufacture of the 100,000 rifles, explain the position to the company, and intimate to the company that the Government under the circum-

stances would not be prepared to incur any further expenditure in connection with that contract. What is the use? What are we to get for the $2,500,000? A rifle which we cannot use and which the British military authorities will not use? Practically that $2,500,000 is thrown away. That is where I find that the professions and advice of the Minister of Finance do not harmonize with the actions of his colleagues which he stands by and apparently approves of.

Then, there was another thing. When matters had got to this point, it seems to me that, in addition to causing a stoppage of the manufacture of Ross rifles, it was the duty of the Canadian Government to make provision for the manufacture of the rifle which the British Government approved of. This correspondence, which took place in the beginning of June of last year, has had practically no sequel, as far as one can make out; nothing has ever been done by the Government to secure the early manufacture of the Lee-Enfield, and the manufacture of the unnecessary Ross rifle is going on continuously.

It may be said—and I know the ground is taken in another place by the First Minister—that the Government were bound by the contract. In ordinary times the Government might have felt bound by the contract, but I think that under the War Measures Act they would not be bound. I see further that the head of the Ross Company has stated in the public press that he would not insist on holding the Government to their bargain with respect to the Ross rifle. So it seems to me that anything more unbusinesslike and, to my humble mind, more stupid than the conduct of the Government in connection with the manufacture of these Ross rifles can hardly be imagined.

The motion was agreed to, and the Bill was read the second time.

Hon. Sir JAMES LOUGHEED moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

GOVERNMENT COMMISSIONS, 1896-1911.

MOTION.

Hon. Mr. SMITH moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before the Senate a statement showing the date, the object and the personnel of all commissions instituted by the late Government from its accession to power in 1896 up to the accession to power of the present Government in 1911, the number of days during which each of these commissions sat, and what was the cost of each to the country.

The motion was agreed to.

APPOINTMENTS TO THE SENATE.

A notice of motion of the Hon. Mr. Cloran having been called:

Hon. Mr. CLORAN: Yesterday at the sitting of the House the honourable member from De Lorimier (Hon. Mr. Dandurand) dealt with the subject-matter of this motion as it stands in my name. He went into the matter fully and I think forcibly and with a spirit of fairness. I had not anticipated that he would make a speech on this matter. It has practically taken the wind out of my sails. What I had to say he has said, so I do not see that there is any necessity of pressing the matter and I will let it drop.

Hon. Sir MACKENZIE BOWELL: Hear, hear.

Hon. Mr. CLORAN: Hoping that the Government will take note.

Hon. Sir JAMES LOUGHEED: We will not overlook that.

FIFTIETH ANNIVERSARY OF CONFEDERATION.

APPOINTMENT OF COMMITTEE.

Hon. Sir JAMES LOUGHEED moved:

That the following members of the Senate be appointed a committee to consider and report upon the arrangements which should be made for the celebration of the fiftieth anniversary of the foundation of this Dominion, namely, His Honour the Speaker, and Hon. Messieurs Bowell (Sir Mackenzie, K.C.M.G.), Dandurand, Edwards, Sharpe, McLennan, and Watson.

He said: I may say I have discussed this matter with my honourable friend opposite.

Hon. Mr. POWER: I do not rise to offer any objection to the personnel of the committee proposed by the hon. leader of the House, but I wish to repeat what I ventured to say in the debate on the Address in reply to His Excellency's Speech. I think that the present time is singularly inappropriate for what must be regarded as a sort of festive undertaking. If this celebration is to be imposing and effective it must be concurred in cordially by all the people. Do hon. gentlemen suppose that the parents whose sons are at the front, some fighting,

others wounded, or the parents of those who have died, are in a mood to rejoice over the fact that fifty years ago this union was consummated? It does seem to me like blending a wedding with a funeral. I think that decidedly the better plan would be to wait until the war is over, and then we can have a great big celebration in which the whole country can join.

Hon. Mr. POPE: The committee is created for a purpose, and it will be for the committee, I presume, to decide upon the time and the manner of celebration.

Hon. Mr. POWER: No; because when you appoint a committee to do a thing they have no choice as to whether it shall be done or not.

Hon. Mr. POPE: Will they not have an opportunity of considering and reporting? The only thing that I rise to say is this: if we are going to have this celebration there is only one place to hold it in—the province of Quebec, even if you only go to Hull. There is no place where you can have a celebration of the fiftieth anniversary that will be worthy of the fathers of Confederation except the province of Quebec.

Hon. Mr. BOSTOCK: I did not gather from the remarks of my hon. friend (Hon. Sir James Lougheed) whether or not it is the intention that this committee shall sit during the parliamentary recess.

Hon. Sir JAMES LOUGHEED: I really cannot say to my hon. friend whether the Government is absolutely committed to having a celebration or not. It was intimated in His Excellency's Speech, and it is a matter, it seems to me, for the consideration not only of the Government but also of the committees of both Houses which have been or will be selected for that purpose.

Hon. Mr. CLORAN: I think the suggestion made by the hon. Senator from Halifax (Hon. Mr. Power) is one that ought to receive consideration at the hands of the committee. Celebrations of great national events have been postponed on many occasions. The Chicago exposition was postponed for one or two years. This war cannot last for ever; it must come to an end this year or next year. When the war is over and peace is proclaimed to the world, the celebration of the birth of Canada fifty years ago and the celebration of peace and victory can be combined. Of course, I am in favour of celebrating the anniversary, but it is a question of the proper time. Why not postpone the celebration until peace is obtained and victory assured? I quite agree with my hon. friend from Compton (Hon. Mr. Pope) that the province of Quebec is the proper place in which to have the celebration of this anniversary. It is practically the centre of this Confederation.

Hon. Mr. SPROULE: It seems to me that if we have a celebration at all it ought to be at the capital of the country.

Hon. Sir MACKENZIE BOWELL: Certainly.

Hon. Mr. SPROULE: I think that is the only appropriate place where it could be held. The honourable senator who has just taken his seat has suggested that we postpone it till some time in the future, when some anticipated event may have been realized, and when we could combine the two celebrations. That savours a good deal of the suggestion made to the boy to postpone the celebration of his birthday until next year. The anniversary comes at a given time, and if the celebration is postponed it is not the celebration of the fiftieth year after Confederation was consummated. With reference to the opinion that we should have no celebration at all, it does not seem to me that there is anything inappropriate in having a reasonable celebration. It can without any doubt be of such a nature that it is not bubbling over with exuberance, or anything unseemly, or anything unkind towards other countries. It can be kept in consonance with the conditions of our country and the conditions of the world; it need do no injustice to any; and yet it can be made a fair representation of our feeling for a great event in our own country's history. It does not seem to me at all inappropriate that we should have such a celebration at the present time.

Hon. Mr. WATSON: I have no objection to acting on the committee, but I must say that I am entirely in sympathy with the views expressed by the honourable member from Halifax (Hon. Mr. Power). I think our business at the present time is to prosecute this war, and I do not think that we can very well have a celebration such as we should have in commemoration of the birth of Canada in the present state of feeling in this country.

Hon. Mr. CLORAN: It would cost too much money.

Hon. Mr. WATSON: It is not the money part of it I am considering. We can raise the money; but I think that a celebration of this kind should be held when the people are in good spirits. So far as I am personally concerned, I will, as a member of that committee, advise against the holding of any celebration at the present time. I notice that it was suggested in the Speech from the Throne that there should be a celebration this year. Evidently the Government came to that conclusion; but I suppose that when a committee is appointed it is to have a free hand in determining whether it should recommend a celebration or not. As I say, I feel personally that we should have no celebration at the present time, but that it should be deferred until the war is ended and victory is proclaimed. We may be able to have a celebration of the opening of our new Parliament Buildings at the same time. Regarding the question whether the celebration should be held in Ottawa or in Hull, I do not know whether my honourable friend would prefer to go to Hull or to stay in Ottawa.

Hon. Mr. CLORAN: That is the reason I did not want Ottawa selected: it is too near to Hull.

Hon. Mr. McLENNAN: The difficulty could be overcome if we look on the event as a commemoration rather than a celebration—if the fifty years of Confederation could be marked soberly and quietly at the time they are fulfilled—the 1st of July, I think, is the official date—without any of the merry-making and extravagant money-spending phases which all of us are inclined to associate with celebrations.

The motion was agreed to.

CARE OF RETURNED SOLDIERS.

APPOINTMENT OF COMMITTEE.

Hon. Sir JAMES LOUGHEED moved:

That the following members of the Senate, namely, the Honourable Messieurs Beaubien, Belcourt, Daniel, Mason, Ross (Moosejaw), Thompson, and the mover, be appointed a committee for the purpose of considering, inquiring into, and reporting upon

(a) The reception, treatment, care, training, and re-education of the wounded, disabled, and convalescent who have served in the Canadian Expeditionary Forces.

(b) The provision of employment for those who have been honourably discharged from the Canadian Expeditionary Forces, and the training and re-education of those so discharged who are unable to engage in their former occupations.

The motion was agreed to.

Hon. Mr. CLORAN.

EXHIBIT OF WAR RELICS.

Hon. Mr. BOYER: Before the Orders of the Day are called, may I be allowed to ask my colleagues of the Senate to go to the Archives building and view the magnificent collection of war relics made during last summer by the curator, Dr. Doughty. I spent an hour there this morning, and found it most instructive and exceedingly interesting, and I am sure that every member of the House will be fully repaid for his trouble in going to see the wonderful things brought back from the field of battle.

PUBLIC LOAN BILL.—$100,000,000.

THIRD READING.

On motion of Hon. Sir James Lougheed, Bill 19, An Act to authorize the raising by way of loan of certain sums of money for the Public Service, was read the third time and passed.

THE PARLIAMENTARY ADJOURNMENT.

Hon. Sir JAMES LOUGHEED moved:

That when the House adjourns to-day it shall stand adjourned until Tuesday, the 24th day of April next, at the hour of eight o'clock.

The motion was agreed to.

The Senate adjourned during pleasure.

THE ROYAL ASSENT.

The Right Honourable Sir Charles Fitzpatrick, G.C.M.G., Chief Justice of Canada, Deputy Governor General, having come, and being seated on the Throne, and the House of Commons having been summoned, the Right Honourable the Deputy Governor General was pleased to give the Royal assent to the following Bills:

An Act to authorize the raising by way of loan of certain sums of money for the Public Service.

An Act to provide for further advances to the Quebec Harbour Commissioners.

An Act for granting to His Majesty Aid for Mi itary and Naval Defence.

An Act for granting to His Majesty certain sums of money for the Public Service for the financial years ending respectively the 31st March, 1917, and the 31st March, 1918.

The sitting having been resumed:

Hon. Sir JAMES LOUGHEED moved the adjournment of the House.

Hon. Mr. LANDRY: Before this motion is carried I should like to know if His Honour the Deputy Governor came here in

virtue of a commission or in virtue of the law.

Hon. Sir JAMES LOUGHEED: I may say to my hon. friend that a commission has been specially issued within the last few days.

Hon. Mr. LANDRY: When did we have the commission?

Some hon. SENATORS: Take it for granted.

Hon. Mr. THOMPSON: We will take the word of the leader of the House.

Hon. Mr. LANDRY: I think that commission should be laid on the Table and it should be inserted in our minutes.

The commission was then read by the Clerk.

Hon. Mr. LANDRY: I suppose this is the vindication of the point I raised the other day. I am going now to raise another one. The commission reads: "Given under my hand and seal at Ottawa this eleventh day of November, nineteen hundred and sixteen." The honourable leader of the House stated a few moments ago that that commission was made only within the last few days. There is something wrong.

Hon. Sir JAMES LOUGHEED: There is nothing wrong about that.

Hon. Mr. LANDRY: On the contrary. Words are put in the mouth of His Excellency which are untrue. On the 11th November last His Excellency the Governor General never signed the document given to us to-day, for the simple reason that His Grace the Duke of Devonshire had not then arrived at Ottawa. Moreover, we have just been told by the leader of this House that this Commission has been specially issued within the last few days. Evidently there is something wrong.

Hon. Mr. POWER: It is a good thing to have that Commission on record in our minutes.

The Senate adjourned until Tuesday, April 24, at eight o'clock p.m.

THE SENATE.

Tuesday, April 24, 1917.

The Senate met at eight o'clock p. m., the Speaker in the Chair.

Prayers and routine proceedings.

APPOINTMENT OF CLERK OF THE SENATE.

The Hon. the SPEAKER informed the Senate that a Commission under the Great Seal had been granted to Austin Ernest Blount, appointing him the Clerk of the Senate.

The Commission was read, and His Honour the Speaker administered the Oath of Office to the Clerk.

The Hon. the SPEAKER informed the Senate that a Commission under the Great Seal had been issued, appointing Austin Ernest Blount Master in Chancery.

The said Commission was read.

The Hon. the SPEAKER informed the Senate that Austin Ernest Blount had been appointed Commissioner under the Great Seal, to administer Oaths to Members of the Senate of Canada.

The Commission making this appointment was read.

The Hon. the SPEAKER: It is ordered that these Commissions be placed on the Journals of the House.

Hon. Mr. LANDRY: Ordered by whom, Mr. Speaker?

The Hon. the SPEAKER: I gave the order.

Hon. Mr. LANDRY: I did not know if I heard correctly. In my time if I had given an order of that kind I would have been called to account immediately. What authority have you, Mr. Speaker, to govern this House? I think the Senate should order these things, through the channel of the Speaker. I did not know that the Speaker had any authority to say, "I order that to be put on the Journals."

Hon. Mr. CLORAN: I thought that myself.

The Hon. the SPEAKER: As it was a formal matter, I thought it was not necessary to ask the permission of the House. To please my honourable friend I ask the permission of the House, and if the House is against that—

Hon. Mr. LANDRY: It is just for that reason that I raised the point of order. I want to say a few words on this matter, but there is nothing before the Chair. If a motion were made we would have a chance to say a word.

Hon. Mr. DANDURAND: I think these proeedings go on the Journals of the House as a matter of course, and a motion to that effect is not necessary.

Hon. Sir JAMES LOUGHEED: Any proceeding of this House should be entered in

the Journals. There are certain entries made upon a motion, and certain proceedings of a formal character such as commissions issued by the Crown, are entered as a matter of course without a motion. For example, when a senator is called to the Senate and sworn in at the Table, and his commission is duly read, it appears in the Journals. No one thinks of moving a motion. I think the Speaker is perfectly right in regarding this as a pro forma proceeding which would be recorded without any motion.

Hon. Mr. LANDRY: I quite agree that it should go in the Journals, but I object to the order. If we may distinguish between two motions, we might distinguish between two procedures. As a matter of fact, what takes place in this House goes in the Journals, but who gives the order? Is there an order to be given? If it goes by custom, it goes by custom; if it is by order, who gives the order? I never had such authority when I was Speaker of this House.

Hon. Mr. CLORAN: You were not persona grata.

Hon. Mr. LANDRY: I suppose I may be allowed to say a few words on this question with the permission of the House. What I say is in no way personal to the new Clerk of the House. He is a gentleman, I know him by reputation, and I have not a word to say against him; but if I had been Speaker and if the Government had said to me, "We are going to impose on you a new deputy minister"—because the Clerk of the House is the Deputy Minister of the Speaker, who is a minister, as the law says—I would have said, "Well, perhaps I may object or perhaps I will not object," but I would have felt it very annoying if I had not been consulted on the subject. The House through its Speaker may be ignored altogether.

Hon. Mr. CLORAN: Has been.

Hon. Mr. LANDRY: It is a nomination of the Crown, and yet I would have felt hurt if the Government had not consulted me on the subject. I might have had a candidate of my own, and I would have had to pass him by. They might have said, "That is not your business; we propose this man and you must take him." That is what has been done in the present instance, I think. I am speaking in vindication of the right of each individual here—not the right of nomination, but the right to be properly treated. I should like the Speaker to be treated as I would like to be treated myself if I were in his place. That is the golden rule, and I would like to see it applied to every one. We have a tradition in this House that has been disregarded. Not as a right, but as an act of courtesy, we have always had a French-speaking Clerk in this House. This tradition is not being observed. I repeat that I have nothing to say against the gentleman himself; I am very glad of his appointment and congratulate him upon it, and I think we shall have a very splendid officer in him. The tradition has been to have an English Clerk in the House of Commons, while since Confederation we have had a French Clerk in this House.

Hon. Mr. DANIEL: How about Bourinot, who was Clerk of the House of Commons? I understood my hon. friend to say that the House of Commons always had an English-speaking Clerk, but I was under the impression that Mr. Bourinot was French.

An hon. SENATOR: He was from Cape Breton.

Hon. Mr. LANDRY: Bourinot was not a Frenchman. As I was saying, this tradition is no more. We are living in very difficult times for our language. I shall not make any allusion to what goes on in other legislatures. In Ottawa we cannot sing our national hymn these days because the music of it is French. I am very sorry that some belonging to the Irish nationality have voted against it.

Hon. Mr. CLORAN: Who are they?

Hon. Mr. LANDRY: Why name people?

Hon. Mr. CLORAN: Because there are none to name.

Hon. Mr. LANDRY: I think Fitzpatrick is an Irish name.

Hon. Mr. CLORAN: No, that is a go-between.

Some hon. SENATORS: Order.

Hon. Mr. LANDRY: I do not wish to go further, but I think it is my duty to protest against the way in which the Clerk of this House has been nominated, and against the fact that the traditions of the past are being thrust aside altogether.

Hon. Mr. CLORAN: I rise on behalf of the late Clerk, who has departed not from life but from the Senate. The day after the newspapers announced his dismissal I happened to meet him on Sparks Street, near the post office. I had learned of his

dismissal, or rather his replacement, and I said to him, "My dear Chapleau, I thought I was coming up to your funeral, and here you are still alive. I saw yesterday in the Montreal papers that you had been replaced." He said, "I saw that myself, and it is the first intimation I have had of my being kicked out"—I will use his own words —"of being kicked out of my office like a dirty dog. After spending 46 years of my life in the service of Canada I am put out of my office without even being consulted or notified, or asked if I wanted to go. If they had asked me, after 46 years of service, if I would retire, I would have said, 'Certainly.' But to find in the newspaper press that I have been dismissed without notice, without consultation, without my consent, I consider that a disgrace and an insult to my name and the name of my family; and my family has served the State from the Prime Minister down to the Government, or from the Government to the Prime Minister." These were the sentiments expressed by Mr. Chapleau, the late Clerk of the Senate, the day after it was announced in the press that he was no longer Clerk of the Senate. Now, honourable gentlemen, this honourable House owes something to the reputation of the Clerk, and should not let him disappear from public and official life under a cloud. It is a wonder that the Government of the day, or the minister who is responsible for this action, did not have common sense enough to realize these things —to respect the reputation of that man, as the honourable gentleman from Stadacona (Hon. Mr. Landry) has just said, to respect our rights and our powers as represented by the Speaker. I do not blame the whole Government; probably only one out of the whole Cabinet knew anything about it; but the minister who is responsible ought to be called to time.

Hon. Mr. CROSBY: I rise to a point of order.

Hon. Mr. CLORAN: There is no point of order until I am through.

Hon. Mr. CROSBY: Nothing but disorder. I want to know what we are discussing. Surely the honourable gentleman is not the Speaker and the whole House.

Hon. Mr. CLORAN: I have the floor, and I do not want to be interrupted.

Hon. Mr. CROSBY: I want to know what we are discussing and whether these gentlemen are in order.

The Honourable the SPEAKER: There is nothing before the Senate.

Hon. Mr. CLORAN: Yes, there is; Senator Landry's remarks are before the House.

The Honourable the SPEAKER: The whole discussion has been out of order.

Hon. Mr. CLORAN: Why did you not rule it out of order? I am going to appeal to this House against your decision.

Some Hon. SENATORS. Order.

Hon. Mr. CLORAN: That is not a fair way of conducting a discussion. Anyhow, I say the Senate owes it to Mr. Chapleau to protect his reputation in regard to his dismissal.

THE GAULT DIVORCE PETITIONS.

Hon. Mr. THOMPSON: I have been requested by the Hon. Mr. Edwards, who is unavoidably absent, to move the following motion, with the leave of the Senate:

That the record of the proceedings before the Committee on Divorce on the petition of Andrew Hamilton Gault, of Montreal, Quebec, for a Bill of Divorce from Marguerite Claire Gault, presented to the Senate during the last session of Parliament, be referred to the Committee on Divorce for its consideration on the hearing of the petition of Marguerite Claire Gault for a Bill of Divorce presented to the Senate during the present session.

Hon. Mr. MITCHELL: May I ask if it is the petitioner or Mr. Gault who is asking for this through Mr. Edwards?

Hon. Mr. THOMPSON: I understand that it was for Mrs. Gault that this request was put forward. As the Committee is to meet to-morrow morning, they were anxious to have the matter arranged so that they could go on with the case.

The motion was agreed to.

Hon. Mr. RATZ moved, with the leave of the Senate:

That the record of the proceedings before the Committee on Divorce on the petition of Andrew Hamilton Gault, of Montreal, Quebec, for a Bill of Divorce from Marguerite Claire Gault presented to the Senate during the last session of Parliament, be referred to the Committee on Divorce for its consideration on the hearing of the petition of Andrew Hamilton Gault for a Bill of Divorce presented to the Senate during the present session.

Hon. Mr. CASGRAIN: That is the same motion as the one just passed, and I submit you cannot have the same motion twice.

Hon. Sir JAMES LOUGHEED: I may explain to my honourable friend that there

are two cases. One motion applies to one case and the other motion to the other case. The two cases are being prepared separately, and these motions are for the purpose of allowing this evidence to be used in each case.

Hon. Mr. LANDRY: That union of both parties is against the spirit of divorce. I think the objection of my honourable friend (Hon. Mr. Casgrain) is quite well taken. I do not see why we should act twice in the same matter. In addition, I would suggest that motions of this kind should come from the Chairman of the Committee.

Hon. Mr. CASGRAIN: The second motion is absolutely useless, because if a divorce is granted in the one case, the same parties being concerned, it cannot be granted the second time. There cannot be two cases for one divorce.

Hon. Mr. BEAUBIEN: It seems to me this matter is one very easy to understand. There is the evidence and two cases; and in each case it is desired that the evidence be made a fact of the record.

Hon. Mr. DANDURAND: The motions are for the purpose of giving the committee permission to consider in both cases the evidence given last session, and are therefore quite in order.

Hon. Mr. CLORAN: Honourable gentlemen forget the facts in regard to this celebrated case. We are asked now to send back the evidence. Honourable gentlemen will remember that when that case was submitted by the Divorce Committee last session, I asked that the evidence be laid before the House, and the House was informed that there was no evidence to produce. If there was then no evidence to produce and lay before the House, how can the House take action with regard to a thing which does not exist? Is the House aware of these facts? Now the House is asked to deal with this evidence. What evidence? When the committee reported last session that there was no evidence to produce, the matter went by the board.

Hon. W. B. ROSS: The honourable gentleman is in error. The committee last year reported to this House all the proceedings, including the evidence. The honourable gentleman asked that this evidence should be printed. This House refused to print it, but you will find in the records of the House the statement that the evidence came before the House.

Hon. Mr. CLORAN: Exactly.

Hon. W. B. ROSS: Then, why state that the House was informed there was no evidence, when the evidence was placed on the Table of the House and is referred to in the Minutes? What this House did was to refuse to publish the evidence—

Hon. Mr. CLORAN: Exactly.

Hon. W. B. ROSS: —to let it out. I do not think any one outside of this House has ever seen it.

Hon. Mr. LANDRY: I withdraw the objection I made, because I find the two motions are different. One is "for its consideration on the hearing of the petition of Andrew Hamilton Gault," and the other is "on the hearing of the petition of Marguerite Claire Gault"—two different parties.

Hon. Mr. MITCHELL: The worst feature I see in the case is that both parties are asking for a divorce. I am afraid there is collusion.

Hon. Sir JAMES LOUGHEED: You would not think so if you were attending the hearings.

The motion was agreed to.

THE ADDRESS TO THE GOVERNOR GENERAL.

HIS EXCELLENCY'S REPLY.

The Hon. the Speaker presented a message from His Excellency the Governor General thanking the Senate for the Address which it had voted to His Excellency in reply to His Excellency's Speech at the opening of Parliament.

FIFTIETH ANNIVERSARY OF CONFEDERATION.

The Hon. the SPEAKER presented a message from the House of Commons, which was read as follows:

That a message be sent to inform Their Honours that this House has amended its resolution of Wednesday, the 7th day of February last, appointing the committee to consider and report on the matter of celebrating the Fiftieth Anniversary of Confederation, by adding thereto the following words:

"And that the committee is hereby empowered to meet in joint sittings with the like committee of the Senate"; and request Their Honours to similarly amend their resolution, passed the same day, in connection with the same subject.

Hon. Sir JAMES LOUGHEED: As honourable gentlemen will observe, the Commons have amended their motion so as to permit of joint sittings of the two committees. It is obvious that as between the two Houses this is the only way to determine on the character of the proposed celebration. Assuming that honourable gentlemen are in accord with this move:

That a message be sent to the House of Commons informing that body that to the resolution adopted by the Senate on Wednesday, the seventh day of February, appointing a committee to consider and report upon the Fiftieth Anniversary of Confederation, the following words be added:

"And that the committee is hereby empowered to meet in joint sittings with the like committee of the House of Commons."

Hon. Mr. BELCOURT: I have not the slightest objection to this motion, but recently I had occasion to form a decided opinion against joint committees of the two Houses.

Hon. Sir JAMES LOUGHEED: Though they sit at the same time, they are not a joint committee.

Hon. Mr. BELCOURT: It is a joint committee in that sense, just as was the committee to which I am going to refer. During our last sitting my honourable friend moved to have a committee appointed to deal with the question of returned soldiers. I was a member of that committee. I was advised by one of the clerks of the House of Commons, and I imagine that other members of the committee received a similar notice, that the committee of the House of Commons would sit on a certain day, and that if the members of this House were so disposed they might come and sit there also. I think that was about the meaning of it. I have not got the notice with me. I am not quite sure whether any other member of this House attended on that day; I think I was alone. Possibly my honourable friend from Moosejaw (Hon. J. H. Ross) was present.

Hon. Mr. DANIEL: The honourable senator from Montarville (Hon. Mr. Beaubien) was there.

Hon. Mr. BELCOURT: I think I was the only member of the committee present when the meeting began. When I got there I found that the committee of the House of Commons had already met, chosen its chairman and appointed its clerk; these gentlemen took possession of the chairs, and told us that we might sit anywhere we chose and could listen, and perhaps put a few questions. I did not like the proceedings very much, but as I was there I thought I should sit it out. We were simply considered at the utmost as an adjunct to that committee.

An hon. SENATOR: On sufferance.

Hon. Mr. BELCOURT: On sufferance. The next day the chairman called me to order because I was asking questions that he thought I should not ask, and I was asked in more or less polite language to desist. We were told, "If you fellows only shut up we will do some business." that was the effect of it. I made up my mind that I would not sit any longer on a committee of that kind. The committee afterwards sat in Montreal two days and in Toronto one day, and I have just received notice that it is going to sit to-morrow at half past two.

I have not formed a very favourable opinion of joint committees of the two Houses, and take this opportunity of drawing attention to the manner in which these joint committees work. I have no confidence in committees of that sort bringing forth anything very useful and think I owe it to the Senate to call its attention to the way members of this House have been treated. I do not know how my honourable friend from Moosejaw feels about it, but I think if he or any other member of the House had been present, they would share my views.

Hon. Sir JAMES LOUGHEED: I think there is a misapprehension in regard to the matter to which my honourable friend quite properly directs the attention of the House, although in one way my honourable friend is quite right. The Senate committee was never organized; the Commons committee was organized and sat simply as a Commons committee, appointed its chairman and secretaries and whatever officers are necessary to perform the duties of the committee. Possibly to some extent the fault is my own; but the explanation is that on the last day of the session, ten minutes before we adjourned for the members to go to their homes, I was notified on behalf of the Commons that a motion had been moved in the Commons appointing such a committee, and it was suggested that we should appoint a similar committee—not that it should be a joint committee. It was a matter for our own discretion to appoint that committee, and we should have organized; but it was too late to do so, as the Senate adjourned within

ten minutes after I received the notice. The consequence is that the Senate committee has not yet been organized. I took the opportunity of communicating with various members of the committee, suggesting that they might do one of two things: either organize and sit separately, and travel over the same ground practically as the Commons had done or take up a new field of inquiry; or that they might attend the Commons committee meetings. I felt sure that the committee would extend the courtesy to members of this House of allowing them to examine witnesses and take the same part that members of their committee did. Immediately upon our meeting to-day I took steps to have a notice sent to the members of the committee notifying them that we would meet for the purpose of organization to-morrow.

In this case the situation is somewhat different. My honourable friend will realize that it would be folly for two committees of Parliament to sit and discuss separately the character of the celebration that will take place. There can be only one celebration, and it must be the outcome of agreement between the two Chambers; hence the necessity of the committees sitting together.

Hon. Mr. BELCOURT: I quite agree with my hon. friend that it is not practical to have two committees to sit on this subject. I wished to draw the attention of the House to the fact that the two committees were appointed on the same day, and that the House of Commons committee, knowing that a committee of this House had been appointed, chose to meet and elect its president and officers without considering in any way the honourable gentlemen of this House.

Hon. Mr. DANDURAND: You should have organized separately.

Hon. Mr. BELCOURT: Not at all. We were called there to meet, and I think the courteous thing would have been for that committee to have waited until we were there. I quite agree that it is absurd to traverse the whole of the evidence; I think the committee has heard twenty-five or thirty witnesses, and the evidence consists of seven or eight hundred pages. I do not blame my honourable friend for suggesting that the committee should meet together; it would save time and expense; but what I object to is the discourtesy with which this House was treated, and for that reason I think we ought to take precautions in order that members of this House who are on committees shall be treated in a different way in future.

The motion was agreed to.

TRIBUTES TO DECEASED SENATORS.

Hon. Sir JAMES LOUGHEED: It is my melancholy duty to make mention to the Senate of the death since we last met of three of our most influential members. I refer, first, to our departed colleague Sir Lyman Melvin Jones. Although our late colleague was one of the leading captains of industry in the Dominion and represented directly larger commercial interests than probably any other member in this Chamber, he at the same time, for the last thirty years, had been prominent in the public life of the Dominion. Although of late years he resided in the city of Toronto, yet in his earlier days he was closely identified with the development of the West, and particularly of the province of Manitoba. He was at one time mayor of Winnipeg. For some years he was Treasurer in the Provincial Government, and that province enjoyed the benefit of his foresight and executive ability.

His many interests, not only throughout Canada, but also in the United States, prevented him to some extent from identifying himself as closely with the business of this Chamber as he otherwise would have done, but during his attendance we always had the advantage of his very great experience and knowledge. His views on all public matters were listened to with great attention and with the deepest interest. To those who knew him best he was a man most genial and companionable and was held in the highest esteem by his fellowmen. He was in every sense a public man of the most representative type and was a valuable member of this Chamber.

I learned yesterday of the death of our colleague Senator Baird, of New Brunswick. After a somewhat protracted illness he passed away last Saturday. He was one of the older members of this House, having been appointed some twenty-two years ago, and until recent years was almost continuously in attendance at our sessions. Like many other members of this chamber, he distinguished himself in the provincial field before coming into the wider field of Dominion politics. The late Senator Baird for a number of years was a member of the Legislative Assembly of New Brunswick and also a Legislative Councillor of that province until the abolition of its second cham-

ber. He was for many years, during the greater part of his life, I think, associated with the public life of that province and with the development of its commercial interests. It was with very great sorrow and regret that during the last couple of years we observed his failure in health, and to-day we are called upon to mourn his departure.

It was with most sorrowful surprise that I learned of the death in Honolulu of our colleague Senator Corby. His death has come as a surprise to all of us. Few men in the Canadian Parliament had the good fortune to be possessed of the charm and the popularity of our late colleague. Wherever he went he seemed to radiate that social pleasure and good feeling which ever characterized his communication with his fellow men. His hand, his heart and his purse were always open in response to whatever appeal was made to him. His public benefactions were numerous and his friends were legion. Of the many men we know, probably it would be difficult to select any one with the geniality and the charm of manner of the late Senator Corby. For a number of years he had been associated with the public life of the Dominion, and also with its commercial interests. He served his constituents in the House of Commons for many years, and his presence in this House was always a pleasure to his fellow members. His public spirit, his enterprise and his social qualities will be deeply missed by his fellow-members in this Chamber. We cannot adequately express our profound sorrow at his loss, and the sympathy which we feel for his widow and daughters at the loss of one to whom, not only they, but all those who knew him, were most deeply attached.

It is with deep feeling of melancholy we note from session to session the passing away of those so closely associated with us, and day by day it is more deeply borne in upon us that all flesh is grass, that the place that knows us to-day may know us no more forever. We deeply regret and mourn their departure from amongst us, and would express to their families our deepest sense of the great loss which they and this Chamber and Canada have sustained in the death of our late colleagues, Senators Melvin Jones, Baird and Corby.

Hon. Mr. BOSTOCK: I desire to join with my honourable friend the leader of the Government in expressing our deep regret at the loss of the three honourable gentlemen, members of this House, to whom he has referred. Sir Melvin Jones was well known in the West, where he took such a prominent part in the public life of the country. At the same time he was recognized throughout the Dominion as an authority in the business with which he had been associated from his youth. He was responsible for developing the concern with which he was connected, making it a great institution in Canada, and afterwards extending it to the United States. Senator Melvin Jones was a man who was respected by all who came in contact with him, and was appreciated for his business capacity and his faith in the possibility of Canada's future. This House and the country generally can ill spare a man who had taken such a prominent part in the life of the country as our late colleague.

Senator Baird has been known to all the members of this House for many years, and it was with great regret that we learned of his illness and his inability to take part last session in the work of this House. He had been before the public for many years, and had acquainted himself with the interests of this country from one end to the other. Even in the province of British Columbia he was known as a man who took a lively interest in the development and business of the country. All those who knew him had a friendly and kindly feeling for him, and recognized in him a man who was doing his best to advance the interests of his country.

In the late Senator Corby we recognized a most lovable character, a man who, as my hon. friend has said, was peculiarly appreciated in every circle in which he moved. He had the happy charm of making friends wherever he went. He always maintained his opinions in such a way as to make one feel that they were genuine, and that he was anxious to do his very best in the interest of his country, and would fight for what he thought was right. He took a very prominent part in the public life of the province of Ontario and of the Dominion.

I join with my honourable friend in expressing the regret of this Chamber, and in tendering our sympathy to the families and relatives of our three departed colleagues in the loss that we and they have sustained.

Hon. Sir MACKENZIE BOWELL: Honourable gentlemen, I do not suppose that there is another gentleman in the Chamber who has had the long and intimate acquaintance with our late colleague Senator Corby that I have had. I have known

him from childhood, and have watched his career for many years, as a young man in business, in social and public life, and I can say with safety—

THE LATE CLERK OF THE SENATE.

Hon. Mr. BOSTOCK: Before the Orders of the Day are called, with the permission of the House I wish to make a few remarks on the retirement of our late Clerk.

Hon. Sir JAMES LOUGHEED: Would the honourable gentleman let that matter stand until to-morrow?

Hon. Mr. BOSTOCK: Certainly.

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

THE SENATE.

Wednesday, April 25, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE GAULT DIVORCE PETITIONS.

WITHDRAWN.

Hon. W. B. ROSS presented the fifth report of the Committee on Divorce, which recommended:

In the matter of the petition of Marguerite Claire Gault, of the city of Montreal, Quebec, praying for a Bill of Divorce from Andrew Hamilton Gault of the said city.

Counsel for the petitioner having made application to the Committee for leave to withdraw her Petition, the Committee recommend that leave be granted accordingly.

Hon. W. B. ROSS presented the sixth report of the Committee on Divorce, which recommended:

In the matter of the Petition of Andrew Hamilton Gault, of the city of Montreal, Quebec, for a Bill of Divorce from Marguerite Claire Gault of the said city.

Counsel for the Petitioner having made application to the Committee for leave to withdraw his Petition, the Committee recommend that leave be granted accordingly.

Hon. W. B. ROSS, with the consent of the House, moved the adoption of the said reports.

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL.

SUPREME COURT OF CANADA JURISDICTION BILL.

FIRST READING.

Hon. Mr. CASGRAIN introduced Bill C, An Act to limit the appelate jurisdiction of the Supreme Court of Canada.

The Bill was read the first time.

ACCUSATION AGAINST MRS. BURLINGTON-HAM.

INQUIRY.

Hon. Mr. MONTPLAISIR:

1. Is the hon. Minister of the Interior aware that a certain Mrs. Hélène Burlington-Ham, secretary for ocean ports of the "Young Women's Christian Association," spends the summer navigation season in the city of Quebec?
2. Does the minister know whether any complaints have been made against this lady?
3. Has the minister read a marked number of the Franc-Parleur, a newspaper published in Quebec, dated 30th September last, and in which this paper made certain accusations against this lady?
4. Is the minister aware that this lady, following the publication of this article, instituted civil proceedings, in the course of which she admitted a portion of the accusations made against her by the correspondent in the "Franc-Parleur"?
5. Does the minister intend to take any action in the matter, and what action?

Hon. Sir JAMES LOUGHEED:

1. Yes.
2. Yes.
3. Yes.
4. The minister is aware that when civil proceedings were instituted the Franc-Parleur published a retraction of its accusation against Mrs. Burlington-Ham. The minister has no knowledge of Mrs. Burlington-Ham having at any time admitted the truth of any portion of the accusations made by the Franc-Parleur.
5. No.

APPOINTMENT OF MRS. BURLINGTON-HAM.

INQUIRY.

Hon. Mr. MONTPLAISIR:

1. Has Mrs. Burlington-Ham been appointed a special member of the Dominion Secret Police?
2. If so, by whom and on whose recommendation was she appointed?
3. Has she, in such a capacity, any special mission in connection with the Immigration Office at Quebec?
4. Does that title give her authority and precedence over the Agent and the Officers of the said Immigration Office?

Hon. Sir JAMES LOUGHEED:

1. Yes.
2. Commissioner of Dominion Police.

3. Yes.
4. No.

PROPOSED ADJOURNMENT.

Hon. Sir JAMES LOUGHEED: Owing to the number of inquiries that have been made as to whether or not there is sufficient business before us to warrant our continuous sittings for some time to come, I would say, before the Orders of the Day are proceeded with, that I regret there is not a sufficient amount of business to keep us engaged. I therefore give notice for to-morrow that I will move:

That when the Senate adjourns on Thursday, April 26, it do stand adjourned till Tuesday, the 15th of May next at eight o'clock in the evening.

Hon. Mr. CLORAN: Notice for to-morrow? Well, then, my Home Rule motion is belated again. I am not going to stand for that. We want the opinion of the Senate of Canada to be given to Mr. Lloyd George, as well as the opinion of the Australian Senate.

Hon. Sir JAMES LOUGHEED: Possibly—

Hon. Mr. CLORAN: If you want to cut out Irish liberty on behalf of Germans, then let us know.

The Hon. the SPEAKER: It is only a notice of motion.

Hon. Mr. CLORAN: Yes, a notice of motion which will take effect. I hope the Government is not doing this to cut off the adoption of the resolution.

Hon. Sir JAMES LOUGHEED: I would say to my hon. friend that we would not under any consideration injure Ireland, and, if my hon. friend will wait, we may possibly have Home Rule before that.

Hon. Mr. CLORAN: Thank God if you do. I am afraid not.

THE LATE DUCHESS OF CONNAUGHT.

EXPRESSIONS OF REGRET AND SYMPATHY.

On the Orders of the Day:

Hon. Sir JAMES LOUGHEED: On Thursday last reference was made in the House of Commons to the death of Her Royal Highness the Duchess of Connaught, which took place during the adjournment of the House in the present session of Parliament. It is most fitting that this chamber should give expression to its sympathy with the Duke of Connaught and family in the great loss which they have sustained through the death of Her Royal Highness.

During the five years that she presided over the vice-regal residence in Ottawa as the wife of the Governor General of Canada she impressed herself deeply upon the people of this Dominion as being pre-eminently fitted to occupy the high position she so gracefully filled. No one appreciated more deeply the possibilities and requirements of the people of Canada. Possessed of great powers of observation, of ripe experience and mature judgment, and sympathetic with the great national questions with which this country was called upon to deal during her presence amongst us, she exhibited an interest and judgment that commanded the admiration of all. Interested as she was in the public affairs of Canada, she nevertheless possessed all the womanly qualities of heart and mind which gave her a deep-seated place in the affections of our people.

The members of this chamber can readily recall the occasion when both Houses of Parliament in the Senate Chamber presented a farewell address to Their Royal Highnesses previous to their departure from Canada. We recall how deeply touched Her Royal Highness was with the expressions of regret to which this Parliament gave utterance upon the severance of the official relations between Canada and themselves.

Owing to the tragic occurrences of the present war, which are unparalleled in history, and for which the native country of her late Royal Highness was primarily and altogether responsible, yet, knowing her deep feelings of sympathy and loyalty to the British Empire, the country of her adoption, our sympathy and admiration were more acutely quickened for the splendid part that she played in what is probably the most realistic drama of the ages. I feel assured that I am expressing the sentiments of the members of this chamber when I say that we are deeply anxious to assure His Royal Highness and family of our deepest sympathy in the great loss which they have sustained, and that we but repeat the sentiments which we on former occasions expressed as to the place which she held in the affections of the people of Canada. I would therefore ask that this Chamber join with the House of Commons in conveying to His Royal Highness and his family our profound sympathy and condolence in their great bereavement.

Hon. Mr. BOSTOCK: It is eminently fitting on this occasion that we should join with the House of Commons in expressing

deep regret at the loss of Her Royal Highness the Duchess of Connaught. I concur in everything which my hon. friend has so admirably said. Owing to the ill-health which unfortunately Her Royal Highness suffered during her sojourn in this country, she was not in a condition to take as wide and as active an interest in the affairs and duties of the position which she held as I am sure she would have wished to do. We all realize the terrible strain under which Her Royal Highness must have suffered during the last years of her residence here on account of the conditions due to the war; but by any action during the whole period of her life Her Royal Highness gave no sign of anything but absolute devotion to the country of her adoption, and her desire to do everything possible for its benefit and advancement.

I join with my honourable friend in assuring His Royal Highness on behalf of the members on this side of the House, that her memory will be ever green in the minds of the people of Canada, and we trust that this expression of sympathy may be of some consolation to His Royal Highness and the members of his family at the present time.

THE LATE CLERK OF THE SENATE.

On the Orders of the Day:

Hon. Mr. BOSTOCK: I desire to draw my honourable friend's attention to clause 52 of the Civil Service Act, which reads as follows:

> The deputy heads of departments shall be appointed by the Governor in Council, and shall hold office during pleasure. Whenever such pleasure is exercised in the direction of removing a deputy head from his office, a statement of the reasons for so doing shall be laid on the table of both Houses of Parliament within the first fifteen days of the next following session.

I presume that my honourable friend is aware that the Civil Service Amendment Act of 1908 placed the Clerk of the Senate in the same position as the deputy head of a department, and I ask my hon. friend whether under that clause he considers that he should make a statement to the House at the present time. While the clause says, "within the first fifteen days of the next following session," I thought, the House being in session at the present time, that my hon. friend might have something to say.

Hon. Sir JAMES LOUGHEED: Do I understand that my honourable friend is moving for any papers in the matter?

Hon. Mr. BOSTOCK.

Hon. Mr. BOSTOCK: I was asking the question first.

Hon. Sir JAMES LOUGHEED: I shall take cognizance of the question of my hon. friend and shall furnish this information at an early date.

Hon. Mr. CLORAN: The 15th of May or to-morrow?

Hon. Mr. BOSTOCK: May I be permitted at this time to express the regret of honourable members on this side of the House for the loss which we have sustained, and their appreciation of the services rendered to the Senate by the late Clerk. He held a position in the public service for over forty years, I believe, and I think it is only right that we should express our appreciation of the services rendered by him to this House, and to the country.

Hon. Mr. EDWARDS: I suppose that, when the matter comes up again, that will be the proper time to make some reference to the late Clerk.

Hon. Sir JAMES LOUGHEED: Possibly.

Hon. Mr. EDWARDS: I have known the late Clerk for fifty years, and have always regarded him as a most efficient officer. He had been in the public service for over forty years, and I was very much surprised to notice in the press that he had unfortunately met with his death, and that his successor had been appointed. I am glad to know that he is still well and fairly active, and I hope he will be for a long time to come. As one member of this House, I desire to express my great regard for him as a public official, and in doing so I am sure that I voice the sentiment of all the members of this Chamber. The position he occupied was a most invidious one, as we all know, and I think we all agree that on every occasion he conducted himself in an efficient and fitting manner.

Hon. Mr. CASGRAIN: I was going to give notice that to-morrow I would ask for some papers with regard to the late Clerk of the House, but, perhaps, if we are going to adjourn to-morrow, with the leave of the House I might make my remarks now. It is because I have had occasion to meet the Clerk of the House lately, and was informed that he was not notified, but that this event had happened without any knowledge of his, that I think it is only fair to him that we should say that there was no fault to find in his work, and that he does not leave

this Senate under a cloud. He was an efficient officer; he was well informed on the rules of procedure, but the fact that he has been drummed out with more or less politeness might give the idea to the public that his conduct in the Senate had not always been exemplary, or that, with age coming on, he was not as efficient as he had been, whereas in reality nothing of the kind is the fact, and I think he would have been able to fulfil the duties of his position for some years to come. I saw him only a few minutes ago and he looked as well as any one of us, and I could not help telling him that he looked fit and in very good health.

I do not want to say much as to his successor; God forbid that I should say one uncharitable word against him; I had never seen him before I saw him in this chair. I have no doubt that he must be a very able man. He enjoyed the confidence of the leader of the present Government when he was in opposition, and later on was private secretary to the Prime Minister, and no doubt a man who has occupied such positions should have a great deal of ability. I venture to say, however, that it will be some time before he is more efficient than our late Clerk was; it will be some time before he will know the rules better, because, during the last eighteen sessions, nearly every time we applied to the Clerk for advice it was correctly given.

This is supposed to be a time of retrenchment, a time to save money. The Acting Prime Minister, in Toronto the other day, said to the people that they must save, they must retrench. We have appointed a new Clerk, and have raised the cost of the clerkship 70 per cent. We know that the Clerk gets a salary of $5,000 a year, and the late Clerk, who has been 46 years in the service, is entitled to retire on 70 per cent of that, $3,500. Therefore the clerkship will now cost $8,500 as long as Mr. Chapleau may live.

Hon. Mr. CLORAN: May he live long.

Hon. Mr. CASGRAIN: This at a time of retrenchment. I do not think it is in keeping with the teaching of economy. I cannot explain this change except by the fact that coming events cast their shadows before them. We all know that when ministers, especially prime ministers, are about to take their departure, they like to find a nice soft nest for their private secretaries and confidential officers. If that is the case in this instance, the change is explained. It is an easy way to pay a debt of gratitude with other people's money. I do not see any reason why this change was made at the present time, when we are talking of economy and retrenchment, and I am sure that from Halifax to Vancouver the people will resent putting two men in to do one man's work even more than the millions which are being sunk in the mud at Port Nelson, Hudson bay.

Hon. Mr. CLORAN: Did the honourable leader of the Government, in reply to the honourable leader of the Opposition, state that he would bring down all the correspondence relating to this dismissal?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. CLORAN: I have no opportunity now, but I will move to have that brought down, and I give notice that I will move, by way of a vote of thanks, that this honourable Senate owes a debt of gratitude to the late Clerk for his services here.

THE UNITED STATES IN THE WAR.

Hon. Mr. CLORAN: Is it the intention of the honourable leader of the Government in this House to extend a welcome to the United States upon the occasion of their entry into the present war? This has been done in other places, and I think the example ought to be followed in the Senate. It is a very important matter, and I think the least the Government can do is through its representative here to ask for an expression of opinion in regard to the entry of the United States into the present world conflict, to uphold the rights of Great Britain, Ireland, and the allied nations.

Hon. Sir JAMES LOUGHEED: I shall at once take the matter into consideration and bring it up at a subsequent date. I shall be very pleased to discuss with my honourable friend the character of the reference which is to be made.

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

THE SENATE.

Thursday, April 26, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayer and routine proceedings.

RAILWAY EMPLOYEES WAGES BILL.

FIRST READING.

Hon. Mr. ROBERTSON introduced Bill D, An Act concerning the payment of the salaries or wages of employees of railway companies.

The Bill was read the first time.

ADJOURNMENT OF THE SENATE.

Hon. Sir JAMES LOUGHEED moved:

That when the House adjourns to-day it do stand adjourned until Tuesday, the fifteenth day of May next, at eight o'clock in the evening.

Hon. Mr. WATSON: A number of the members have to leave their homes on Sunday morning in order to be here on Tuesday. Would it be as well to adjourn until Wednesday, then they would not have to leave home until Monday morning?

Hon. Sir JAMES LOUGHEED: I am quite willing, if that is the wish of the House; but I thought that we had agreed upon Tuesday as the proper day for meeting after long adjournments. If I had suggested Wednesday, some serious obstacle might have prevented some honourable gentlemen getting here then. However, I do not want hon. gentlemen to be inconvenienced, and will change the day to Wednesday.

Hon. Mr. BOYER: I wish to draw the attention of the House to the fact that Thursday, the 17th of May, is Ascension Day; so that if we meet on Wednesday night, we shall have what might be called an off-day, as we have to go to church on Thursday.

Hon. Sir JAMES LOUGHEED: Does my hon. friend suggest Thursday?

Hon. Mr. BOYER: I think the motion should remain as it is for Tuesday.

The motion, amended as suggested, was agreed to.

QUEBEC AND SAGUENAY RAILWAY.

MOTION.

Hon. Mr. BOSTOCK moved:

That an Order of the Senate do issue:

For a copy of all proceedings in the Exchequer Court of Canada, and judgment of Mr. Justice Cassels concerning the reference of the Quebec and Saguenay Railway, the Quebec and Montmorency Railway and the Lotbinière and Megantic Railway.

The motion was agreed to.

LOYALTY OF GOVERNMENT RAILWAY EMPLOYEES.

QUESTION OF PRIVILEGE.

Hon. GIDEON ROBERTSON: Honourable gentlemen, before the Orders of the Day are called, I rise to a question of privilege. I should like to make a statement with reference to a comment reflecting upon the loyalty of the employees of the Canadian government railways which appeared in this morning's press. Being a stranger to most of you, it is fitting for me to state that I have been directly connected with railway work for many years and have the knowledge born of experience of a good many railway problems.

It is casting a reflection upon the integrity of the employees of the Canadian government railways to say that they are disloyal to the management or the country which they serve, and I feel it my duty to rise and make this statement in their behalf. During the past year and a half or two years, no single-track railroad in Canada has handled so large a volume of traffic as the Intercolonial railway. A very large proportion of that traffic has been passenger traffic, requiring the closest attention to duty, which has been given, and some seven million passengers and fourteen thousand trains have been handled without the loss of a life. This, I submit, indicates that the employees of the Canadian government railways have not been dilatory or remiss in their duty, or disloyal to their trust. This question sometimes arises, not from any desire to reflect upon the men; but in the minds of the public of this country it is a reflection upon those employees.

I would point out to the House that since the war broke out the railway labour organizations of Canada have strenuously and successfully avoided the promotion of any industrial dispute in this country. Not one railway strike has been precipitated by any of these organizations. They have co-operated harmoniously with the managements of the railroads in handling a largely increased traffic, in some instances with a reduced staff, and in many instances with many new men; and in spite of that the transportation problem has been handled, I think, quite efficiently.

I have had personal and business relations with the management of the Canadian government railways for a number of years, and I know that the relations existing between them and the particular class of employees which I have the honour to

represent, have been most cordial, and that there is no cause whatever for any person to state that there is anything but absolute harmony and loyalty existing.

I do not desire to go into details, but I should like to point out one feature. I am absolutely sure that the change in policy and the improvements in the methods of operation which have been adopted have greatly facilitated the handling of the traffic on this road during recent years when it has been so heavy. A number of the great railroads in the United States were the pioneers in adopting up-to-date methods of operation. Some of our railroads in Canada ten years ago adopted what is known as the standard code of operating rules; but not until early in 1914 was that code adopted on the Intercolonial system. Knowing the methods of handling trains under the present rules, and those which have been in effect for some years past, I feel safe in saying that the adoption of this code—it was a drastic change and was looked upon by the employees at that time as being not altogether desirable—has done a great deal towards enabling the heavy traffic to be handled as readily as it has been during the last eighteen months.

Hon. Mr. CASGRAIN: Who said that the employees were disloyal?

Hon. Mr. ROBERTSON: It was stated in the press this morning that statements to that effect had been made. In the interest of the railway men in general, and the Intercolonial employees in particular, I feel that I should call attention to the fact that there is no foundation for such an assertion. I am sure that the employees of the Intercolonial railway would feel badly at any such imputation and resent it.

Hon. Mr. McSWEENEY: I heard the debate in the House yesterday, and I heard no one refer to the loyalty or disloyalty of any one employed on the Intercolonial.

Hon. Mr. ROBERTSON: I made no mention of the House.

Hon. Mr. McSWEENEY: I was there and heard the debate.

Hon. Mr. CLORAN: Before the honourable senator (Hon. Mr. Robertson) takes his seat I would like to ask a question on behalf of the very men for whom he has made such an excellent and eloquent plea and defence. I would like to ask him, for he represents labour unions, and especially the interests of railway employees, if he is satisfied with the administration of the Intercolonial railway in regard to the promotion of men from the lower to the higher ranks. That is more important to the men than anything else the honourable gentleman could advocate on the floor of this House, and I would like to have his views on that point.

Hon. Mr. ROBERTSON: In reply to the honourable gentleman, I would state that during recent years the custom has prevailed on railroads of making contracts as between the employes and the management. That system has been followed on the Intercolonial railway, and at the present time there are articles of agreement covering the rules governing the promotion of employees in the various ranks of the service. Those agreements are being strictly adhered to by both the management and the employees, and the men have no complaint whatever to make in that connection.

Hon. Mr. CLORAN: That is strange, very strange.

Hon. Mr. ROBERTSON: I may add, in order that it may be realized that I speak with knowledge of these matters, that I happen to be vice-president of one of the organizations dealing with the management of that railway and have made wage agreements with the present management.

Hon. Mr. CLORAN: Does the hon. gentleman mean to tell the House that men going into the employ of the Intercolonial railway sign a contract whereby they can get promotion? Is that what he means? That is an important point.

Hon. Mr. ROBERTSON: I mean to say that when a man enters the employ of the Intercolonial railway he is immediately placed upon what is known as the seniority list, or roster, and he is promoted according to his seniority in the service, merit and ability being sufficient. Seniority is recognized and included in all our contracts with all the railroads in Canada.

Hon. Mr. McSWEENEY: I think you will find that does not affect the higher employees; it refers only to members of the labour organizations of which you speak—conductors, drivers and trainmen generally.

Hon. Sir JAMES LOUGHEED: Those are the men who reach the very highest positions on all railroads.

Hon. Mr. CLORAN: Sometimes.

Hon. Mr. McSWEENEY: I think it was stated last night that within a few months there were 21 men from outside roads who took their places.

Hon. Mr. DANIEL: They cannot all be general managers.

Hon. Mr. McSWEENEY: But there are other offices beside that of general manager.

Hon. Mr. TANNER: The hon. gentleman who has just spoken has in mind, I think, the practices which prevailed on the Intercolonial railway prior to 1911.

Hon. Mr. CLORAN: Past ills will not cure present errors.

Hon. Mr. CROSBY: I rise to a point of order. I am sorry that this matter has not been brought before the House in proper form. Every honourable gentleman who introduces a question has the responsibility of order upon him, and I am sorry my honourable friend did not bring up this matter with a motion, so that we could discuss it. The whole thing is out of order. I submit, Mr. Speaker, that we must be careful to have matters come before the House in the proper way. I would like to discuss this question, but I cannot, because I know it is out of order, I think this discussion has gone far enough.

The Hon. the SPEAKER: I must point out to my honourable friend that the honourable gentleman (Hon. Mr. Robertson) who first spoke on the question began by asking the permission of the House, which was given.

Hon. Mr. CLORAN: He spoke with the unanimous consent of the House.

Hon. Mr. CROSBY: I must dissent from that. The honourable gentleman (Hon. Mr. Robertson) who addressed the House asked for—

Some hon. SENATORS: Order.

Hon. Mr. CLORAN: The honourable gentleman cannot dissent from the decision of the Speaker.

Hon. Mr. CROSBY: I am not dissenting from the decision of the Speaker, but I want to make my point of order good if I can. The honourable gentleman (Hon. Mr. Robertson) asked permission to make a statement as a matter of privilege, as a personal matter. The honourable gentleman has a perfect right to discuss a personal matter, but not to discuss general railway questions. That is the point I want to make. I would be very glad to discuss this matter, but I cannot discuss it; no honourable gentleman wants to discuss a matter which he knows is not in order. I think we should be careful to bring matters before the House in proper form. I bow to the decision of the honourable the Speaker, and I quite understand that, if I were to rise to speak on a matter of privilege, he would think I was going to speak on a personal matter appearing in a newspaper, or in some other way brought before the public and which I thought as a public man required personal explanation in order to set the matter right so far as the public were concerned.

Hon. Mr. CLORAN: The honourable gentleman is not justified in saying that it was made only a personal matter. It was made a public matter.

PRIVATE BILL INTRODUCED.

Bill E, An Act to incorporate the Kenora and English River Railway Company. —Hon. Mr. Beith.

DIVORCE BILLS INTRODUCED.

Bill F, An Act for the relief of Delbert Ralph O'Neil.—Hon. Mr. Talbot.

Bill G, An Act for the relief of Edward Austin Barnwell.—Hon. Mr. Talbot.

The Senate adjourned until Wednesday, May 16, at eight o'clock p.m.

THE SENATE.

Wednesday, May 16, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NATIONAL TRANSCONTINENTAL RAILWAY IN DORCHESTER.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. What are the names of the parishes, in the county of Dorchester, through which the National Transcontinental runs.
2. Are there to-day, any cases unsettled for land taken for the said Railway in any of these parishes? If so, how many, giving the names of the owners?
3. Were any cases settled during the last Federal Election in Dorchester?
4. If so, in what Parish, and what was the total amount paid during the three weeks preceding the election or voting day?
5. What were the names of the parties receiving the money?
6. What were the names of the agent arranging for the payments?
7. What were the names of the agents handing the cheques to the owners of the land taken?

8. Were all the amounts paid by cheque or in cash?

9. What were the dates, the amounts, and the names to whom these cheques, if any, were made payable to?

10. Were there any other claims, besides for land taken, paid in connection with the National Transcontinental Railway during this last election?

Hon. Sir JAMES LOUGHEED:

1. St. Isidore, St. Anselme, St. Clair, St. Malachie.

2. No.

3. Yes.

4. St. Malachie and St. Clair, $1,425 for land taken.

5. Philemon Fleury, Amedee Landry, Adolphe Couture, Octave Picard.

6. George H. Pharand.

7. George H. Pharand and Roy and Baillargeon, notaries, before whom the deeds were passed.

8. By cheque.

9. Philemon Fleury and George H. Pharand $100, January 22, 1917. Amedee Landry and George H. Pharand $100, January 23, 1917; Adolphe Couture and George H. Pharand $1,100, January 26, 1917; Octave Picard and George H. Pharand $125, January 22, 1917.

10. Yes.

DOMINION LANDS SUITABLE FOR AGRICULTURE.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. How many acres of land capable of immediate cultivation does the Government own in each of the Provinces: (a) within ten miles of a railway now in operation? (b) within ten miles of a railway under construction?

2. How many acres of land that can be made ready for cultivation by an expenditure of not more than $60 per acre does the Government own in each of the provinces: (a) within ten miles of a railway now in operation? (b) within ten miles of a railway under construction?

Hon. Sir JAMES LOUGHEED:

1. Approximate areas of undisposed of available Dominion lands suitable for agricultural purposes within ten miles from railway lines, in Manitoba, 1,529,376 acres, Saskatchewan 1,003,200 acres, Alberta, 4,467,876 acres.

2. It is not possible to furnish this information from the available records.

THE LATE CLERK OF THE SENATE.

Hon. Sir JAMES LOUGHEED moved:

That Major Samuel E. St. O. Chapleau, ex-Clerk of the Senate, be paid out of the Contingencies of the Senate, a sum equal to the difference between the salary he received when in office and the Superannuation allowance he now receives, for a period of six months.

He said: I may say that there is a precedent for this in the case of Mr. Lemoine: when he was superannuated, or when his successor was appointed, he was given six months' leave of absence. I think that, in consideration of the services rendered by the late Clerk, the Senate can very well exercise its discretion and authorize that he be paid out of our miscellaneous vote the sum mentioned, namely, the difference between the salary he received when in office and the superannuation allowance, which would be approximately $1,000.

The motion was agreed to.

Hon. Sir JAMES LOUGHEED moved:

That in view of the long and faithful services of Major Samuel E. St. O. Chapleau, the late clerk of the Senate, he be continued an honorary officer of this House and allowed the entrée of the Senate and a seat at the Table on occasions of Ceremony.

He said: There is a precedent also for this. In the case of the late Mr. Langevin, who was Clerk of the Senate, the Hon. Mr. Mills moved, in 1900, I think, a resolution to grant to Mr. Langevin the same privilege as that which is embodied in this motion.

The motion was agreed to.

HOME RULE FOR IRELAND.

NOTICE OF MOTION.

On the notice of motion being called:

By the Hon. Mr. CLORAN:

That in compliance with the demands and objects of the Entente Powers prosecuting the present war to secure the overthrow of autocratic rule and the establishment of democratic government throughout the world, based on and guided by the principle of the right of all nations, great and small, to self-government through the means of free Parliaments representative of all the people, and of governments responsible both to Parliament and to the people, it is the imperious duty of the British Government and Parliament of the United Kingdom of Great Britain and Ireland to concede without further delay to the Irish people the rights and powers of self-government.

That in so doing the British Government will not only serve the policy of the Allied Nations but will contribute to the solidarity of the British Empire itself.

That a further denial of the right of self-government to the people of Ireland will tend to obscure and weaken the cause of liberty for which the war is prosecuted.

That a refusal to grant to Ireland, irrespective of class or religious denomination, a free Parliament, representative of the whole people, will constitute a disturbing factor in the consolidation and management of the British Empire

That the Speaker of the Senate be directed to forward this Resolution to His Majesty King George V, to the Rt. Hon. Lloyd George, Prime Minister of England, and to John Redmond, leader of the Irish people.

Hon. Mr. CLORAN: I have given notice of an amendment to this resolution. The notice of the resolution has already had a beneficial effect. I understand from a declaration of the leader of the House of Commons in England, Mr. Bonar Law, that the Prime Minister is to introduce a Home Rule Bill next Monday. I hope, therefore, that this resolution, instead of being a prayer for clemency and mercy, will be transformed into a hymn of thanksgiving, a Te Deum, throughout Canada.

The motion was allowed to stand.

PRIVATE BILLS.

FIRST READINGS.

Bill (5), an Act respecting The Guardian Accident and Guarantee Company, and to change its name to "The Guardian Insurance Company of Canada."—Hon. Mr. Belcourt.

Bill (6), an Act respecting The Athabaska Northern Railway Company.—Hon. Mr. De Veber.

Bill (8), an Act to incorporate The Bishop of Mackenzie River.—Hon. Mr. Talbot.

Bill (9), an Act respecting The Lachine, Jacques Cartier and Maisonneuve Railway Company.—Hon Sir Mackenzie Bowell.

Bill (14), an Act respecting The Grain Growers' Grain Company Limited, and to authorize it to change its name to "United Grain Growers Limited."—Hon. Mr. Sharpe.

Bill (15), an Act respecting the Saint John Board of Trade.—Hon. Mr. Daniel.

Bill (16), an Act to confirm certain agreements made between The Vancouver, Victoria and Eastern Railway and Navigation Company and The Canadian Northern Pacific Railway Company.—Hon Mr. Bostock.

Bill (17), an Act respecting The Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill (26), an Act respecting The Calgary and Fernie Railway Company.—Hon. Mr. DeVeber.

Bill (28), an Act respecting The Canadian Northern Quebec Railway Company.—Hon. Mr. Casgrain.

Bill (29), an Act to amend the Act incorporating the Canadian Surety Company.—Hon. Mr. Mason.

Bill (30), an Act respecting The Canadian Western Railway Company.—Hon. Mr. Watson.

Bill (34), an Act respecting The Interprovincial and James Bay Railway Company.—Hon. Mr. Taylor.

Bill (35), an Act respecting The Kaslo and Slocan Railway Company.—Hon. Mr. Gordon.

Bill (36), an Act respecting La Compagnie du Chemin de Fer de Colonization du Nord.—Hon. Mr. Taylor.

Bill (37), an Act respecting The Mount Royal Tunnel and Terminal Company, Limited.—Hon. Mr. Casgrain.

Bill (38), an Act respecting certain patents of George C. Breidert and Burton W. Mudge.—Hon. Mr. Lynch-Staunton.

SECOND READINGS.

Bill (B), an Act respecting The Essex Terminal Railway Company.—Hon. Mr. Taylor.

Bill (E), an Act to incorporate the Kenora and English River Railway Company.—Hon. Mr. Beith.

DIVORCE BILLS.

SECOND READINGS.

Bill (F), an Act for the relief of Delbert R. O'Neil.—Hon. Mr. Talbot.

Bill (G), an Act for the relief of Edward A. Barnwell.—Hon. Mr. Talbot.

ADJOURNMENT.

INQUIRY FOR RETURN.

Hon. Sir JAMES LOUGHEED: In the absence of pressing public business I would suggest that we adjourn until next Tuesday evening. Therefore, with the leave of the House, I move that when the Senate adjourns to-day it stand adjourned until next Tuesday evening at eight o'clock.

Hon. Mr. BELCOURT: Before the motion is carried, will my hon. friend permit me to remind him of an address passed on the 26th of January last for a return showing the composition and the dates of appointments of the various commissions appointed by the Government?

Hon. Sir JAMES LOUGHEED: It is a very large return involving inquiry in the different departments. It is being prepared as quickly as possible.

Hon. Mr. BELCOURT: It is three months since the motion was made.

Hon. Sir JAMES LOUGHEED: I think we shall be able to bring the return down shortly.

The motion was agreed to.

The Senate adjourned until Tuesday, May 22, at 8 o'clock, p.m.

THE SENATE.

Tuesday, May 22, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PRIVATE BILLS INTRODUCED.

Bill (H) an Act to incorporate the Khaki League.—Hon. Mr. Casgrain.

Bill (I) an Act to incorporate the Canadian Division of the Aerial League of the British Empire.—Hon. Mr. Casgrain.

CANADIAN NORTHERN PACIFIC RAILWAY.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Has an Order in Council been issued declaring that the railway and undertaking of the Canadian Northern Pacific Railway Company has been constructed and is open for operation as provided for by 4-5 George V, chapter 20, section 15, subsection 5?

2. Has a day been fixed by proclamation of the Governor in Council published in the Canada Gazette upon which the works and undertaking of the Canadian Northern Pacific Railway Company shall be declared to be a work for the general advantage of Canada as provided for by 4-5 George V, chapter 20, section 15, subsection 5?

Hon Sir JAMES LOUGHEED:

1. Yes.

2. Yes.

TERRITORIAL DEFENCE OF QUEBEC.

MOTION.

Hon. Mr. LANDRY moved:

That an humble Address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate: Copy of all correspondence exchanged between the Government or its ministers, the Department of Militia, the Militia Council, Major-General F. L. Lessard, C.B., Inspector General, or any other person, and Lieut.-Colonel Armand Lavergne, O.C., the 61st Regiment, or any other person, on the subject of the territorial defence of the Province of Quebec, as well as copy of all Orders in Council or documents relating to this subject.

The motion was agreed to.

HOME RULE FOR IRELAND.

PROPOSED RESOLUTION WITHDRAWN.

Hon. Mr. CLORAN: Hon. gentlemen, I hold in my hand the cabled report of the speech of the Right Hon. Lloyd George delivered yesterday in the British House of Commons regarding the settlement of the Irish question and the granting of self-government to a united Ireland. To all intents and purposes the speech of the Prime Minister is really a political manifesto to both Houses of the British Parliament, to the overseas dominions, and to the nations of the world, fighting under the flag of allied democracy; while at the same time Lloyd George's proposal goes to the whole Irish people in the form of a referendum.

Four weeks ago I cabled the British Prime Minister that, in conjunction with other parliaments and legislatures and with the members of the United States Congress, the Senate of Canada had before it for consideration the present resolution, urging the British Government and Parliament to concede, without further delay, the rights and powers of self-government to the Irish nation; and that this resolution would undoubtedly receive as the sanction of this honourable House, as well as the endorsation of Canada, less a small faction.

It is very pleasing indeed to find that the speech and proposal of the Prime Minister regarding the settlement of the Irish question practically cover the grounds outlined in this resolution, which reads as follows:

That, in compliance with the demands and objects of the Entente Powers prosecuting the present war to secure the overthrow of autocratic rule and the establishment of democratic government throughout the world, based on and guided by the principle of the right of all nations, great and small, to self-government through the means of free parliaments representative of all the people, and of governments responsible both to Parliament and to the people, it follows as a matter of course that the British Government and Parliament of the United Kingdom of Great Britain and Ireland concede without further delay to the Irish people the rights and powers of self-government.

That in so doing the British Government will not only serve the policy of the Allied Nations but will contribute to the solidarity of the British Empire itself.

That a further denial of the right of self-government to the people of Ireland will tend to obscure and weaken the cause of liberty for which the war is prosecuted.

That a refusal to grant to Ireland, irrespective of class or religious denomination, a free Parliament, representative of the whole people, will constitute a disturbing factor in the consolidation and management of the British Empire.

That the Speaker of the Senate be directed to forward this resolution to His Majesty King George V, to the Rt. Hon. Lloyd George, Prime Minister of England, and to John Redmond, leader of the Irish people.

I shall quote a few extracts from the speech of Mr. Lloyd George to demonstrate that the action I proposed to be taken by this Senate was fully and cordially in line with the Imperial policy, as announced by him and already acclaimed throughout the Empire and by the Allied nations. The only ones that will take exception to the Prime Minister's Irish proposal or regard it with disfavour are Germany and a small body of ultra loyal subjects scattered over the British Isles and our own Dominion.

Lloyd George's appeal for union, supported in the House of Lords by Lord Curzon and Lord Lansdowne, is mainly directed to this so far irreconcilable element in Irish politics and national affairs. The following extracts from the speeches of these English statesmen will abundantly show this to be the case:

Mr. Lloyd George especially emphasized the necessity of the convention being thoroughly representative. He said:

"We must not have a convention merely of political parties, though they must all be represented—the followers of Mr. Redmond and Mr. O'Brien, the Ulster Unionists and the Southern Unionists, and I hope of the Sinn Feiners also. But in the main the Government's view is that the convention ought to consist of representatives of local governing bodies, of the churches, trades' unions and commercial interests—in fact, a real representation of the Irish life, thought and activity in all their leading aspects.

"As far as possible we shall invite delegates to be chosen by the bodies whom they represent. Where this is impossible—and I quite understand where it may be desirable to have Irish interests represented which may not have been chosen by any of the categories to which I have referred—other means must be taken to secure that every element of Irish opinion is present."

Continuing, the Premier asked would it be too much to hope that Irishmen of all creeds and parties might meet together in convention for the purpose of drawing up a constitution for their country which should secure a just balance of all opposing interests, and finally compose the unhappy discords which have so long distracted Ireland and impeded its harmonious development, that now were a source of weakness to the people of these islands during one of the greatest trials through which they had passed.

After pledging the Government to give legislative effect to any substantial agreement, Mr. Lloyd George added:

"Perhaps we ought to safeguard the treasury, because Irishmen might become unanimous upon the question of making a demand on the Imperial exchequer." He was unable, he said, to imagine Great Britain acting in a niggardly manner, but the treasury must have a word to say. He could only promise on behalf of the Government that should the convention happily come to an agreement they would not forget that restitution and reparation should begin at home.

The Premier entreated the House to believe that nothing but pressing war considerations would have induced the Government to take up the settlement of so thorny a problem in the middle of the prosecution of this great war; but when they were engaged in a life and death struggle they did not want a rankling and festering quarrel on their hands that irritated, distracted and weakened the nation. From a war point of view it was important to get the controversy settled in order to win the good will and co-operation of the Irish race throughout the world. He concluded by saying that the entire strength of Great Britain and the whole-hearted support of Ireland as well was essential to victory. Therefore he appealed to Irishmen of all faiths and political opinions and especially to the patriotic spirit of Ulster.

Will the patriotic spirit of Ulster answer the demand of the Prime Minister? The patriotic spirit of Ireland will answer, and has given its answer; but will the spirit of Ulster answer the demand for the safekeeping and the safeguarding of the British Empire? I do not believe it will. I believe that Carson, the rebel, will still lead the Ulsterites in rebellion against the King, the Crown, and the flag, as he did three years ago. Carson and his Ulsterites, they should not be called "Ulsterites;" they should be called ulcers on the body politic of Ireland.

Lord Curson, who has been an opponent of Irish liberty up to the present, made this statement.

He said it would be a national misfortune if any one of the Irish parties—

I suppose he meant the ultra loyalists.

—remained aloof from the proposed convention.

He added that a grave responsibility would rest upon the leaders who were elected should they abstain from attending.

Then, we have a last word from one of our ex-Governors, Lord Lansdowne, who never had a healthy reputation with the Irish people, one of the worst grinders of the human race that ever existed in Ireland. I remember thirty years ago when William O'Brien came here to denounce his conduct towards the Irish peasants of his estates in Ireland. Lord Lansdowne was never a friend of Irish freedom and justice; he was a friend of Irish landlordism, who

sucked the blood of the nation to squander his wealth elsewhere—anywhere except in the country. Lord Lansdowne, before he dies, confesses his guilt before Almighty God, and this is what he says:

Lord Lansdowne accepted the proposed convention. He said that one fact which seemed to dominate the situation was that we had travelled so far—

He did not say he had travelled.

—along the road to Home Rule that it was now felt impossible to turn abruptly backwards.

He would do it if he could, but he cannot now.

The convention might do immense good and he could not see what harm it could do.

Now, hon. gentlemen, these are the words of Lloyd George, a friend of the cause, of Lord Curzon, an enemy of the cause, of Lord Lansdowne, enemy—oh, enemy is too small a word—the worst opponent in Ireland or in Great Britain of the cause of the Irish people. There you have the two expressions of opinion given in the House of Lords no later than yesterday afternoon. The war has brought curses on men, but the war has brought also blessings, and thank God for the war.

It is well that these declarations of enlightened statesmanship should go on the official records of this honourable House, they seem to be such a true echo of Viviani's historical speech delivered before the two Houses of the Canadian Parliament on the 12th of May instant, and in which, as the authorized representative of France, he made such a soul-stirring appeal for the triumph of the cause of the Allies, and for the establishment of liberty, fraternity, and equality among men of all races, of all creeds, and of all nations.

As the prayer of the resolution has been acceded to by the Government and the Parliament of Great Britain and Ireland, it becomes unnecessary for me to proceed with its further consideration, and I therefore beg, with the permission of this hon. House, to have it withdrawn.

Before concluding, honourable gentlemen, I wish to pay a tribute to the political foresight and statesmanlike sagacity of the honourable leader of this House. When I placed this resolution on the Order Paper four weeks ago, the honourable leader of the Government, Sir James Lougheed, intimated to me that it might not be necessary to proceed with its discussion, as Prime Minister Lloyd George would find means to unite all conflicting interests and give to the Irish people the self-government for which they have so long struggled and which is now on the eve of being pressed to a successful conclusion, not only in the interests of Ireland, but in those of the British Empire itself.

And it thus cometh to pass that the last prayer and plea, from the Canadian Senate and the Canadian people, for liberty, right, and justice to Erin and her sons, is to be transformed into a hymn of praise, of thanksgiving, and of hope that the old green isle will resume her place among the nations, as the emerald gem of the sea, and the home of a free, happy, and united people, blessed by the Great Ruler of all democracies, harkening to the divine slogan of the angels: "Peace on earth to all men of good will."

The motion was withdrawn.

OFFICIAL REPORTING OF THE SENATE.

PAY OF AMANUENSES.

The Hon. the SPEAKER laid on the table of the House a letter from the Clerk of the Senate, accompanied by a report of the Editor of Debates and Chief of Reporting Branch, with respect to the pay to be allowed to the amanuenses employed on his staff.

On motion of the Hon. Mr. Power, the papers were referred to the Committee on Internal Economy and Contingent Accounts.

THE LIBRARY OF PARLIAMENT.

PROPOSED APPOINTMENT.

The Hon. the SPEAKER laid on the table of the House a letter from the Joint Librarians of the Civil Service Commission-certificate of the Civil Service Commissioners, respecting the proposed appointment of Mr. Herbert D. Troop as a clerk in subdivision B of the Third Division, at an initial salary of $700 per annum.

Hon. Mr. POWER moved that these papers be referred to the Committee on Internal Economy and Contingent Accounts.

Hon. Mr. LANDRY: I understand this is a recommendation from the Librarians. I do not know whether there is a recommendation also from the Speaker of the Senate.

The Hon. the SPEAKER: No.

The motion was agreed to.

PRIVATE BILLS.

FIRST READINGS.

Bill(7), an Act respecting The Continental Heat and Light Company.—Hon. Mr. Beaubien.

Bill (10), an Act to incorporate The Grand Lodge of the Canadian Association of Stationary Engineers of the Dominion of Canada.—Hon. Mr. Milne.

Bill (11), an Act respecting the Canadian Order of the Woodmen of the World.—Hon. Mr. Sharpe.

Bill (25), an Act to incorporate the Eastern Telephone and Telegraph Company.—Hon. Mr. Thorne.

Bill (27), an Act to amend an Act to incorporate The Canadian General Council of The Boy Scouts Association—Hon. Mr. Daniel.

Bill (40), an Act to incorporate La Société des Artisans Canadiens Français.—Hon. Mr. Larivière.

Bill (41), an Act respecting The Grand Trunk Pacific Branch Lines Company.—Hon. Sir Mackenzie Bowell.

Bill (44), an Act to incorporate "Alliance Nationale."—Hon. Mr. Beaubien.

DIVORCE BILLS.

THIRD READINGS.

Bill (F), an Act for the relief of Delbert R. O'Neil.—Hon. Mr. Talbot.

Bill (G), an Act for the relief of Edward A. Barnwell.—Hon. Mr. Talbot.

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

THE SENATE.

Wednesday, May 23, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

DIVORCE BILLS.

FIRST READINGS.

Bill J, an Act for the relief of Charles Frederick Reuben Jones.—Hon. Mr. De Veber.

Bill K, an Act for the relief of Florence Amelia Kennedy.—Hon. Mr. Taylor.

Bill L, an Act for the relief of John Bassnett Parker.—Hon. Mr. Taylor.

Bill M, an Act for the relief of Amy Beatrice Matthews Hilton.—Hon. Mr. Gordon.

AN OFFENSIVE CIRCULAR.

On the Orders of the Day:

Hon. Mr. CHOQUETTE: I wish to call the attention of the Government to the following letter, or circular, which I received yesterday; and I am told that many of my colleagues have received similar circulars. It is as follows:

> War Cry! No priest of the Church of Rome shall levy any tax, tythe or toll in any of His Britannic Majesty's dominions.

I bring this to the attention of the Government in the hope that they will forbid the use of the mails for carrying such stupid and infamous matter. What is the use of it? Taxes and tolls are levied on the Catholics of this Dominion, and they are willing to pay them; they do it very willingly. What is the use, then, in these difficult times, of sending circulars like this to arouse racial or religious prejudices? I hope that the Postmaster General will see that such nonsense is not sent abroad. I have received many stupid and ridiculous circulars of various kinds, but when the mails are used for carrying such a stupid thing as this, it is time to call the attention of the Government to the fact, in order that the mails may not be used for such a purpose.

PRIVATE BILLS.

SECOND READINGS.

Bill 5, an Act respecting The Guardian Accident and Guarantee Company and to change its name to "The Guardian Insurance Company of Canada."—Hon. Mr. Belcourt.

Bill 6, an Act respecting The Athabaska Northern Railway Company.—Hon. Mr. De Veber.

Bill 8, an Act to incorporate The Bishop of Mackenzie River.—Hon. Mr. Talbot.

Bill 9, an Act respecting The Lachine, Jacques Cartier and Maisonneuve Railway Company.—Hon. Sir Mackenzie Bowell.

Hon. Mr. DAVID: If it is understood that by accepting the second reading of this Bill we are not accepting the principle of the Bill, I would not object; but it is essentially a provincial Bill.

Hon. Sir MACKENZIE BOWELL: I may say that I do not know anything about the

Bill; but the hon. gentleman's point can be considered by the committee.

Bill 14, an Act respecting The Grain Growers' Grain Company, Limited, and to authorize it to change its name to "United Grain Growers, Limited."—Hon. Mr. Sharpe.

Bill 15, an Act respecting the Saint John Board of Trade.—Hon. Mr. Daniel.

Bill 16, an Act to confirm certain agreements made between The Vancouver, Victoria and Eastern Railway and Navigation Company, and The Canadian Northern Pacific Railway Company.—Hon. Mr. Bostock.

Bill 17, an Act respecting The Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill 26, an Act respecting the Calgary and Fernie Railway Company.—Hon. Mr. De Veber.

Bill 28, an Act respecting The Canadian Northern Quebec Railway Company.—Hon. Mr. Casgrain.

Bill 29, an Act to amend the Act incorporating The Canada Surety Company.—Brigadier-General the Hon. Mr. Mason.

Bill 30, an Act respecting The Canadian Western Railway Company.—Hon. Mr. Watson.

Bill 35, an Act respecting The Kaslo and Slocan Railway Company.—Hon. Mr. Gordon.

Bill 37, an Act respecting The Mount Royal Tunnel and Terminal Company, Limited.—Hon. Mr. Casgrain.

Hon Mr. POWER: It is to be regretted that the hon. gentleman in charge of this Bill is not here to explain it. Its subject-matter has been discussed at some length in the press and in Parliament, and I think we ought to know just what is desired.

Hon. Mr. BOSTOCK: The Bill simply calls for an extension of time for the completion of the work. I do not know anything further about it. In the absence of my hon. friend (Hon. Mr. Casgrain) I made the motion in order to expedite the Bill. If my hon. friend has any objection—

Hon. Mr. POWER: I am not opposing it.

Hon. Mr. BOSTOCK: It can be explained in the committee.

ADJOURNMENT.

SPECIAL JOINT SITTING.

Hon. Sir JAMES LOUGHEED: To-morrow being a statutory holiday, I propose that when this House adjourns to-day it do stand adjourned until Monday afternoon, as the Right Hon. Mr. Balfour is to address the Houses of Parliament in joint session in the Commons Chamber on that afternoon. I am unable to state definitely the hour at which Mr. Balfour will address the Houses; it is probable that it will be three o'clock; and it is desirable that we should assemble a little earlier on that occasion than usual. I therefore move that when the House adjourns to-day it stand adjourned until Monday afternoon at 2.30 o'clock.

Hon. Mr. TESSIER: Will members of the Senate be admitted to the House of Commons?

Hon. Sir JAMES LOUGHEED: Oh, yes; seats will be reserved for members of the Senate.

Hon. Mr. TESSIER: I ask this question because there does not seem to be any gallery in the House of Commons for members of this House. The last time I went into the House of Commons a messenger showed me orders from the honourable the Speaker of the Commons that no strangers were to be admitted to the floor of the House. As there is no gallery reserved for us, I think it would be well for the honourable the Speaker of the Senate to take steps to have some accommodation provided. My neighbour (Hon. Mr. McSweeney) was nearly ejected.

Hon. Mr. McSWEENEY: My hon. friend was ejected; I did not get that far.

Hon. Mr. TESSIER: For many years we have enjoyed the privilege of having a gallery reserved for us. I do not know whether the new Speaker of the Commons has a great respect for the Senate; but some day he may want to join us. I think that the honourable the Speaker of this House should see that senators receive proper treatment in the House of Commons.

Hon. Mr. McSWEENEY: Yesterday I went to the nearest entrance to the House of Commons—I had been there several times, sitting down—and I was stopped by the doorkeeper.

Hon. Mr. TESSIER: Did he arrest you?

Hon. Mr. McSWEENEY: He did not get that far; I did not give him a chance. He showed me a circular signed by the honourable the Speaker of the House which said that only distinguished strangers were allowed to sit on either side of the Speaker. I gave him my card, and told him to take

it to the Speaker and ask him if I would be allowed to go inside. He went in with the card himself, or sent in a page; I waited for some time, and, receiving no answer, finally retired. I went to the other entrance and was shown the same circular signed by the Speaker; so I quietly retired and went upstairs. On that occasion I was not very particular about gaining entrance; but when there is a crowd one is rather hustled and bustled about, and the ushers upstairs are very officious.

My honourable friend Mr. Bostock had an experience in the Commons the others day, so had I. There was a stranger sitting in the front row of the Speaker's gallery, and not another soul but myself. I said to the usher, "Why is he sitting there, he is not a member of the Cabinet or of the House of Commons?" He said, "He is a friend of the Speaker."

I think it is time that the members of the Senate stood upon their rights.

Hon. Sir JAMES LOUGHEED: We have listened with much interest to the thrilling experiences of my honourable friend from Moncton (Hon. Mr. McSweeney). I hope that the other members of the Senate will not be subjected to treatment of that kind hereafter. I think it would be sufficient for His Honour the Speaker to take this matter up with the honourable the Speaker of the Commons, in order to secure for us the same privileges that we enjoyed in the old building. I am satisfied that it is an oversight, and that the Commons would be glad to extend the same courtesies to members of the Senate that always have been extended.

With regard to the provision to be made on Monday next, the Sergeant-at-Arms of the House of Commons has already taken the subject up with me, and has assured me that every provision will be made for the accommodation of senators.

Hon. Mr. BOSTOCK: I understand that the senators will have seats on the floor of the House?

The Hon. the SPEAKER: I will try to see the honourable the Speaker of the House of Commons, with the view of making some arrangement whereby the senators shall have a proper place on the floor of the House of Commons on all occasions.

The motion was agreed to.

The Senate adjourned until Monday at half-past two o'clock.

Hon. Mr. McSWEENEY

THE SENATE.

Monday, May 28, 1917.

The Senate met at 2.30 o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PAYMENT TO STANFIELDS, LIMITED.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

1. What was the amount paid the Stanfields Limited for goods damaged in transit in accident in December last on Northern Division Intercolonial Railway; also, date of accident?
2. What was done with the goods so damaged?
3. Were they sold by public tender, and, if so, the names of parties tendering, the amount of each tender, and the name or names of the successful bidder?

Hon. Sir JAMES LOUGHEED:

1. $6,917.32; date of accident, November 7.

2. Such portion as was not totally destroyed was disposed of to A. M. King and Son, of Annapolis, N.S.

3. Sold by public tender and the following tenders were received: W. Stetson & H. H. Rogers, Halifax, $2,400; Mosher, Jacobson & Valeskey, Halifax, $2,503.05; E. David & Sons, Bridgewater, $2,000; F. W. S. Colpitts & Son, Moncton, $2,450; Peter McSweeney Co., Moncton, $2,050; A. D. Farrah & Co., Newcastle, $2,000; A. M. King & Son, Annapolis, $4,000; A. M. King & Son were the successful bidders.

PRIVATE BILLS.

SECOND READINGS.

Bill H, an Act to incorporate The Khaki League.—Hon. Mr. Casgrain.

Bill I, an Act to incorporate The Canadian Division of the Aerial League of the British Empire.—Hon. Mr. Casgrain.

Bill 7, an Act respecting The Continental Heat and Light Company.—Hon. Mr. Beaubien.

Bill 10, An Act to incorporate The Grand Lodge of the Canadian Asociation of Stationary Engineers of the Dominion of Canada.—Hon. Mr. Milne.

Bill 11, an Act respecting The Canadian Order of Woodmen of the World.—Hon. Mr. Sharpe.

Bill 25, an Act to incorporate The British American Telephone and Telegraph Company.—Hon. Mr. Thorne.

Bill 27, an Act to amend an Act to incorporate The Canadian General Council of The Boy Scouts Association.—Hon. Mr. Daniel.

Bill 40, an Act to incorporate La Société des Artisans Canadiens Français.—Hon. Mr. Larivière.

Bill 41, an Act respecting The Grand Trunk Pacific Branch Lines Company.—Hon. Sir Mackenzie Bowell.

Bill 44, an Act to incorporate Alliance Nationale.—Hon. Mr. Beaubien.

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

THE SENATE.

Tuesday, May 29, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PRIVATE BILLS.

FIRST READINGS.

Bill N, an Act respecting the Western Life Assurance Company.—Hon. Mr. Watson.

Bill O, an Act respecting a patent of Ernest Mead Baker.—Hon. Mr. Edwards.

Bill P, an Act to incorporate the Army and Navy Veterans of Canada.—Hon. Mr. Sharpe.

Bill Q, an Act respecting the Vancouver Life Insurance Company.—Hon. Mr. Bostock.

Bill R, an Act respecting the Security Life Insurance Company of Canada.—Hon. Mr. Bostock.

Bill S, an Act respecting the Canada Preferred Insurance Company.—Hon. Mr. Bostock.

Bill T, an Act to authorize the issue of a patent to James Wallace Tygard.—Hon. Mr. McCall.

Bill U, an Act to incorporate the Great War Veterans' Association of Canada.—Hon. Mr. Dennis.

Bill V, an Act to incorporate the Dominion Council of the Girl Guides Association.—Hon. Sir Mackenzie Bowell.

EXEMPTIONS FROM CONSCRIPTION.

MOTION.

Hon. Mr. POWER: Hon. gentlemen, with your permission I shall begin by reading the resolution of which I gave notice:

Resolved, that, in any measure intended to introduce conscription into Canada, provision should be made that no man, whose father, brother, or son has gone to the seat of war as a member of the Canadian Expeditionary Force, or is being trained in England preparatory to going to the front, shall be selected for compulsory service.

I have trespassed on your time to read this notice because I find that some honourable members of this House labour under a misapprehension as to the object and meaning of the motion. My position is this, honourable gentlemen. I do not undertake to pronounce an opinion as to the merits of conscription. Conscription may be wise or it may be unwise. If I were called upon now, without any further consideration, to vote on the matter, I do not feel quite clear as to which way I should vote. There are a great many considerations to be weighed and thought over, operating on both sides of the question; and, as I have not given the matter the serious consideration which I think every member should give to an important question, I do not feel prepared to express any opinion on the subject. By and by, when one has had time to weigh the arguments pro and con, he may be in a better position to form an opinion. I may say that any discussion of the merits of conscription in connection with this resolution would be out of order; that is not the subject of discussion. That question can be more properly discussed on a motion of which notice has been given by one of my honourable friends.

Then, honourable gentlemen may say, and I have been asked, why move this resolution? Why not wait until the Government measure has been brought down? I think I can give an answer to that question or that suggestion, which ought to meet the views of any reasonable gentleman. A Government measure providing for conscription has been promised. I assume—I do not know, but I assume—that that measure, if not in actual course of preparation, is now being considered; and the proposition embodied in the resolution to which I am speaking is one that, if the Government thought well of it, might very well be embodied, either wholly or partially, in the Bill providing for conscription. It is just one of those considerations that in the hurry of parliamentary work might perhaps

be overlooked, and if one waited until the Bill had been introduced by the Government and had come to this House in the regularly parliamentary course, it would be very difficult to secure either favourable consideration or support for an amendment coming from the Opposition.

Now, honourable gentlemen, the position is this: over 400,000 men have enlisted in the Canadian Expeditionary Force of their own choice and free will. That was, I think, by way of implementing a promise made by the Prime Minister of Canada about a year and a half ago to the effect that Canada would raise half a million men. As to the propriety or wisdom of that promise on the part of the leader of the Government, I have nothing to say—not just now. Over 400,000 men have been raised; it is deemed necessary to raise something less than 100,000 more. The conclusion has been arrived at by those who are responsible for conducting the business of the country that that number of men, I think 80,000, cannot be raised by voluntary enlistment and consequently compulsion in some form must be resorted to, and conscription is being resorted to—or will be. Now, honourable gentlemen, I think it must strike every member of the House that where, say, one or two sons in a family have of their own free will joined the Expeditionary Force and gone to the front, and in some cases have lost their lives, or in other cases have been seriously wounded, it seems unfair that the remaining sons of the family should be taken under any conscription law. If a father and a mother have given one son, or two sons, and perhaps have a third son at home, it does seem an unreasonable thing that they should be exposed to the risk of having that remaining son, who is possibly the only person to whom the parents in their declining years can look for support, taken under a Conscription Act, while there are thousands of men living in the same neighbourhood who have perhaps a half dozen sons in the family and have not given one to the public service. I think that is a consideration the fairness of which will strike every honourable gentleman.

Honourable gentlemen may say, "Well, that would not happen; the brother of a young man who has sacrificed himself for the country would not be taken by conscription." But, honourable gentlemen, whatever preliminaries may be arranged for conscription, in the end, as I understand, the question of the man to be taken is settled by lot, but the lot is just as likely to fall on the son of the father and mother who have lost one or two sons already as it is on the son of the father and mother who have not sent any son to the war. I think that that is a condition of things we should try to avoid.

I know that some little objection has been taken to the wideness of the resolution; but there are cases where the father of a son over 20 years of age has himself gone to the front as a member of the Canadian Expeditionary Force; and it does seem to me that if the head of a family has gone to the front it is not altogether unreasonable that the son should be allowed to remain at home. However, the resolution, although it covers the case of the father, is really intended to deal with the case of the brother. Substantially it provides that, where one son of a family has already enlisted and been sent to the front, no other son of the same family shall be compelled to join the Canadian Expeditionary Force. This of course would not interfere with voluntary enlistment. This resolution, if embodied in the Bill, would have the effect —and I think it is deserving of some attention—of increasing the number of those who might have enlisted and did not and who would now be compelled to take their places in the Canadian Expeditionary Force. Cases have come to the attention of every honourable gentleman similar to one which has been brought immediately to my attention. There is a man in Halifax who is not a farmer, and not a maker of munitions; neither were his sons. As far as I know he has three sons. Two of them went to the front; one was killed and the other was very seriously wounded, and, as I understand, is now on his way home probably crippled for life. I think it would be a most inhuman thing for any conscription law to take that sole remaining son away from his parents. I saw an item in an Ottawa paper the other day with reference to the case of a widow, which was almost similar to that of the man of whom I have spoken. Two sons went to the front. One was killed, the other was seriously wounded. The third son wished to enlist but he was not physically fit, and was rejected. I feel that the Government should have, and I trust that they will have, some regard for human sentiment, and that with respect to conscription they will not imitate the ruthless Prussian method of dealing with our citizens.

Hon. Mr. LANDRY: Honourable gentlemen, I think the honourable member from Halifax wants to bind us in advance to the principle of conscription. His motion is nothing less than an amendment to something which is to come before us. I think it is entirely out of order. What are we asked to do? We are asked to amend in advance the Conscription Bill. If this motion is adopted, we shall be accepting the principle of the Bill and at the same time proposing an amendment in that regard; and now is not the time to commit ourselves. Let the Government come out with flying colours, and we shall know what to do with the Bill. I do not think the honourable member for Halifax has a right to ask us, in advance, to accept his amendment.

Hon. Sir JAMES LOUGHEED: Is my honourable friend going to press this motion?

Hon. Mr. POWER: I should like to hear it discussed.

Hon. Sir JAMES LOUGHEED: If my honourable friend is going to press the motion, I intend saying something on the question raised by my honourable friend who has just taken his seat.

Hon. Mr. THOMPSON: Has the honourable gentleman raised a point of order?

Hon. Mr. LANDRY: Yes.

Some hon. MEMBERS: Chair.

Hon. Mr. POWER: On the point of order: honourable gentlemen, I am not easily surprised, but I am a little surprised at the raising of this point of order. There is no Bill before the House; there is no motion to amend a Bill before the House. It is the every-day practice in the English Parliament, and in almost every other parliament, to express an opinion as to certain legislation which they might think desirable I have not said a word as to the merits of the Bill which the Government intends to introduce, so what I propose cannot be regarded as an amendment, and an attempt to shut out the resolution would be such an interference with the rights of the members of this House that it should not be tolerated.

Hon. Sir JAMES LOUGHEED: If my honourable friend takes that ground and insists that his motion is in order, and indicates that he intends to press it, I must join with my honourable friend to my left (Hon. Mr. Landry) on the point of order which he has raised. I would cite to His Honour the Speaker, Bourinot, page 301, in which it is very clearly laid down:

> A motion must not anticipate a matter already appointed for consideration by the House.

My honourable friend knows that the Prime Minister has intimated to Parliament that a Bill is to be brought down dealing with the subject of conscription. I would refer also to May, page 279, where the question of order is very clearly dealt with. The reason is very simple, and is that any member or group of members could anticipate the introduction into this House of a Bill to which the Government or a member may be committed, and by a resolution or a series of resolutions, moved in advance, might so commit the House on the matter that it could not be considered properly. My honourable friend proposes to introduce into the Conscription Bill a very important principle, anticipating what may or may not be contained in the Bill. It seems to me that his motion does violence to one's idea of the proper consideration which should be given to a Bill by proposing in anticipation the defeat of a principle which may be embodied in it.

Hon. Mr. CHOQUETTE: Honourable gentlemen, I have just a word to say in regard to this matter. I am not prepared to admit that the point of order is well taken, because, generally speaking, any member of this House may move a resolution. We always anticipate that something may be done when we move a motion. In this case we are just taking the ground that if a Bill is proposed we ought to do something. While not admitting the principle laid down by the honourable the leader of the Government, I am prepared to ask my honourable friend to consent to the postponement of his motion, as I intend asking to have mine postponed, until the Bill is before the House. I think that a member of the House has the right to move a motion on a public subject, even if there is no question of a Bill being proposed.

Hon. Mr. DAVID: If this matter can be dealt with in connection with the Bill the same thing should be done in connection with all Bills coming before the House.

Some Hon. SENATORS: Question.

The Hon. the SPEAKER: Honourable gentlemen, the question which has been raised is one of great importance, and, in order to give it the attention which it

merits, I would ask to be allowed to reserve my decision until to-morrow.

The motion was allowed to stand.

CANADIAN NORTHERN RAILWAY GUARANTEE.

MOTION.

Hon. Mr. BOSTOCK moved:

That an humble Address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate copies of all Orders in Council passed in conformity with the provisions of 4-5 George V, Chapter 20, Section 15, Subsection 5.

Hon. Mr. DANIEL: Will the hon. gentleman please explain the provisions of 4-5 George V, chapter 20, section 15, subsection 5?

Hon. Mr. BOSTOCK: The clause referred to is in the Act which granted a guarantee of $45,000,000 in 1914 to the Canadian Northern railway. Under that clause certain Orders in Council had to be passed with reference to portions of the railroad in British Columbia. It is with the object of having those Orders in Council laid on the table of the Senate that I have made this motion.

The motion was agreed to.

THE SPEAKER OF THE SENATE.

ADDRESS TO RIGHT HON. A. J. BALFOUR.

Before the Orders of the Day:

Hon. Mr. LANDRY: Honourable gentlemen, I should like to know under what authority or in virtue of what decision or resolution of the Senate the address read yesterday in the House of Commons by the Speaker of the Senate was dealt with. Is there any decision of the Senate empowering the Speaker to leave the Chair, go to the other House, and deliver a speech in the name of the Senate?

Hon. Mr. CASGRAIN: War time.

Hon. Mr. LANDRY: I did not think that I had missed any of the meetings of this honourable body; but I have been unable to find any such motion, and my attention was never called to its adoption. I have no objection to the speech; it was a good speech.

Some Hon. SENATORS: Hear, hear.

Hon. Sir JAMES LOUGHEED: It was also in French.

The Hon. the SPEAKER.

Hon. Mr. LANDRY: That did not make it worse. I am not complaining of the speech at all, nor of the way in which it was delivered. It is the principle that I am objecting to. If the honourable the Speaker has the right to make such a good speech, he might have the right to make one which would not be so good in our opinion; he might express an opinion which we would not care to endorse. I would not want it to appear in the future that a precedent had been established. I want to guard against any expression of opinion which would not be the opinion of the majority of this honourable body.

Some Hon. SENATORS: Carried.

Hon. M. LANDRY: No, it is not carried. I want to know by what authority it was done.

Hon. Mr. CHOQUETTE: If it is carried, it will be a vote of censure on the honourable the Speaker.

The Hon. the SPEAKER: I do not see that there is any motion before the House.

Hon. Mr. LANDRY: The honourable the Speaker has only one pair of glasses; he might put on two.

The Hon. the SPEAKER: Does the honourable gentleman wish to make a motion?

Hon. Mr. LANDRY: No, I want an explanation, such as we have the right to ask for every time the Orders of the Day are called. This is the first time I have heard it said on such occasions that there was nothing before the Chair for the mere desire to evade giving an answer.

The Hon. the SPEAKER: I did not say a word against the remarks of the honourable gentleman. I simply said that there was no motion before the House. I repeat that I had no orders from the House to express the views which I expressed. If it had been a formal address, I would not have acted as I did. I was informed by the Speaker of the House of Commons that the Senate was invited to attend the sitting yesterday, and I conveyed that message to the Senate. The Speaker of the House of Commons told me that he was going to address Mr. Balfour, it being war time, and at once I prepared the few remarks which I read yesterday, and which my hon. friend admits were not to be taken advantage of against me. I understand that if it had been a formal address, I would have been compelled to present my views to this House, but, as I only made a

few remarks as Speaker of the Senate, I did not believe it was necessary to ask the permission of the House.

Some Hon. SENATORS: Hear, hear.

The Hon. the SPEAKER: If any honourable gentleman objects to what I have done, he is at perfect liberty to make a motion of censure against me, and I will abide by the judgment of the House.

Some Hon. SENATORS: Hear, hear.

PRIVATE BILLS.

SECOND READINGS.

Bill 34, an Act respecting the Interprovincial and James Bay Railway Company. —Hon. Mr. Taylor.

Bill 36, an Act respecting La Compagnie du Chemin de Fer de Colonisation du Nord. —Hon. Mr. Taylor.

Bill J, an Act for the relief of Charles F. R. Jones.—Hon. Mr. De Veber.

Bill K, an Act for the relief of Florence A. Kennedy.—Hon. Mr. Taylor.

Bill L, an Act for the relief of John B. Parker.—Hon. Mr. Taylor.

Bill M, an Act for the relief of Beatrice Matthews Hilton.—Hon. Mr. Gordon.

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

THE SENATE.

Wednesday, May 30, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PRIVATE BILLS.

FIRST READINGS.

Bill X, an Act respecting a certain patent of the Sharp Rotary Ash Receiver Company, incorporated.—Hon. Mr. McHugh.

Bill A2, an Act respecting the Empire Life Insurance Company of Canada.—Hon. Mr. Nicholls.

Bill B3, an Act respecting a patent of James B. King and others.—Hon. Mr. Nicholls.

DIVORCE BILLS.

FIRST READINGS.

Bill W, an Act for the relief of Colin Darrach Poole.—Hon. Mr. Sproule.

Bill Y, an Act for the relief of Thomas Edwin Jory.—Hon. Mr. Taylor.

Bill Z, an Act for the relief of Florence Evaline Lockwood.—Hon. Mr. Mitchell.

EXEMPTIONS FROM CONSCRIPTION.

MOTION.

On the Order:

Resuming the adjourned debate on the motion of the Hon. Mr. Power:

Resolved,—That, in any measure intended to introduce conscription into Canada, provision should be made that no man whose father, brother or son has gone to the seat of war as a member of the Canadian Expeditionary Force or is being trained in England preparatory to going to the front, shall be selected for compulsory service; and the point of order raised by the Hon. Mr. Landry, etc.

The Hon. the SPEAKER: Honourable gentlemen, I regret to say that I have had so much to do since the adjournment of the House yesterday that I have had very little time for the study of the important question raised by the honourable gentleman from Stadacona (Hon. Mr. Landry). Therefore I pray to be excused to-day. I shall study the question seriously, and shall give my decision on Tuesday.

The motion was allowed to stand.

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

THE SENATE.

Thursday, May 31, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

CLAIMS OF BRITISH COLUMBIA SEALERS.

INQUIRY.

Hon. HEWITT BOSTOCK rose to call the attention of the Government to a return made to an Order of the House of Commons of the 7th February, 1916, for a copy of all correspondence and reports on the

claims of sealers of British Columbia under the last treaty with the American Republic; and to inquire what amount of money has been paid to the Government under the terms of the treaty.

He said: I desire to make a few remarks in regard to this inquiry which stands in my name, and I hope that I shall not be too long in dealing with the matter; but it is a matter that requires some explanation, and there is some history attached to it which I think will be necessary to lay before honourable gentlemen in order that they may understand the situation.

As honourable gentlemen know, the Alaskan territory was bought by the United States in the year 1867 from the Russian Government, and the Pribyloff islands were a part of that territory. After the United States Government had taken over these islands they made an arrangement with a company to take over the killing of the seals on the islands. At that time the sealskins were possibly not as valuable as they are at the present day; but some years later men in British Columbia, in Victoria especially, started to hunt for seals in Behring sea. They were what were known as pelagic sealers. I think they started about the year 1873, but it was not until the year 1886 that their method of hunting had become rather a nuisance, I presume, to the men who owned the islands. United States revenue cutters then started to examine ships, and in the year 1886 they made some seizures. The United States revenue cutter Corwin seized in Behring sea the British sailing schooners Carolina, Thornton, and Onward, and warned out of that sea the British schooner Favourite. The vessels that were seized were not trespassing inside of the three-mile limit of the Pribyloff islands; they were seized in the open sea.

This condition of things continued during the years from 1886 or 1887 up to 1890, and then an arrangement was reached whereby a modus vivendi was to be in force until the British Government and the United States Government could come to some understanding as to the claims set up by the United States Government in Behring sea. The modus vivendi remained in force until the year 1893, when what is known as the Paris award, covering regulations dealing with this question, was arrived at. When the representatives of the various governments met in Paris, the contention of the United States Government that Behring sea was a closed sea was disallowed, and the contention of the British Government that all the nations of the world practically had the right to go and fish for seals in Behring sea was maintained. Then the question of the seizure of British sealing vessels in previous years came up, and the United States Government agreed to indemnify the men who had suffered on account of those seizures. At the time the award was made, I think I am right in stating, Sir John Thompson, who represented the Canadian Government, refused to sign the award, because other sealers—not the men who had been injured on account of their vessels having been seized, but other men in British Columbia who carried on sealing in Behring sea—were not compensated for the loss to their business which would result from the regulations that had been agreed to between the British Government and the United States Government. The award made in Paris, which set out these regulations, provided that pelagic sealers should not be allowed to hunt for seals in a zone of 60 miles around the Pribyloff islands, and that they should not be allowed to hunt for seals between the 1st of May and the 31st of July. Now, those three months were the best months of the year for sealing in those waters. The habit of the seal is in the fall of the year, in November or thereabouts, to go south, to stay in the southern waters until the beginning of the following year, and then to go north again. About the 1st of May, or a little earlier, the seals begin to arrive on the Pribyloff islands, and they continue to come there until the middle or end of July. So that the best time for men who were hunting seals in Behring sea to carry on their work was during those three months during which under the regulations agreed to by the two governments they were prohibited from hunting. Therefore their business was very seriously interfered with.

In the year 1897 a commission was appointed by the Canadian Government and went to Washington, and the question of compensation to the Canadian sealers was one of the questions brought up as between the two governments on that occasion. Sir Louis Davies, at that time Minister of Marine and Fisheries, tried to have the question arranged. With that object in view, he instructed the sealers to have their vessels, their nets and every other instrument for catching seals, properly valued; and a man was sent from Nova Scotia to British Columbia for the purpose of plac-

ing a value on their whole outfit. The value that this man placed on the vessels was $553,129. This was reported to Sir Louis Davies, and he, as representing the Canadian Government, asked the sealers whether they would compromise by agreeing to take the sum of $450,000 in settlement of their claims for compensation. This I understand they agreed to do, but, owing to other matters which the two governments were at that time trying to arrange, this question was left open, no definite arrangement being arrived at. It has stood in that position ever since.

The men who were engaged in this sealing industry in the year 1900 came to the conclusion that the best thing that they could do was to organize all their interests and form themselves into a company, called the Victoria Sealing Company. They represented at that time 43 vessels, out of a total number of 46 which made Victoria or Esquimalt their headquarters and were sailing out of Victoria to the sealing grounds. They were of course fishing under great disadvantages, being placed in the difficult position of not being able to hunt for seals at the best time of the year. In consequence of these disadvantages under which they were placed by the regulations, although they really controlled 43 vessels during the season of 1901, only 24 put to sea. In 1902 28 vessels put to sea, in 1903 20; in 1904 19, and so on down to 1909, when only one put to sea. In the years 1910 and 1911 no vessels belonging to this particular sealing company attempted to go to Behring sea for the purpose of catching seals. However, in the year 1903 one vessel not owned by the Victoria Sealing Company started hunting for seals in Behring sea; and this went on until in 1907 there were five independent vessels engaged in the business. Some of these vessels went on hunting until the year 1911.

Now, there is a difference of position between the vessels owned by the Victoria Sealing Company and those independent sealers, who went into the business in 1903. The men interested in the Victoria Sealing Company had gone into the sealing business before the regulations were made, and before there was any stipulation that they had to follow those regulations which were a detriment to them. The other men, who went into the business in 1903, of course started sealing in the face of the regulations and knew the difficulties they would encounter. The sealers represented by the Victoria Sealing Company, inasmuch as the regulations had interfered very much with their fishing in Behring sea in the year 1894, went across to the Japanese side, where they found many seals, and got a large number of skins. This fact was brought to the knowledge of the Japanese Government, and the Japanese people, later on, finding that money was to be made out of hunting for seals, went into the business and in 1902 started hunting for seals in Behring sea. Up to that time the only persons who had been hunting seals, and to that extent had been sustaining the rights of Canada to hunt in those waters, were those men practically represented by the Victoria Sealing Company. They were bound by the regulations made between the Government of Great Britain and the Government of the United States, and they had to obey those regulations. The Japanese sealers, however, were not a party to those regulations. They came over into Behring sea, and were able to hunt anywhere outside of the three-mile limit around the Pribyloff islands, and they could hunt at any time during the year, and could use any method which they chose to kill seals; they were not restricted in any way. The United States Government therefore tried to bring about an arrangement whereby the Japanese Government would be made a party to an understanding in order that the seals might be protected. This led to a treaty made in 1911 between the United States Government and the British Government. on the condition that the Russian Government and the Japanese Government, who were interested in these matters, should become parties to it. The position was this: the United States Government owning the Pribyloff Island, the Japanese Government owning the Robben reef, and the Russian Government owning the Commander island, were all owners of islands to which seals resorted; but the British Government and the Canadian Government, not being the owners of any such island, were cut out of the sealing under this treaty. An arrangement was therefore made that the British Government should receive an amount representing 15 per cent of the value of the catch of seals on the Pribyloff islands, 15 per cent of the value of the catch of seals on the Russian islands, and 10 per cent of the value of the catch of seals on the Japanese islands, in any year.

Hon. Mr. CASGRAIN: Why was that paid to the Government?

Hon. Mr. BOSTOCK: In consideration of joining in this treaty and resigning their

right to hunt for seals in Behring sea. It was also arranged under this treaty that no seals should be killed by the company to whom the United States Government had leased their islands for five years from the date of this arrangement; and the United States Government agreed to pay to the British Government the sum of $200,000 as a first payment, out of the moneys that would become due to them under this arrangement. They were to pay a similar sum to the Japanese Government.

After this arrangement was come to between the two governments, the Government of Canada appointed a Commissioner to inquire into the claims of the sealers who were now prohibited from hunting in Behring sea. As a result of that inquiry a report was brought down to the House of Commons on the 7th of February, 1916. The Commissioner was appointed under an Order in Council. I do not think it necessary to read the whole of it, but I should like to read the part which I think bears on this question:

That by the Paris Award Regulations of 1893, which were made effective by Imperial and United States legislation in 1894, serious restrictions were imposed upon the operations of British and United States pelagic sealers, which restrictions, it is represented, made the business so unprofitable that several Canadian pelagic sealers and sealing vessels were forced to abandon the industry;

That certain Canadian citizens claim to have been damnified by the above-mentioned treaty and regulations, and to be entitled to compensation;

That it is desirable that a thorough investigation of all claims flowing from or arising out of the Pelagic Sealing Treaty and the Paris Award Regulations aforementioned should be made;

The minister therefore recommends that Hon. Louis Arthur Audette, Assistant Judge of the Exchequer Court, be appointed a commissioner under chapter 104 of the Revised Statutes of Canada for the purpose of investigating all such claims; that for said purpose he be authorized to receive claims, to take evidence in regard thereto, to hear counsel on behalf of the claimants, if such claimants so desire, as well as on behalf of the Crown, if it be decided that the Crown should be represented by counsel; that the said commissioner be authorized to visit British Columbia and such other places as he may deem necessary for the purpose hereof, and that as soon as possible thereafter the said commissioner report to the Minister of Marine and Fisheries his proceedings under said commission, together with the evidence and his opinion, having regard to the said treaty and regulations, and the evidence of each case as to what person or persons, if any, is or are entitled to be paid compensation by the Crown for damage resulting from such treaty or regulations, and what amount each of such persons is entitled to be so paid.

The minister further recommends that the Minute of Council of the 10th May, 1913—P.C. 1054—be rescinded, and that this minute be substituted therefor.

The committee concur in the foregoing and submit the same for approval.

Honourable gentlemen will notice that the Commissioner was to inquire into the claims which came both under the treaty and under the regulations; and the report which was brought down will show, I think if honourable gentlemen have taken the time to read it, that the Commissioner took a decidedly peculiar view of the situation in dealing with the matter. He has divided the claims into four different classes. He rules out of court the three first classes. The claims of the Victoria Sealing Company came under class C—and to me it appears that the Commissioner has taken a very peculiar view of the situation in dealing with these claims. He has only allowed consideration to those men who were fishing in the years 1910 and 1911. He appears to have ruled other claims out of court altogether for various reasons, but, as far as one can learn from the report, principally because the men were not fishing during those two years.

I have tried to show to the House that the men who were fishing in the years from 1886 onward are the men who established the right of Canadians and British subjects to fish in those waters, and that, if it had not been for their enterprise, energy, and courage, Canada practically would not have established the right to hunt for seals in Behring sea, and if they had not established any right, they would not have had any claim to consideration when this treaty was made in 1911. I have shown also that at one time, at any rate, the United States Government was prepared to compensate these men for the loss of their business and the difficulties under which they were carrying it on, owing to the regulations made in 1893; and I think that honourable gentlemen, in considering this matter, will see that these men have not been fairly dealt with when their claims were turned down simply because they were not fishing in the years 1910 and 1911. They continued fishing as long as it was possible for them to do so. They had not the Bank of England at their back; they had not unlimited money to enable them to stand being overhauled by the United States revenue cutters, and also the British cutters—because the British ships were bound to see that the regulations were properly carried out. This was the cause of a great deal of

expense, a great deal of trouble, and a great deal of annoyance. In the year 1908, one of their vessels called the Carlotta Cox was seized, and the owners were fined $6,000 and put to other expenses. In that year there were only 10 vessels really trying to hunt seals, and when this seizure was made the company did the best they could to call the other vessels in, because they did not want to have any more seizures, and did not want to have to pay large sums of money for what was claimed to be an infringement of the regulations.

Contrast the treatment which the Canadian Government has meted out to these men with that meted out by the Japanese Government. When they saw what was to be made out of pelagic sealing, the Japanese Government not only encouraged their men to hunt seals, but, between the years 1902 and 1911, bonused them to encourage them to follow up the sealing industry. When the arrangement was made between Japan and the United States, the Japanese Government compensated their sealers to the extent of $600,000, although I do not think there is any instance of their boats having been seized and their owners fined, as was the case with the sealers from British Columbia. Honourable gentlemen will see that the Japanese Government was very much more considerate and generous towards its people than the Canadian Government has been to its people up to the present time.

This return was brought down to the House in February, 1916. Later on the sealers, through their counsel, wrote to the Department of Marine and Fisheries asking for a re-hearing of the case, and forwarded a petition to the same effect, because they felt that they had not been fairly dealt with in the matter. On the 22nd of November, 1916, they wrote a letter to the department, drawing attention to their action of the 26th of April, 1916, and asking the Government to consider the matter further. The letter was as follows :

Victoria, B.C.,
November 22nd, 1916.

To the Hon. J. D. Hazen,
Minister of Marine and Fisheries,
Ottawa.

Sir:

On the 26th of April last the Victoria Sealing Company, Ltd., sent you a protest against the findings of Mr. Justice Audette regarding the Sealing Commission, for which he was appointed commissioner.

A reply to the petition that a re-hearing of the matter be given has never been received by this company, although the shareholders have been anxiously looking for it all this time.

Would you kindly let us know whether the petition for a re-hearing is to be granted, or whether it is refused.

We have the honour to be, Sir,
Your most obedient servants,
The Victoria Sealing Company, Ltd.,
per F. W. Adams,
Secretary-Treasurer.

On the 29th of November they received this letter from the Deputy Minister of Naval Service:

Sir:

I beg to acknowledge your letter of the 22nd ultimo, calling attention to the protest of the Victoria Sealing Company, Limited, against the findings of Mr. Justice Audette in connection with the Pelagic sealing claims, and the request for a hearing in the way of appeal before the Governor in Council or otherwise.

In reply, I am directed to state that as the claimants were given full opportunity to substantiate their claims before the commissioner, and the award was made in the light of the evidence submitted, it has been decided after careful consideration of the matter, to accept the award of Mr. Justice Audette as a final closing of the case. I am, Sir,

Your obedient servant,
(Signed) G. J. Desbarats,
Deputy Minister of the Naval Service.

Dear Sir:
F. W. Adams, Esq.,
Secretary-Treasurer,
Victoria Sealing Company,
Victoria, B.C.

Not satisfied with that, the Victoria Sealing Company wrote to the Premier, and on the 6th of January they received a reply from the Premier, which reads:

Prime Minister's Office, Canada.
Ottawa, Ont.,
January 6th, 1917.

Dear Sir:—

In reply to your letter of the 22nd November last, I beg to say that the report of Mr. Justice Audette and the petition for re-hearing had been referred to the Hon. Arthur Meighen, Solicitor General, for report.

Yours faithfully,
(Signed) R. L. Borden.

F. W. Adams, Esq.,
Secretary-Treasurer,
Victoria Sealing Company,
Victoria, B.C.

But nothing further has come of this matter. This question having been carried on for so many years, a number of the men who were originally interested have been placed in position where they are almost without support of any kind. They feel that they are entitled to some compensation for the money that they have lost and the business that they have lost over this matter, and they think that the Government should take the matter up and deal with it as promptly as possible. I think that honourable gentlemen will see that there is a great deal to be said for these men, and

that they have a claim against the Government. Although it may not be absolutely a legal claim, I think that in equity their case should certainly be considered. I have therefore brought this matter to the attention of the Government and would ask their careful consideration of the same.

Hon. Sir JAMES LOUGHEED: I notice that my honourable friend has placed an inquiry upon the Order Paper in connection with the subject to which he has so interestingly directed our attention. I have an answer to that, but, inasmuch as my honourable friend has asked for copies of all correspondence and reports on the claims in question, possibly the matter had better be allowed to stand in its entirety until those papers are brought down. It is to be presumed that they will disclose the reasons why the award of Mr. Justice Audette should be carried out and why no increased allowance should be made. I shall see to it that those papers are laid upon the Table, and then, in the light of the information contained in them, honourable gentlemen on both sides of the House will have an opportunity of further discussing the subject.

The inquiry was allowed to stand.

WHOLE WHEAT BREAD.

MOTION.

Hon. J. P. B. CASGRAIN moved:

That in the opinion of the Senate, during the war, whole wheat bread should be made as soon as possible in Canada.

He said: The subject of this motion is a live question and has been a live question for many years. I want to say at once that it is certainly the most important matter that I have ever brought to the attention of this honourable House in the seventeen years during which I have had the honour of a seat in it. This is a question of great moment, particularly at the present time during the war. I crave your indulgence, honourable gentlemen, if in my remarks you do not find the co-ordination that there should be. If any injustice is done, it is an injustice to myself on account of my brief preparation.

I claim that this matter is of such urgency that not one moment should be lost in bringing it to the attention of the Government of the country. Those who will be good enough to hear me will, I hope, be convinced that 85 men can be fed with whole wheat bread, from the same quantity of wheat as would, if made into ordinary white bread, feed only 62. If this is not worthy of consideration by this honourable House, I do not know of any question that is.

How did I come to be apprised of the fact which I have just mentioned? It was due to La Presse, of Montreal, which has by far the largest circulation of any newspaper in this country. I think La Presse beats any other paper by about 40,000. Its circulation is about 140,000; I looked at the figures only five minutes ago. The next biggest paper, the Montreal Star, though it has not published its circulation lately, so far as I can see, claims 100,000. Consequently La Presse has 40,000 more circulation than any other paper. It is edited by perhaps the oldest journalist in the province of Quebec, if not in Canada, Mr. C. A. Dansereau, a man who, as the honourable member for Belleville (Hon. Sir Mackenzie Bowell) is well aware, has occupied a very prominent position in the party now in power, and a man upon whom Providence has bestowed the faculty of acquiring universal information. Owing to his immense fund of information he is able to keep the readers of that paper informed upon all the scientific discoveries that tend to make the world better. He is also able to keep them in line with the new discoveries tending to the advancement of agriculture by the aid of chemistry. It was a campaign conducted by his paper last winter that apprised me of the fact which I have mentioned, and which I was astounded to learn. The campaign was begun after the publication of a book by Dr. Aurèle Nadeau, of Beauce county, in the province of Quebec. The preface of this book is written by Dr. Arthur Rousseau, a very prominent physician of the city of Quebec, and the book has been published under the auspices of the Quebec Government entitled, "The Great Fallacy of White Bread."

Now, the question is, have we, during this war, the right to sacrifice about one-third of a crop for the sole purpose of producing spotlessly white flour, deprived, as it is, of all the ingredients that are absolutely necessary for the well-being of man, when we know that not only our Allies, but even our own mother country, England, has now adopted whole wheat bread, and that the King, on his own table, has had nothing but whole wheat bread for the past two years? Why should we lose any of the wheat when we realize that with the same quantity we can feed four men by the use of the whole wheat, whereas with the commercial bread as now used we can feed only three?

I do not blame this Government or any other Government. It is not the first time I have spoken in the Senate on the subject of bread. The Government regulates all food matters. There is a department to which is assigned that special task, that is, the Department of Inland Revenue, which has officers who inquire whether jam or preserves are made with saccharine, or sugar, or glucose, or whether figs and turnips mixed together are sold as substitutes for strawberries, and so on. The Government officers are all at work on these questions; but bread, the staple of life, the Government seems to have neglected absolutely—and in saying Government I mean all the Governments in this country, not particularly the Government of the Dominion. All Governments seem to have neglected this great question of bread, which constitutes half the food of the masses of the people.

The Government is now urging increased production. I agree entirely with the Government. We cannot increase production too much. But here is an increase already found in the yield of wheat. If the Government will only put a small measure on the statute book, we can get 25 per cent more nutriment out of the wheat than we are getting to-day.

My honourable friend from Portage la Prairie (Hon. Mr. Watson) tells me that 80 per cent is the maximum of nutriment to be got out of wheat. Well, it is not more than 85 per cent. There is not much difference between that and the figure mentioned by my honourable friend, who is an expert in the milling business, I understand.

Great Britain has adopted the use of whole wheat bread for some time past. France has also adopted the use of whole wheat bread. In France it is called ration bread for the army and "le pain du paysan" for the peasants. The saving to France annually by the use of this bread amounts to the hugh sum of $58,000,000—simply by changing from one system of grinding to another. With the permission of the House I will explain both systems in a few moments. I received a letter only yesterday from one of our late colleagues, now resident in Paris. He tells me that the people there are even going beyond the use of ordinary whole wheat bread, natural bread, and that henceforth they will have black bread; and they say they will cheerfully stand for that provided they are able to push the Germans out of France.

I believe that federal legislation is absolutely needed in order to prevent this tremendous waste. One pound of natural bread contains more mineral salt, more iron, more lime, more potash, than one pound of meat; but white bread contains hardly any of these things, because they are nearly all extracted; all of them that are found in the bread now in use are equivalent to only one-third of a pound of meat, or one-third of the food value that there should be. One pound of whole wheat bread contains 85 grams of gluten, which, as you know, is the vital part of the wheat. Gluten is the part that is of value; the rest is nothing but starch. One pound of whole wheat bread contains, as I say, 85 grams of gluten. One pound of white bread as we have it to-day contains only 40 grams, less than half, and the other ingredients in proportion, or some of them in lesser proportion.

The great advantage of the Hungarian milling—of the separation of all that is alive in wheat from all that is dead—is that white flour keeps well because it is dead, because there are no more ferments in it—nothing to cause fermentation, for you cannot have fermentation without ferments; they are carefully taken out. Then speculation comes in, and speculation is really the curse of the whole business. People can buy this dead flour, hoard it up in stores or in warehouses, keep it there for months, nay, years, if they like—until they get a better price. They know it cannot deteriorate; it is dead; it was dead before it was put there. Everything alive in it, everything that was good in it, has been taken out. Gluten, for instance, and fatty substances are likely to make the flour turn sour. It is only the starch that we get out of the wheat at present. But you can get starch out of potatoes, out of corn, out of rice, out of almost any vegetable. If it is only starch that is wanted, why use wheat, that admirable kernel which has been provided by the Creator with every ingredient necessary for the nourishment of our bodies? These ingredients have been stolen before the wheat reaches us, and all that remains is a mass of starch in one's stomach, with none of the ferments to make it easily digestible and none of the nutritive mineral salts to sustain life. All that the starch contains—I want to give it credit for what it does contain—is what are called calories; that is to say, the starch gives a certain amount of heat—a great deal of heat, if you

like. Under the German kultur, that is how prisoners are fed in Germany: it is claimed that if they have so many calories they have enough to sustain life. Starch simply acts as coal does in a locomotive: it keeps the boiler hot; it keeps the locomotive going. But there is nothing in it for repairs; there is no oil there for the machinery. A locomotive would not run very long if coal alone were fed to it and both the oil and the necessary daily repairs were omitted altogether.

Wheat, as I said before, is one of the most admirable gifts of the Creator. Thousands of years before Christ wheat was in use. It has been found in the hands of mummies buried in Egypt thousands of years before the Christian era. As showing the vitality of the germ, that wheat has been planted and has grown, with practically no difference from the wheat now grown in Egypt. There has been no change in 4,000 years. According to the Bible Abraham said, "Take three measures of meal, put them in the cinders; build the fire over it." What is it that the surveyors in the woods eat but bread made under the camp fire? In 4,000 years no change has come; only in the old days they had much better wheat, because it had not been robbed of its ferments; but now we have only this dephosphated flour which contains very little nutriment.

So the use of wheat is not new. Even Aristotle preached against the use of white bread, saying that it was impossible to have good bread without a certain admixture of bran. All the countries of the world use bread of some kind. In Lapland, for instance, they take the second bark of the pine tree, grind it up and make a sort of bread which is necessary to accompany the oily fish and the oils that they consume. In Siberia—I am speaking of northern Siberia, because, as we all know, in southern Siberia there is good wheat, splendid wheat, very much like that of our own Northwest; but in northern Siberia the small twigs of pine trees are ground to a flour and made into bread. Its nutritive value cannot be great, but still it is necessary to be used with the meat that is eaten by those people. In Iceland, where there is hardly any vegetation except moss, moss is turned into flour, from which bread is made. Spain and Italy make excellent bread and cakes out of chestnuts. Chestnut flour is much used and a very good flour it is. In India, Arabia, Egypt, Asia Minor, bread is made out of sargho and durian. The product makes a delicious bread which is used by the caravans crossing the desert and is enjoyed immensely. In the sterile parts of Russia, China, and the Orient, buckwheat and rye are used for bread. In the Indian archipelago the leaves of sago are used. Even in darkest Africa Stanley found that the negroes had a sort of bread made from the root of manioc, out of which root we obtain the familiar tapioca; the poison was extracted from this root and it was then ground up. We all know that in the Tropics the well-known banana is used by millions of people; it is their bread. In the South Seas the core of the bread-tree produces a beautiful white paste, which when heated is equal to the finest fresh hot bread that you can eat. So, you see, the use of bread has been universal from the beginning of the world.

The bakers are sinners in a certain respect, because when asked for whole wheat bread they do not want to give it. In the first place, it would be very difficult for them to procure it. They possess only white flour, which has been impoverished of all the valuable ingredients of wheat; so they buy a little bran, mix it with the flour, not putting in the other things—the fats, oils, salts, minerals, cellulose, or even the germ of the wheat, which is only one and one-half per cent, and thus make a combination. They do this because there is not as much money in the making of bread with whole wheat flour.

All the academies of medicine the world over hold that the decadence of civilized races is due to the use of white bread, because it is deprived of all the valuable ingredients of the wheat. This is not simply a statement of my own; you will find it made repeatedly ever since Hungarian milling came into use, and, as pointing directly to it, the decadence of the civilized races synchronizes exactly with the appearance of white bread. We all know that the decadence of the people in England when this war started was so great that the military regulations had to be changed more than once in order that many men might be admitted into the ranks of the army.

The nature of the flour depends upon the mode of grinding; it is very simple, and it would not take the Government more than five minutes to make a law to correct this if they wanted to do it. I know they are full of good intentions, and I hope they will take up this matter.

The large mills of this country all produce what is called Hungarian flour; that is, by roller milling. This simply means

that the wheat is put between rollers and crushed; that it is again put between rollers and crushed, and crushed again, until all the good of the wheat, including the bran and the germ, is taken out. What is left, a dead powder containing only 62 per cent of the wheat, is sold to the public, and our bread is made out of this. All the other elements of the wheat are not lost, far from it; they are used for many purposes. By the old-fashioned process of milling between millstones—and there are now steel grinders which are made to imitate the stones very well—the whole of the wheat was ground up, the starch being mixed with the other substances in the kernels, which Providence put there because they were necessary, and which should have been left there until the wheat was eaten. Wheat is unrivalled as a complete food; the substances in it cannot be found elsewhere. Why do the breeders of fine cattle always insist upon having the refuse of the mill which uses rollers, even if they have to pay a double price for it, while they pay only a half price for the refuse from the mill where the wheat is ground by millstones? The reason is that the millstone mills produce good flour but very poor bran, and the human being gets what is good, whereas in the roller mills the human being gets the poorest part of the wheat and the hogs get the best of it.

Hon. Mr. THOMPSON: The rollers do not separate it.

Hon. Mr. CASGRAIN: If the honourable gentleman would like to make a speech afterwards, he may.

This reform has been advocated for the last fifty years, and with considerable success in some countries; but it must be remembered that when large interests are at stake it is very difficult to bring about a change. There is too much money now invested in the milling business to make a change easy; but under the existing circumstances due to the war I suppose the Government will not hesitate to do what is in the public interest. In the milling of wheat during the last fifty years everything has been sacrificed to the whiteness of the flour; the nutritiveness has been taken out of it; but, now that our national resources are menaced, every Canadian home should be supplied with good whole wheat bread. Fifty years ago Liebig, who was a very great man and knew food values, said that if white bread was tolerated as a basis of food, we would have a neuropathic and alcoholic people;—and if there are any temperance gentlemen in this House, I repeat this to them.

Some hon. SENATORS: Hear, hear.

Hon. Mr. CASGRAIN: Because, a person's stomach being perfectly satisfied with whole wheat bread with everything that our Maker put into it to make it a satisfying food, there is no craving for murderous stimulants. I appeal to those who take a friendly glass now and then. When do you take your cocktail—before or after your meal? It is when one's stomach is out of order, when one feels out of sorts, that he thinks a little brandy or Scotch whisky might do him some good. But when one has taken wholesome food he does not need a murderous stimulant.

Time forbids that I should dilate upon this subject. I could make a long speech upon it. The poorness of bread causes the abuse of meat, and also the abuse of alcohol. I happen to be a stockholder in a large milling company, and I know that in proposing this resolution I am not making myself popular with the stockholders, the directors, or the managers of that company. But we are not here to look after our interests; we are here for the purpose of saying what is good for the country; here we stand on a pedestal of independence, we have no electors who have mills, and we can say what we believe to be right.

Hon. Mr. CHOQUETTE: Why did you not speak before?

Hon. Mr. CASGRAIN: I spoke as soon as I knew the facts of the case. The advocates of the millers say, "What does it matter if the hogs get the best of the wheat? Don't you eat the hogs anyway? You get it all back." That is a roundabout way of getting it back. I think that the poor man should get bread made of the whole wheat.

Dephosphated flour has lowered the average term of life in America to thirty-nine years—and I defy any one to contradict that statement; and the waste after forty years of age, owing to the use of white bread, has been enormous. One who preaches a new doctrine is treated as a visionary, but these figures are borne out by statistics. Diseases of all kinds have been caused by the demineralization of the wheat, the taking out of the mineral salts. Tuberculosis and other diseases have increased in spite of the progress of hygiene. If I had time to read this book—

Hon. Sir JAMES LOUGHEED: Oh, do not do that.

Hon. Mr. CASGRAIN: If you look at a kernel of wheat with a microscope, what do you find? You find a thick fibrous outer envelope which constitutes fifteen per cent of the whole wheat; that is bran. Inside of that, looking carefully, what do you see? You see three inner membranes. One is called the episperm, which contains fats, oils, minerals, and ferments. These are called the vital layers of the wheat, the very best part of it. Then, there is the endosperm, which contains 80 per cent of the starch and gluten. In white bread the gluten is carefully left out, because it is yellow and would impair the whiteness of the flour. Then, there is the germ, which is only one and a half per cent of the kernel. That is the richest part, but that also is taken out, by one turn of the roller.

Now, as to the chemical composition. Wheat is composed, first of all, of starch, which constitutes 60 per cent of it; albuminoids, 16 per cent; fat, 2 per cent; mineral matters, 2 per cent; cellulose, 2 per cent; and water, 18 per cent; making a total of 100 per cent. Starch generates heat, just like coal in a locomotive. The albuminoids are valuable, like the casein in milk, white of egg, or cheese, the fibrin in meat, and so on. These are called the living vegetable flesh of the wheat, a very small proportion of which is left in bread to-day. The starch in the kernel of wheat produces more heat than the starch of the very best meat. White flour is devoid of phosphates, which children need for the building up of a large, strong skeleton, and they cannot get it in white bread. Therefore, if the Government made the change proposed, they would be helping not only the men of the country but the children as well. Then, there are the soluble ferments, which help digestion, and change the starchy material first into glucose and then into dextrine. Lastly, comes the cellulose, which really means the bran, as I have stated. It has no nutritive value, but it has great alimentary value, because it mechanically separates all the starchy matter. Small particles of the starch are distributed throughout the mass, which, if it were not for the cellulose, would be just like putty. The Creator has put this cellulose into the wheat so that the juices can penetrate the starchy mass and assist in digesting it. Cellulose acts just like a policeman on the street of a large city: it activates the circulation; if there are any groups standing around the corners of the human body, the cellulose drives them out. I need not tell you that not a particle of cellulose is left in the flour that we use to-day. It comes with the inner envelope and those three fatty and meaty layers. There is also a part of the tegument, or rather tegmen—a part of the outside—which is useful and is conducive to health.

There are two varieties of bread: bread made with millstones, and bread made with rollers. When a farmer brings two bushels of wheat to be milled by the millstone process, he goes back with 100 pounds of flour. How many pounds does he take back when it is milled by the roller process? The farmer comes with one bushel of wheat, 60 pounds, to the mill. Does he go back with 60 pounds of flour? No. Does he go back with 45 pounds of flour? No. Does he go back with 40 pounds of flour? No; he goes back with 37½ pounds. Where has the 22½ pounds gone to? The miller keeps that, and that is the most valuable part of the wheat.

Hon. Mr. WATSON: May I ask the honourable gentleman if the mills that he is interested in only get 37½ pounds of flour to the bushel?

Hon. Mr. CASGRAIN: Perhaps my honourable friend from Portage la Prairie will tell us how many pounds he gave during his experience?

Hon. Mr. WATSON: Forty-three pounds.

Hon. Mr. CASGRAIN: Out of 60?

Hon. Mr. WATSON: Yes.

Hon. Mr. CASGRAIN: He kept 17 pounds for himself.

Hon. Mr. WATSON: I gave 43 pounds of flour; bran and shorts are different.

Hon. Mr. CASGRAIN: They are the best part of it. Well, we will compromise and call it 40 pounds. I said 37½ pounds and my honourable friend said 43.

White flour contains, first, starch, which is absolutely dead; that is, after it has left the mill of my honourable friend from Portage la Prairie. Second, it contains only half the gluten; third, almost no mineral salts; fourth, still less fat; fifth, no ferment; sixth, no cellulose. Who has all these? The millers have, and they are the very best part of the wheat. Here is an example: Some 25 years ago a celebrated scientist in France, Magendie, made a test of the merits of whole wheat bread and

bread as we have it to-day. He tried it on dogs. He took all the dogs from the same pack. The dogs were fed on bread and water, and those which were fed on the bread made as it is to-day lived only from 40 to 50 days, while the other dogs, eating whole wheat bread, continued to live, and at the end of the test were perfectly well and healthy animals. Dr. Maistrion made a similar test on a human being and found that 58 per cent of the bread made as we have it to-day was left undigested in a man's stomach, while the whole wheat bread only left 5 per cent undigested. Those admirable proportions in the kernel of the wheat are all destroyed by roller milling. All that the Government would have to do to correct this would be to prohibit the use of rollers and reinstate the millstone, or at least not allow so much rolling, because it is the constant bolting that gives the fineness to the flour, resulting in the production of a useless starchy powder.

I know that the Government would have trouble in carrying out this proposal, because when error is backed by strong financial interests its initial velocity increases in geometrical proportion. The millers have found it easy to keep this flour because there is no danger of its getting spoiled; the speculator also finds it a good thing to handle, because there is no danger of fermentation, the ferments having been taken out of it. The gluten, which is a highly perishable nutriment, is out also. Fats easily become rancid, and therefore the millers want to take them out. But the dead flour keeps well, especially under the conditions that I have mentioned; and I would like to call the attention of the House to the ingredients that are added in order to kill any perishable substances, which means living substances, that perchance have escaped the murderous rollers. For instance, they put in alum, talcum, boric acid, salicylic acid, gypsum, and other ingredients to kill anything that may be alive in the flour.

Gluten is of course the most valuable ingredient of the wheat. I have said it does not go into the flour, but it goes to make macaroni. Compare the small quantity of macaroni that will provide a satisfying meal with the huge piece of bread that would give you the same nutriment. In the macaroni the gluten which has been taken from the wheat brings the miller a good price, macaroni being much dearer than bread.

Then, look at all the catchy advertisements in the papers. Those advertisements are perfectly true. Grape-nuts, for instance, you see advertised everywhere. That is an excellent food, containing the very best of the wheat. There is where the miller makes his money. The farmer does not get the shorts and the other valuable elements of the wheat; the miller gets them and sells them to his other customers. Force is another good food. Then there is wheat flakes; there is Renaux flour, very much used in France; there is Graham flour; Bledine; Jacquemaire; and Nestle's Food. Nothing is better than Nestle's Food, but it costs from 30 to 40 cents a pound in ordinary times. Then there is Mellin's Food. Where do you find all these good foods? You find them on the shelves in the grocery stores; you do not find them in the cart of the baker. He goes his rounds with that stuff which is fit for neither man nor beast.

The roller millers have many sources of revenue, as I have shown you; but the millstone has only two: good flour and poor bran.

The decrease in height of people in England is due to white bread and synchronizes with its appearance.

While I am talking about bakers I may just as well give them away entirely. They have another trick. The dough, all saturated with water, is put into the oven. This is altogether too hot, and immediately a beautiful golden crust forms around the lump of dough and you would think from its appearance you had a lovely loaf of bread. But what have you? That crust having been put on too quickly, the dough has not had time to dry, and you have 40 per cent of water when you should have only 22 per cent, which you would have had if the bread had been properly baked. There is 18 per cent clear profit for the baker.

There is another point. When the flour is so poor in gluten that they cannot possibly use it, the bakers say, "We must alter that." So they add bean flour to the wheat flour, because bean flour contains a good proportion of gluten, but the colour is gone. Resort is therefore had to the use of gypsum, which is nothing but ground stone. This is put in and it makes the flour white and heavy; so it is profitable in both respects.

As I said before, the Hungarian milling is good for the fattening of hogs; the hogs get the best, to the detriment of human beings. This Hungarian method of milling is justified in Hungary, because Hungarian wheat is richer in gluten than the wheat of any other country. The proportion of gluten in Hungarian wheat is sometimes as

high as 22 per cent. The most that our wheat ever has had is 16 per cent. Therefore the Hungarians could afford to extract some of the gluten and would still have enough left to make their bread wholesome.

The price of peace is the loaf of bread. Bread is the price of internal peace in Europe, and the size of the loaf will now depend absolutely on what can be done from the North American continent. The Allies, in order to provide the minimum bread ration, will require more than 500,000,000 bushels of wheat at the next harvest. With the lower classes bread is the fetish food, and without the loaf—even assuming that you give them a dietetic sufficiency of something else—you could not preserve public tranquility. Bread is the price of peace.

May I make a slight digression? I would refer you to what took place in Petrograd a few weeks ago, when the people were crying for bread. I have lately met a friend who went to Russia to deliver forty locomotives made in Kingston, Ontario. They were landed at Vladivostok but at that point the railroad, the bridges, etc., were not strong enough to carry heavy locomotives, and they had to be taken to another place, to Harbin, where the three countries, Korea, China, and Russia, meet. He spent six months there putting up these locomotives, and from there he went on to Petrograd. It took him eight days to go that distance. At every station along the way peasants came to offer food of every kind, but when he got to Petrograd there was little food to be had at any price, because all the railways of Russia were busy hauling men and munitions. An improvident Government had forgotten the first essential, bread. If there had been bread, Czar Nicholas would probably be on his throne to-day. That was the mistake he made—not to have provided bread for the people. This is similar to the case of the French queen, Marie Antoinette. When the French revolution began she asked, "What is the matter? What are the people crying for?" "Your majesty, they want bread." "Give them some," she said. "We have none," was the answer. "Then give them cake," she said.

Bread is the natural necessity for the peace of the country. In addition to the 500,000,000 bushels of wheat needed, the Allies will require from 250,000,000 to 350,000,000 bushels of other cereals. Therefore we have the problem of furnishing from 800,000,000 to 1,000,000,000 bushels of grain. In France alone the wheat crop is down to 55 per cent, creating a deficiency of 150,000,000 bushels. All the supplies of Russia, Bulgaria and Rumania are absolutely cut off. Those of Australia and India are also in effect cut off, because the carriage is three times the distance across the Atlantic; the tonnage required is trebled and the danger just about doubled. The result is that the Allies in Europe have been unable during the last three months to get any consequential amount of grain from those directions. Whether that lane will be re-opened is a matter of some doubt. Some measures are being taken to re-open it, and it may be hoped that during the next year some food supplies may be obtained from Australia and India by the use of sailing ships and by transhipping at some point like Buenos Aires or Panama.

In supplying the great vacuum of food across the water, public tranquility in this country must not be disturbed. Therefore, honourable gentlemen, in conclusion, I say that the State should not permit the handling of wheat, in this time of war, to be a business in the hands of schemers. The State should punish all those who lay an unholy and sacrilegious hand on the staff of life. If the wheel of hygienic progress cannot turn without crushing some one, let the speculator perish, but may the great mass of the people be saved!

Hon. Mr. CHOQUETTE: I desired a moment ago to ask a question, but my honourable friend did not give me the opportunity. The speech to which we have just listened is certainly a most interesting one and illustrates the variety of subjects which are dealt with in this House. I am willing to accept the statements which have been made, but many of them are so startling that I shall be almost afraid to eat a piece of ordinary bread. The question I desire to ask is this: where are the authorities, the books, in which we can verify the statements which the honourable gentleman has made regarding bread? If those statements go out to the public and cannot be controverted, there may be a general desire to enter the milling industry, and that would be unfortunate, because, according to the statements of my honourable friend, the millers are stealing the best part of the wheat. I wish to congratulate the honourable gentleman on the speech which he has taken in collecting the information, and I would ask him who are the authorities to

whom we can refer to ascertain if all his startling statements are correct?

Hon. Sir JAMES LOUGHEED: Would my honourable friend (Hon. Mr. Casgrain) permit me to ask another question?

Hon. Mr. CASGRAIN: I shall be glad to answer the questions, one at a time.

Hon. Sir JAMES LOUGHEED: Would my honourable friend object to saying how long he has been using this whole wheat bread himself?

Hon. Mr. CASGRAIN: I will answer one question at a time. As to the authority, I have no less authority than the book published by direction of the Hon. Joseph Ed. Caron, Minister of Agriculture of the province of Quebec. Bulletin No. 24 is entitled, "The Great Fallacy of White Bread," by Aurele Nadeau. If the honourable gentleman (Hon. Mr. Choquette) would take the necessary time, as I have done, he would see on the very first page of the book quotations from Professor Arm. Gautier, in "L'Alimentation;" Professor Maurice Letulle, in the preface of "Pain Naturel;" Professor Tarnier, in "Le Pain;" and Dr. Monteuuis, in "Pain Naturel." I am very glad that my honourable friend has given me the opportunity of saying something more on the subject. In the book is a model equipment of flat grinding mill-bakeries. Eleven hundred pounds of this kind of bread can be made every day, and for the production of that quantity it would only be necessary to have a five horse-power gasolene motor. I would recommend that the members of this House read this book, prepared under Government authority, and giving the results of various tests that have been made. I may say I have taken several hours to study this question, and I have tried to give you the benefit of it all in forty minutes; but if you desired it I could continue and give you further information.

In answer to the question by the honourable leader of the Government, I may say that I never could get any satisfaction out of white bread; I never liked it—I suppose because it is not good. I did not know that before, but my stomach must have been wiser than my judgment.

Hon. Mr. CHOQUETTE: I am personally acquainted with Dr. Nadeau, who wrote the book in question; also with Dr. Rousseau. They are two gentlemen of very high reputation. I do not think, however, that the book is authority for all the statements which have been made by the honourable gentleman.

Hon. Mr. RICHARDSON: There is nothing more urgently needed to-day than thrift, and everything possible should be done to increase production. As far as wheat is concerned, we cannot increase our resources, because the crop is now planted, and we must make the most of the yield. Whether I agree entirely with the statements made by my honourable friend or not I am not disposed to say at the present time. I would like to move the adjournment of this debate, because there is in his speech much food for serious thought, and we may later on be forced to adopt some such measure as the honourable gentleman has proposed to-day. There are many points to be considered in connection with this question. Some have been brought out in the course of the discussion, but there may be others that can be brought out only by careful study and in the light of further information. I would therefore move the adjournment of the debate until Thursday next.

The debate was adjourned.

PRIVATE BILLS.

FIRST READING.

Bill C2, an Act to incorporate the Imperial Order, Daughters of the Empire, and the Children of the Empire (Junior Branch). —Brigadier-General Hon. Mr. Mason.

THIRD READINGS.

Bill 5, An Act respecting The Guardian Accident and Guarantee Company, and to change its name to "The Guardian Insurance Company of Canada."—Hon. Mr. Belcourt.

Bill 14, An Act respecting The Grain Growers' Grain Company, Limited, and to authorize it to change its name to "United Grain Growers, Limited."—Hon. Mr. Sharpe.

Bill 15, An Act respecting the St. John Board of Trade.—Hon. Mr. Daniel.

Bill 29, An Act to amend the Act incorporating The Canadian Surety Company.—Brigadier-General Hon. Mr. Mason.

Bill 11, An Act respecting The Canadian Order of the Woodmen of the World.—Hon. Mr. Sharpe.

Bill 44, An Act to incorporate Alliance Nationale.—Hon. Mr. Beaubien.

Bill 40, An Act to incorporate La Société des Artisans Canadiens Français.—Hon. Mr. Larivière.

SECOND READINGS.

Bill N, an Act respecting The Western Life Assurance Company.—Hon. Mr. Watson.

Bill O, an Act respecting a patent of Ernest Mead Baker.—Hon. Mr. Belcourt.

Hon. Mr. BOSTOCK: Will the hon. gentleman kindly explain?

Hon. Mr. BELCOURT: The explanation is the old one. The fee for this patent was left with an attorney, who died without renewing the patent in time, and the patent lapsed. This is an application to revive it.

Bill Q, an Act respecting The Vancouver Life Insurance Company.—Hon. Mr. Bostock.

Bill R, an Act respecting The Security Life Insurance Company of Canada.—Hon. Mr. Bostock.

Bill S, an Act respecting The Canada Preferred Insurance Company.—Hon. Mr. Bostock.

Bill V, an Act to incorporate The Dominion Council of the Girl Guides' Association. —Hon. Sir Mackenzie Bowell.

DIVORCE BILLS.

FIRST READING.

Bill D2, an Act for the relief of George Walter Sherald Garrett.—Hon. Mr. Ratz.

THIRD READINGS.

Bill J, an Act for the relief of Charles F. R. Jones.—Hon. Mr. De Veber.

Bill K, an Act for the relief of Florence A. Kennedy.—Hon. Mr. Taylor.

Bill L, an Act for the relief of John B. Parker.—Hon. Mr. Taylor.

Bill M, an Act for the relief of Beatrice Matthews Hilton.—Hon. Mr. Gordon.

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

THE SENATE.

Friday, June 1, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

STAFF OF THE SENATE.

PROPOSED PROMOTION AND APPOINTMENT.

The Hon. the SPEAKER laid on the Table a communication from the Clerk of the Senate reporting a vacancy on the staff of the Senate in subdivision B of the First Division, occasioned by the death of Mr. Byron R. Nicholson, Clerk of English Journals, and recommending that the duties of Clerk of English Journals be assigned to Mr. C. H. Jones in addition to his duties as Clerk of Minutes, and that he be promoted from subdivision A of the Second Division to subdivision B of the First Division, such promotion to take effect from the first day of June next.

The Hon. the SPEAKER laid on the Table a communication from the Clerk of the Senate reporting a vacancy on the staff of the Senate in consequence of the death of Mr. William Chapman, Translator of Debates, and recommended that Mr. Jules Fournier be appointed French Translator in the Senate.

THE LIBRARY OF PARLIAMENT.

PROPOSED APPOINTMENT.

The Hon. the SPEAKER laid on the Table a communication from the Joint Librarians forwarding a certificate from the Civil Service Commissioners in favour of Herbert Charles Stock, authorizing his appointment as a messenger at an initial salary of $800 per annum.

On motion of Hon. Mr. Power, the above communications were referred to the Standing Committee on Internal Economy and Contingent Accounts.

PRIVATE BILLS.

FIRST READINGS.

Bill E 2, an Act to incorporate the Dominion Good Roads Association.—Hon. Mr. Beaubien.

Bill F 2, an Act for the relief of Gertrude Ellen Beal.—Hon. Mr. Pope.

Bill G 2, an Act for the relief of Donald George Whibley.—Hon. Mr. Owens.

CLAIMS OF BRITISH COLUMBIAN SEALERS.

MOTION FOR PAPERS.

On the inquiry:

Hon. Mr. BOSTOCK:

That he will call the attention of the Government to a return made to an Order of the House of Commons of the 7th February, 1916, for a copy of all correspondence and reports on the claims of sealers of British Columbia under the last treaty with the American Republic.

And will inquire what amount of money has been paid to the Government under the terms of the treaty?

Hon. Mr. BOSTOCK: I understood my honourable friend (Hon. Sir James Lougheed) to suggest that this should be made a motion for papers. Would it not be well to put it in that form and place it among the Orders of the Day as an adjourned debate?

Hon. Sir JAMES LOUGHEED: The papers would be placed on the Table of the Commons. Does my honourable friend wish to make it a motion for papers?

Hon. Mr. BOSTOCK: Yes, and placed among the Orders of the Day for a debate at a later date, say Tuesday next. With the Commons. Does my honourable friend wish to make it a motion for papers?

The motion was agreed to as a motion for papers.

TERRITORIAL DEFENCE OF QUEBEC.

Hon. Mr. LANDRY: Before the Orders of the Day are called, I would ask the honourable leader of the Government if he will be kind enough to inquire what has become of an Address that was agreed to on May 22 for a copy of all correspondence exchanged between the Government or its ministers and Major-General F. L. Lessard. The document is a very short one. I suppose it may be expected at the next sitting of the House. I should be glad to have it before the prorogation of Parliament.

PRIVATE BILLS.

THIRD READINGS.

Bill B, an Act respecting The Essex Terminal Railway Company.—Hon. Mr. Taylor.

Bill 6, an Act respecting The Athabaska Northern Railway Company.—Hon. Mr. De Veber.

Bill 9, an Act respecting The Lachine, Jacques Cartier and Maisonneuve Railway Company.—Hon. Sir Mackenzie Bowell.

Bill 16, an Act to confirm certain agreements made between The Vancouver, Victoria and Eastern Railway and Navigation Company and the Canadian Northern Pacific Railway Company.—Hon. Mr. Bostock.

Bill 17, an Act respecting The Western Dominion Railway Company.—Hon. Mr. Talbot.

Bill 26, an Act respecting The Calgary and Fernie Railway Company.—Hon. Mr. De Veber.

Bill 28, an Act respecting The Canadian Northern Quebec Railway Company.—Hon. Mr. Casgrain.

Bill 30, an Act respecting The Canadian Western Railway Company.—Hon. Mr. Watson.

Bill 35, an Act respecting The Kaslo and Slocan Railway Company.—Hon. Mr. Gordon.

Bill 37, an Act respecting The Mount Royal Tunnel and Terminal Company, Limited.—Hon. Mr. Casgrain.

Bill 25, an Act to incorporate The Eastern Telephone and Telegraph Company.—Hon Mr. Thorne.

Bill 41, an Act respecting The Grand Trunk Pacific Branch Lines Company.—Hon. Sir Mackenzie Bowell.

SECOND READINGS.

Bill X, an Act respecting a certain patent of The Sharp Rotary Ash Receiver Company, Incorporated.—Hon Mr. McHugh.

Hon. Mr. DANIEL: Explain the Bill.

Hon. Mr. McHUGH: The explanation of the Bill is given in the Bill itself. It is an application to this House for the passing of an Act giving the Commissioner of Patents power to revive the patent. This is the only way in which, under the Canadian law, any person who has lost his right to a patent can come into possession of it again.

Hon. W. B. ROSS: Why?

Hon. Mr. McHUGH: There is a default in the payment of the fee. It was paid in the first place for a period of six years. In Canada the patent is generally paid for in three instalments; the fee for a patent for 18 years is $60—$20 for the first six years, $20 for the next six, and so on. When the patent was taken out the fee was paid for the first six years, but at the end of that time it was allowed to lapse, the second payment was not made in time and consequently the patent expired. In England such a thing would not happen. A fine would be imposed by the Commissioner of Patents upon the holder of the patent and he could revive it.

Hon. W. B. ROSS: Does the honourable gentleman know why the second payment was not made in time?

Hon. Mr. McHUGH: I think honourable gentlemen are familiar with the procedure which has been followed for some years past. Bills of this kind have been sent to a committee, and evidence has been furnished to the committee by the applicant showing the reasons why the pat-

ent was allowed to lapse. If the reasons have not been satisfactory the committee has reported against the Bill; if they have been satisfactory, the report has been in favour of having the patent revived. If this Bill goes to the committee, the solicitor who will appear for the applicant will no doubt be in a much better position than I am to explain why the payment of the fee was not made in time. Sometimes it is because of an oversight, sometimes it is through the fault of an agent or a clerk. I see that this patent was held by a person in the state of New York. The laws of the United States are very different from those of Canada, and the patentee might not know that he was losing his rights in Canada. In the United States all patents are granted for the full term of 17 years and the fee is paid at once. This patent being held by an American, he may not have been familiar with the Canadian law, and may have overlooked the fact that he had to attend to the payment of the fee. However, that will be a matter for the committee to deal with. All the necessary explanations have to be given there, very often under oath, and the solicitor for the petitioner will appear before the committee.

Hon. W. B. ROSS: Can the honourable gentleman tell us the date when the second payment became due?

Hon. Mr. McHUGH: The Bill tells that; it became due on March 15, 1916, and the application for the Bill was made on February 17, 1917; so it was lapsed about eleven months. But remember that in these Bills there is always a saving clause to protect any person who has in the meantime commenced the manufacture of the article covered by the patent, and the original patentee gets no rights against him when the patent is revived.

Hon. Mr. DENNIS: Before the honourable gentleman takes his seat, I would like to ask him if any advantage was taken of the patent during the first six years.

Hon. Mr. McHUGH: I cannot tell that; but it must have been used, because, under the Canadian law, it would have lapsed at the end of two years if the manufacture had not been begun, and I see that this patent was in effect for six years.

Bill A 2, an Act respecting the Empire Life Insurance Company of Canada.—Hon. Mr. Nicholls.

Bill B 2, an Act respecting a patent of James B. King and others.—Hon. Mr. Nicholls.

Hon. Mr. McHUGH.

Hon. Mr. McSWEENEY: I would like to hear an explanation of this Bill.

Hon. Mr. McLENNAN: In moving the second reading of this Bill I was acting for the Hon. Mr. Nicholls, who is not able to be here. He did not inform me of the nature of the Bill, but I understand it is the same as the other one.

Hon. Mr. McSWEENEY: It will go before the committee and we shall have an explanation there.

DIVORCE BILLS.

SECOND READINGS.

Bill W, an Act for the relief of Colin Darrach Poole.—Hon. Mr. Sproule.

Bill Y, an Act for the relief of Thomas Edwin Jory.—Hon. Mr. Taylor.

Bill Z, an Act for the relief of Florence Evaline Lockwood.—Hon. Mr. Mitchell.

The Senate adjourned until Tuesday, at 8 o'clock p.m.

THE SENATE.

Tuesday, June 5, 1917.

The Senate met at Eight o'clock, p.m., the Speaker in the Chair.

Prayers and routine proceedings.

CONSERVATION OF CANADIAN TRADE.

MOTION FOR A COMMITTEE.

Hon. FREDERIC NICHOLLS rose to move the following resolution:

Considering that after the war trade and commerce will be for a time disorganized and that new conditions will have to be met, and considering that, in addition to conserving our present trade in natural and manufactured products, efforts must be made to increase Canadian trade in foreign markets, having particular reference to the markets of those countries with which we are at present allied;

Be it resolved:

That, in the opinion of this honourable House, it is expedient to appoint a Committee to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed.

Hon Mr. POWER: I rise to a question of order. We have a rule which forbids the moving of any motion which is prefaced by a preamble. This resolution is prefaced by

a preamble and is consequently out of order.

Hon. Mr. NICHOLLS: If the honourable gentleman who has just spoken had given me the opportunity, I was going to say that owing to my inexperience in this House I had inadvertently introduced what may be classified as a preamble, and I desire to ask the kind permission of this honourable House to withdraw that part of my resolution.

Hon. Mr. POWER: Certainly; that is perfectly correct.

The preamble to the resolution having been, by leave, withdrawn,

Hon. Mr. NICHOLLS moved:

That, in the opinion of this honourable House, it is expedient to appoint a Committee to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed; and that Committee consist of Hon. Messrs. Beaubien, Edwards, McLennan, Dandurand, Gillmor, and the mover.

He said: Honourable gentlemen, on rising to address this House for the first time I bespeak your indulgence. The subject of the resolution is of the utmost importance, and I approach it with diffidence; but my endeavour will be to place before you such facts as I hope may impress you with the advisability of the appointment of a committee as suggested by the resolution. The subject is also one which could be dealt with at great length, and many arguments could be cited in favour of the plan suggested, but if I err it shall be on the side of brevity.

Presently this country is, notwithstanding the war, but rather as a result of the war, experiencing a period of great prosperity. Prior to the commencement of the war Canada borrowed about three hundred million dollars each year from Great Britain, partly to pay interest on debts already contracted, and partly to develop our resources and for industrial investments. When the tocsin of war first sounded this source of supply was shut off immediately. For a short period trade and finance were severely disorganized, but the recovery was not long delayed, and our recent trade returns—and figures in the final analysis are what count—almost surpass belief. Quoting from the recent Budget speech of the honourable the Minister of Finance, I may point out that during the first year of the war the revenue from all sources was about $130,000,000; it rose during the second year to $170,000,000; but for the year ended the 31st March last the revenue increased to $232,000,000. Our total war outlay since the beginning of hostilities is over $600,000,000, and is constantly increasing, and this expenditure has been met partly from revenue and partly from the proceeds of domestic loans, which have aggregated $350,000,000; and in addition our chartered banks have loaned to the Imperial Treasury over $150,000,000 to meet its commitments for munitions and supplies purchased in Canada.

It should, however, be remembered that a very large proportion of our prosperity is the result of extraordinary orders for war materials and supplies, amounting to vast sums, some estimate of which may be realized when I cite the fact that orders received by the Imperial Munitions Board alone amount at this time, in round figures, to about one billion dollars, and that of this sum about six hundred million dollars has already been disbursed to manufacturers in payment for munitions, and that engaged in this manufacture, directly and indirectly, there are over 250,000 workers. Further vast sums have also been paid out in the purchase of grain and other farm products, machinery, clothing, woollens, and an infinite variety of Canadian natural and manufactured products. It is because of this that my resolution draws attention to the absolute necessity of some action being taken to minimize, if at all possible, the sad check this country will receive when this source of income fails us.

After the war ceases there will certainly be a period of disorganization, when the balance of trade, which for some time past has flowed steadily in our favour, will commence to recede. The countries now at war, however, particularly those that have been devastated in Europe, will require to expend immense sums in reconstruction, and will become customers of those countries which are most ready to supply the requirements promptly and at a reasonable price. In this country we have had little experience in either looking for or catering to an export trade, and if we desire to share in the volume of business that will be offering overseas we can make our preparations none too soon.

When in Edinburgh during his recent visit to Great Britian, Sir Robert Borden stated that:

There was reason to believe Germany had before the war more thorough knowledge of the resources and development of the Dominion than could be found in the United Kingdom.

And again at Manchester Sir Robert Borden said:

It is believed that the industries of Germany will be supported and developed in future by a more thorough and powerful State organization than ever known.

Admitting that Germany in the past has built up her vast foreign trade largely through the help of the State, and admitting, as intimated by Sir Robert Borden, that state aid will be extended at even greater lengths after the conclusion of the war, it behooves us to consider whether we in Canada will leave to the individual the development of the foreign trade that might naturally accrue to Canada, or whether the Government of this country will, in some form, undertake to assist in the development.

Alexander Behr, vice-president of the Russian Chamber of Commerce, Moscow, in an article in the Journal of the Russian-American Chamber of Commerce, makes the claim that:

Germany's great increase in foreign trade up to the time of the war was due, more than to any other factor, to; first, the co-operation between her business men and her Government; and, second, the foresight and liberal methods of her bankers. Her banking facilities were shaped to suit conditions abroad, and her bankers came into direct and close contact with the people whose trade was sought. Credit conditions were studied at close quarters, and business was done through the banks.

Next to intelligent assistance from the state, it is obvious that in foreign trade the question of credit is the most important item, and in Canada our banking system does not tend to encourage the granting of credit for foreign exports other than on bills of exchange drawn against actual shipments, or commodities in elevators or warehouses. It is no criticism of the banks to draw attention to the fact that provision has not been made for a specific department for granting credits against exports of manufactured goods, for until now the necessity has not been urgent, and our manufactures had not prior to the war developed to the extent that they were in a position to cater to the world's markets.

Since the war, as I have pointed out, we have manufactured and shipped upwards of six hundred million dollars' worth of munitions alone, and I speak with knowledge when I say that the production of munitions is the most intricate, the most delicate, and the most precise class of manufacture that could be undertaken. It was an entirely new industry to Canada, and it is a credit to Canadian industry that in such a short time so many existing factories were reorganized and so many new ones established that have turned out such an immense quantity of munitions, and thereby brought to Canada so large a sum as six hundred million dollars for munitions alone. If the manufacturers, when the need arose, were able to accomplish such results, I take it that they would be equally resourceful in manufacturing many other lines of goods for export that will be required by the European countries, we hope at no late date; but in order to bring this about some systematic method of state aid will have to be adopted.

That assistance in some form is necessary is not to be wondered at when we consider that even in Great Britain they have felt the necessity of grappling with the same problem. It has been admitted that the German national system of manufacturing for export, and the system of banking facilities for export trade, were far in advance of those which obtained in Great Britain, and having these facts in view the British Government appointed a committee known as "The Committee on the Financial Facilities for Trade." A perusal of their report to the British Board of Trade is most illuminating. It is too voluminous to quote in extenso, but I bespeak your indulgence in quoting one or two of the salient clauses, one of which says:

We recognize that the British manufacturers may be frequently in want of finance of a kind which a British joint stock bank with liabilities could not prudently provide, whereas the German banks in particular seem to be able to afford special assistance at the inception of undertakings of the most varied description, and to have laid themselves out for stimulating and promoting and for carrying them through to completion. We conclude therefore that there is ample room for an institution which, while not interfering unduly with the ordinary business done by British joint-stock banks, by colonial banks, and by British foreign banks and banking houses, shall be able to assist British interests in a manner that is not possible under existing conditions.

The report further recommended that the main features of the Trade Bank should be as follows:

It should not accept deposits at call or at notice.

It should open only current accounts for parties who propose to make use of the overseas facilities which it would afford.

It should have a foreign exchange department where special facilities might be afforded for dealing in bills in foreign currency.

It should open a credit department for issuing of credits to parties at home and abroad.

It should inaugurate an information bureau.

Where desirable it should co-operate with the merchant or manufacturer, and possibly accept risks upon joint account.

It should become a centre for syndicate operations, availing itself of the special knowledge which it will possess through its information bureau.

It should receive Government assistance.

This report was not only seriously, but most favourably received by the Government, and, really at their suggestion, a British Export Bank, to be known as the British Trade Corporation, was promoted, and I have just received from Sir Albert Stanley, of the British Board of Trade, which is a department of the Government, a copy of the petition of the promoters, the deed of settlement, and the royal charter of incorporation. The petition of the incorporators, all men of the very highest standing in Great Britain, so fully sets forth the objects to be obtained that I make no apology for drawing it to the attention of this honourable House:

The humble petition of the Right Hon. Alexander Baron Faringdon, the Right Hon. Frederick Huth Jackson, Arthur Balfour, Frank Dudley Docker, C.B., William Henry Neville Goschen, John Henry Brunel Noble, and Sir James Hope Simpson, sheweth as follows:

Whereas a committee was appointed at the instance of Your Majesty's Board of Trade to consider the best means of meeting the needs of British firms after the war as regards financial facilities for trade and more particularly with reference to the financing of large overseas contracts;

And whereas the said committee issued a report whereby they recommended the establishment of an institution with the following primary objects:

(a) To afford advice and financial assistance to British commercial and industrial undertakings from their inception and generally to further the development of British trade, industry and commerce.

(b) To make advances for the enlargement of works and the extension of plant and for the amalgamation and co-ordination of works and businesses with a view to effecting economies in the cost of production.

(c) To render financial assistance in connection with transactions involving long periods of credit.

(d) To assist in obtaining orders from abroad for British manufacturers and traders, and to grant financial facilities for the execution of such orders, especially when such orders are intended to be executed in the United Kingdom.

(e) To undertake credit operations and to draw and accept bills.

(f) To acquaint themselves with the conditions of trade and with the business requirements of all countries of the world, and to enter into banking agency arrangements in such countries with colonial or British foreign banks, or where necessary to open up branches and agencies in such countries.

(g) To establish, equip and maintain information bureaus in close touch with the Department of Commercial Intelligence of the Board of Trade for furnishing British merchants or manufacturers and the business community generally with reliable data and information upon openings for trade, new contracts, state and other loan and issue proposals, and generally upon all matters relating to foreign trade and business, and to undertake the examination of industrial projects.

(h) To act as an agent for carrying through overseas commercial and financial transactions in which Your Majesty's Government may be interested and to receive official recognition and assistance.

(j) To undertake trading operations and business on their own account or jointly with others either through the medium of syndicates or otherwise.

This petition was duly acted upon, and a royal charter granted, and I quote from the royal charter that portion of it which sets forth the powers granted under the act of incorporation:

(a) To act as agents for any Governments or authorities, or for any bankers, manufacturers, shippers and others, and to carry on agency business of any description, including the power to act as attorneys and to give discharges and receipts.

(b) To carry on business as contractors, merchants or traders on their own account.

(c) To promote or finance or to assist in the promotion or financing of businesses and undertakings of any description, and to develop and prove the same, either through the instrumentality of syndicates or otherwise, and to act as an issuing house.

(d) To enter into any partnership or other arrangements for sharing profits or on joint account.

(e) To acquire and hold or dispose of any shares, stock, bonds, obligations, debentures, debenture stock, scrip or other securities or interest of any companies, trusts, or corporations, or of any governments, states, provinces, municipalities or other authorities.

(f) To acquire and hold or dispose of any interest in any railways, tramways, ships, canals, docks, harbours, armament works, shipbuilding establishments, irrigation works, electrical works, gas works, water works, and in addition any carrying, transporting, trading, industrial, agricultural, financial, or manufacturing works, concerns, or business of any description, and to carry on the same.

(g) To acquire and hold any interest in and to develop the resources of, and turn to account, deal with, pledge, and dispose of any territories, forests, mineral fields or other lands, possessions, buildings or property, real or personal, immovable or movable, in any part of the world, including lands, buildings, and other hereditaments in the British Isles, notwithstanding the provisions of any statutes of mortmain or any other statutes or laws to the contrary.

(h) To undertake and execute any trusts, and to act as executors, administrators, receivers and treasurers, and to give any guarantees.

(j) To obtain, work or dispose of any concessions, charters, acts of parliament, or other

legislative rights, monopolies, licenses, patents, copyrights, or other privileges or advantages.

(k) To establish and maintain information and investigation bureaux, and to collect statistics, returns, particulars and information likely to prove useful for the consideration of business and financial propositions, and to undertake experimental and research work.

(l) On behalf of any governments, authorities or corporations, to keep any registers relating to any stocks, shares, debentures, debenture stock, or securities, and to undertake any duties in relation to the registration of transfers, issuing of certificates, or otherwise.

Now, honourable gentlemen, I think I have shown you that the great development of German trade abroad was brought about in a comparatively short time by an intelligent system of state aid, and by a system of banking specially developed for the promotion and extension of foreign trade. I have also shown that some of the keenest business men in England, members of a committee appointed by the British Government, have arrived at the conclusion that the only way for the British manufacturer to successfully compete after the war in foreign markets is to adopt a system somewhat similar to the German system, and that their recommendations have been approved by the Government, and a royal charter has been granted to a British trade corporation sympathetically in alliance with the Government and with an initial capital of ten million pounds sterling, the English joint stock banks evidencing their approval by generous subscriptions to the capital stock.

It is not my purpose to urge any definite line of policy, but I do urge that a committee of this House be appointed so that this important matter may be given serious consideration, with the hope that after the evidence of those in this country best qualified to advise in this matter has been heard it may be possible to formulate some plan that may measurably attain a result so greatly to be desired.

It is a question whether it would be, or would not be, too radical a proposition for the Government to consider establishing a trade bureau, or a department, which would actually sell Canadian products in foreign markets and distribute the orders received amongst Canadian producers of natural and manufactured goods. Such a plan to my mind has much to recommend it. A Government department as sales agent would carry more weight than an individual or corporate body could. It would also be able to finance trade credits on a much lower basis of interest, and thereby create a trade that it would be impossible for the individual to develop. The proof that such a plan is feasible is at hand. The Imperial Munitions Board is a department of the British Government and has practically sold to that Government hundreds of millions of dollars worth of munitions in bulk, and has distributed this vast volume of trade amongst hundreds of Canadian firms, thereby saving the country from a period of depression when normal trade was dormant, affording profitable employment to thousands of both men and women who otherwise might have been a charge on the community. For further proof the War Purchasing Commission, a department of the British Government, may be cited, where we have millions of dollars worth of Canadian products sold to Allied nations, and the orders distributed broadcast to people who of their own initiative would never have sold in a foreign market.

When the war ends we run great danger of a panic through disorganized trade conditions, unless the Government lends a helping hand. Hundreds of millions of dollars have been granted to railways for the development of the country, hundreds of millions have been spent in the construction of canals and the development of our waterways, and we are to be called upon to advance millions for the construction of good roads; but of what advantage are these public works unless an expanding trade calls for their utilization? A few millions to risk in the development of trade is not too much to expect from a Government that has always stood for constructive statesmanship.

Honourable gentlemen, we in this country of ours have weighty problems to grapple with, and should we not meet them at least half way? There is work aplenty for every public spirited citizen, and should not this honourable body, composed of men of experience and ability, blaze a trail through a wilderness of conjecture as to what may happen after the war?

As you all know, this country has challenged the admiration of the world through her whole-hearted efforts to play a man's part in the brotherhood of nations, and I think I may safely make the statement that friends and enemies alike have been astounded at what our small population of virile and sturdy northerners have accomplished. We have raised and equipped an army of over 400,000 fighting men, and outside of Great Britain's present effort I doubt if ever before in any country has so large a

proportion of the male population of military age, without compulsion and of their own free will, offered to risk their lives in defence, not primarily of their own country, which has not been directly menaced, but in defence of liberty and humanity under the Imperial flag. We have also mobilized our resources, financial, industrial, and commercial, until prosperity at present reigns, and this motion is made with the object that our prosperity may continue.

Colonel Theodore Roosevelt, ex-President of the United States, in an article entitled "The Lessons Canada Teaches Us," refers to Canada's efforts in the following eulogistic terms:

> The flag that commands the respect of other nations and inspires amongst its own followers the high passion of loyalty must float over a land where there is well-distributed material well-being, but what is even more important where there have also been developed the stern and lofty virtues of resolute and adventurous valour, of trained prowess, of readiness for self-sacrifice, of power to render service, and of determined and unshakeable patriotism. These are the virtues which during the past two and a half years Canada has preeminently shown. She has passed through one of those times which try men's souls and which sift out the strong and the worthy from the weak and the unworthy. She has stood the test. She has proved her possession of those qualities that mark the people of masterful ability, able to shape their own destinies and to hold their own in the rough world of actual life.

Honourable gentlemen, is Colonel Roosevelt's complimentary reference to this country true, or is it untrue? Are we able to shape our own destinies and to hold our own in the rough world of actual life, or are we not? The war itself has been a lesson in unpreparedness, and let us take heed therefrom. I therefore venture to hope that this House will adopt the resolution for the appointment of a special committee, which resolution I have the honour of moving.

On motion of Hon. Mr. Beaubien, the debate was adjourned till Thursday next.

THE LIBRARY OF PARLIAMENT.

PROPOSED APPOINTMENT.

The Hon. the SPEAKER laid on the Table a communication from the Joint Librarians forwarding a certificate from the Civil Service Commissioners in favour of Joseph Ludger Parr, authorizing his appointment as a clerk of Subdivision B of the Second Division, in the Library of Parliament.

TRANSLATION BRANCH OF THE SENATE.

PROPOSED REORGANIZATION.

The Hon. the SPEAKER laid upon the Table a report from the late Clerk of the Senate recommending the organization of the French translators of the Senate into one branch, and recommending that Mr. L. de Montigny be appointed Chief of the French Translation Branch and French Secretary of Committees, and be paid the salary attached to the Subdivision to which his promotion assigns him.

The Hon. the SPEAKER submitted his concurrence in the said report and his recommendation of its adoption by the Senate.

Hon. Mr. POWER moved that the documents submitted by His Honour the Speaker be referred to the Committee on Internal Economy and Contingent Accounts.

Hon. Sir JAMES LOUGHEED: Does my hon. friend include in that motion the report dealing with the appointment to the library?

Hon. Mr. POWER: Yes.

Hon. Sir JAMES LOUGHEED: I fail to understand how the Internal Economy Committee can deal with an appointment to the Library, which must necessarily be the appointment of either the Joint Librarians or the Joint Committee representing both Houses. Let me assume for the moment that we disapprove of the appointment which has been made by the Librarians and that the Commons should not agree with the Senate, what would our position be? This can only be properly dealt with, it seems to me, by the Joint Committee on the Library. It cannot be dealt with by the Internal Economy Committee.

Hon. Mr. POWER: I am not very anxious that that certificate should go to the Committee on Internal Economy, but I think that if you look at the Civil Service Amendment Act of 1908 you will find that appointments to the Parliamentary Library have to be approved by both Houses, and it is with the object of having this approval from the Senate that I move to have this recommendation referred to the committee.

Hon. Sir JAMES LOUGHEED: I do not, of course, wish to restrict the duties of the committee, but it would be unwise for us to arrogate to ourselves the right to deal with subjects that would not come within the authority of the committee, and I cer-

tainly cannot conceive, under the circumstances, in what way this committee has authority to deal with a report such as we have before us. It suggests to one's mind to ask what is the Committee on the Library for? That is a joint committee of both Houses, and it is surely within the authority of that committee to approve or disapprove of the appointment of clerks by the Speakers of both Houses. It is only out of regard for the proper procedure that I make the suggestion.

Hon. Mr. THOMPSON: The matter has not been dealt with by the Joint Committee of the two Houses?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. THOMPSON: What action does this House propose to take?—refer the report to the Joint Committee, or is it all through when it is laid on the Table of the House?

Hon. Sir JAMES LOUGHEED: It seems to me we have to assume that the Librarians, having made a certain appointment, would not have made it without the authority of the Joint Committee on the Library. If the Joint Committee on the Library does not act in reference to such a subject, what is that committee for?

Hon. Mr. POWER: The Committee on the Library, as I understand, has not met at all this session; consequently the recommendation does not come from them; but if the House thinks it more appropriate that this particular recommendation should go to the Joint Committee on the Library, I for one am perfectly willing.

Hon. Sir JAMES LOUGHEED: Let it stand, and let us find what is the proper procedure.

Hon. Mr. POWER: I think honourable gentlemen will find that my motion was not irregular. However, I am willing to confine it to the report on the French translators.

The motion, referring the report on the French translators, was agreed to.

EXEMPTIONS FROM CONSCRIPTION.

HON. MR. POWER'S MOTION RULED OUT OF ORDER.

Hon. Mr. POWER: Before we go to the Orders of the Day, I rise on what is practically a question of privilege. It will be remembered that the other day I said a few words in regard to the proposed conscription measure; at least, my remarks touched on that a little; and the honourable member from Stadacona (Hon. Mr. Landry), endorsed I think by the honourable leader of the Government, raised a question of order. They took the ground that my motion was out of order. The Speaker did not rule on the matter at once, and informed the House that he would give his ruling the next day. The question was a very simple one, and I was rather surprised the next day to find that His Honour the Speaker postponed his decision until to-day. I certainly thought that before we went into the Orders of the Day His Honour would have given us his ruling. As I say, the question is a very simple one, and His Honour has had a good deal of leisure, I think, during the last few days, and I may express my regret that the decision has not come forward.

The Hon. the SPEAKER: I am very sorry if the honourable gentleman was so anxious to have my decision, but I am prepared to give it now.

Honourable gentlemen, I have the honour to submit to this honourable House my decision on the point of order raised by the honourable member for Stadacona (Hon. Mr. Landry) on the motion of the honourable senior member for Halifax (Hon. Mr. Power):

> That, in any measure intended to introduce conscription into Canada, provision should be made that no man whose father, brother or son has gone to the seat of war as a member of the Canadian Expeditionary Force, or is being trained in England preparatory to going to the front, shall be selected for compulsory service.

The point of order raised is:

> That, as the proposed motion is an anticipated amendment to a Bill, of which notice has been given, the same is out of order.

I have gone very carefully into the matter, but I cannot find any specific rule of the Senate which would indicate to me what my ruling should be. By Rule 1 of the Senate it is stated that, in cases not provided for in our rules, the standing orders, rules and usages of the Imperial Parliament shall apply. I have therefore searched the authorities on the subject, and I beg to quote the following in support of my ruling:

In the English House of Commons Standing Order 10a is as follows:

> In determining whether a discussion is out of order on the ground of anticipation, regard shall be had by Mr. Speaker to the probability of the matter anticipated being brought before the House within a reasonable time.

I also find in May, 12th edition, pages 248-249, the following:

A motion must not anticipate a matter already appointed for consideration by the House. A motion is equally out of order if it anticipates a notice of motion for leave to bring in a Bill that includes the subject proposed to be dealt with by the motion.

Blackmore's Speaker's Decisions, at page 120, says:

It is contrary to the practice of the House to consider any resolution bearing upon a Bill before the other House.

Mr. Speaker Brand gave the following ruling:

It is contrary to the practice of this House to consider any resolution bearing upon a Bill before the other House of Parliament until that Bill has been read in the other House a third time.

May, 11th edition, page 279, says:

A motion is also equally out of order which anticipates a motion for leave to bring in a Bill that includes the subject proposed to be dealt with by the motion, or a Bill appointed for consideration, though the Bill may not have been printed.

Blackmore, 2nd edition, page 114, says:

Mr. Speaker will not allow questions to be put on the paper which refer to the details of a coming Bill.

For the above reasons I declare the point of order to be well taken.

RAILWAY EMPLOYEES WAGES BILL.

SECOND READING.

Hon. G. D. ROBERTSON moved the second reading of Bill D, an Act concerning the payment of salaries or wages of employees of railway companies.

Hon. Mr. DANIEL: Explain.

Hon. Mr. ROBERTSON: Honourable gentlemen, the serious and favourable consideration of this House is asked by the large army of railway employees in this country for the proposed measure, on the ground that it is sound in principle; that the present practice of payment of wages to railway employees is not satisfactory; that this Bill, if adopted, would bring about the desired remedy; and that there is ample precedent to show that it is wise legislation. I do not desire to take up much of the time of the House to-night, and, being a junior member, I do not know whether at this time I should enter fully into the reasons in support of the request connected with this measure.

Hon. W. B. ROSS: Now is the time.

Hon. Mr. ROBERTSON: If this be the proper time, I would crave your indulgence for a few minutes in order that I may, if possible, make clear to you why the railway employees of the Dominion of Canada seek this relief. I think it is well known, probably to every honourable gentleman in this House, that the general custom followed in the payment of wages to workmen throughout Canada is to pay weekly, semi-monthly, or possibly, in the case of men employed in clerical capacities, once a month, on the last day of the month. Were that in effect for railway men they would be satisfied; but the present practice is that they must wait until the end of the month, when their time is returned, and then some three weeks longer in order that the accounting departments of the railways may do their work. Wages earned on the first day of June, for example, are paid anywhere from the 15th to the 25th of July, six or seven weeks after the money is earned. The railway men feel that this is not a fair condition so far as they are concerned, and that they should not be, because of the peculiarity of their employment, discriminated against in this regard but that they ought to be paid at least twice a month. The adoption of the Bill proposed would mean that the wages earned, say, between the 1st and the 15th of any month would be paid about the end of the month, and the wages earned during the latter half of the month would be paid about the 15th of the following month; because we must recognize, and do recognize, that a certain length of time for preparing pay-rolls, issuing the cheques, and so on, is absolutely necessary; but we do claim that the present practice of keeping the men out of their wages for a term of from six to seven weeks is not fair to them.

I would point out to you briefly some of the reasons why they ask this relief. Doubtless all will readily realize that men who are waiting for their monthly pay until nearly the end of the month after it is earned must necessarily seek credit in the purchases that they make, and the custom in all towns throughout the country where our railway men are largely located is to trade on a credit basis at a few general stores, and at the end of each month, or when they receive their pay, to go to the store and meet their liabilities, which in many cases consume almost their entire earnings. The result is that the railway employee seldom has anything left, or at best sees very little left, of his monthly wages. We submit, honourable gentlemen, on behalf of the employees, that were they paid twice a

month they would be in possession of money, which would enable them to go into the cheapest markets and buy for cash the things that they require to maintain themselves and their families, and that by doing so they would be able to make more purchases for the same money than they can under the present system.

I speak with some personal knowledge of this matter, because I personally handled the pay-roll for several hundred men on one of our large railways for over eight years, and I know that it was their practice to meet their liabilities by turning their cheques over to the grocery stores, etc., in the manner which I have indicated. I am convinced, honourable gentlemen, after careful investigation and observation of the situation for years, that if this measure were enacted the railway employees of Canada would be able to effect a very considerable saving—that they would be able to make their meagre earnings go much further in the purchasing of the supplies necessary to maintain themselves at this time.

There never was a period since this legislation has been sought—and it has been sought by the railway employees since 1908—there never has been a period during that time when the need of it was so great as at the present moment. Perhaps I can demonstrate that to you clearly by making this statement: When the war broke out, in 1914, it cost $1.37 to purchase what could be bought for $1 in 1900. That represented the increase in the cost of living in 14 years. Two months ago it took $2.20 to purchase what $1.37 would buy in June, 1914, three years ago. The wages of the railway employees in Canada have increased in some cases to a limited extent, but nowhere to an extent even approaching the amount that would offset the increase in the cost of their living. So I say to you that the purchasing power of the earnings of railway men has so steadily decreased during the last three years that this relief is more sorely needed now than at any previous time since it was first sought in 1908.

The only objection that the railway companies have raised, so far as I know—I do not hold any brief for them, but I desire to do them justice, as I believe many of the managers will concede, from my relations with them in years past—the only objection I know of that they have raised to this is that it would entail some increase in the expense of accounting. Now, honourable gentlemen, I would like to point out to you, in connection with that, just one fact. The general manager of one of the large railways, in speaking at a banquet a few months ago, stated that there were 175,000 railway employees in Canada, which I think is approximately correct. It is a conservative statement to say that the average monthly earnings of Canadian railway employees is $70. which means that the monthly pay-roll would amount to $12,225,000. Let me point out that the railway employees earn $12,000,000 in one month; that they do not receive that money until nearly the end of the following month; that when they do receive it they do not receive cash, but a cheque asking somebody else to pay to them a certain amount; so that it is approximately two months from the time the service is rendered until the cheque comes back and is a charge against the railway company. There is approximately in the hands of the Canadian railways all the time $25,000,000 which represents wages earned and unpaid; and the interest on that amount of money at five per cent is a million and a quarter dollars a year. Cannot the railway companies well afford to grant to their employees this reasonable relief which they seek, and pay for it out of the interest on the employees' money in their hands—earned and unpaid?

I feel, hon. gentlemen, that this measure would have been passed years ago by this honourable House had it properly and thoroughly understood the situation at the time the Bill was first presented. My information is that it was passed by the House of Commons some three or four years ago, but that for some reason this honourable House did not see fit to approve of it. I feel sure that the House of Commons will endorse its former action if you signify your approval of granting this great relief to the 175,000 men and the several hundred thousand women and children dependent upon them, who would thus be able to make their small earnings go further in procuring the necessaries of life than they can under the present system. I earnestly hope that this honourable House will view with approval and adopt this Bill.

Hon. Mr. DANDURAND: Before the honourable the Speaker puts the motion I would like to tell my honourable friend that when this Bill came before the Railway Committee of the Senate some seven or eight years ago—

Hon. Mr. McSWEENEY: Less than that; three or four years.

Hon. Mr. DANDURAND: I am told, three or four years.

Hon. Sir MACKENZIE BOWELL: It is more than that.

Hon. Sir JAMES LOUGHEED: Six or seven years.

Hon. Mr. DANDURAND: I am quite sure that my memory does not fail me as to the fact that a number of representatives of railway employees appeared before the committee and declared themselves satisfied with the conditions as existing then. I do not remember how the Senate divided, but I do remember that it became quite an involved question what benefit would accrue to the employees. I hope that if this Bill goes before the committee we shall be able to pass judgment on a better record than was then laid before us.

Hon. Mr. ROBERTSON: In reply to the honourable gentleman, I may say that when the Bill was submitted to this House it was with the unanimous approval and at the unanimous request of the properly-constituted and duly-authorized legislative representatives of all the railway organizations, including the organization whose representative opposed the passing of the Bill some four years ago; that since that time the organization which that particular gentleman represented, in convention assembled, passed a resolution instructing its representative at Ottawa to urge the passage of this Bill. I would be glad, honourable gentlemen, and if in order I would move, to have this Bill referred to the Railway Committee, and I shall be pleased to arrange for the legislative representatives who are duly elected by those 175,000 men to appear before that committee on any date that may be set and to state at first hand the desires of the men they represent.

Hon. Mr. McSWEENEY: It will have to go before the committee anyway.

Hon. Sir JAMES LOUGHEED: May I ask my honourable friend if he is aware whether or not representations have been made to the committee now engaged upon the consolidation of the Railway Act in the House of Commons? It seems to me this would be an opportune time to have the proposal embodied in that measure, if there is a disposition on the part of the House of Commons to do so.

Hon. Mr. ROBERTSON: In reply to the honourable the leader of the House I may say that, according to my information, that matter has been dealt with by that special committee, who have endorsed it, and are recommending to the Commons its inclusion in the consolidation of the Railway Act.

Hon. Mr. POWER: I am very glad to hear that the joint committee have agreed to endorse the principle of this Bill, because it seems to me that, under the ruling which was given by the honourable the Speaker a little while ago, this Bill is out of order. In the case of my motion, which was declared out of order, there was no Bill before this House, there was no Bill before the House of Commons, and His Honour ruled it out of order because possibly some member of the Government had intimated his intention of dealing with this subject and it might be brought into Parliament this session. And now we have a measure introduced by the Government and containing a provision with respect to the payment of railway employees; yet, strange to say, no one appears to think that a motion to read a Bill of this kind is out of order. If my motion is out of order, this one is very much more out of order

The Hon. the SPEAKER: Are you raising a point of order?

Hon. Mr. POWER: I do not wish His Honour the Speaker to expose himself to the danger of being considered inconsistent. He ruled my little motion out of order, and he is prepared to allow a big one to come on. I am not objecting to the Bill. I am glad that the Commons, or the Joint Committee, are dealing with this matter, but I make the point of order and I anticipate what His Honour's ruling will be.

Hon. Sir MACKENZIE BOWELL: Honourable gentlemen, while not expressing myself in favour of the principle involved in this Bill, I have no objection to offer at the present time, if it is distinctly understood that we do not affirm the principle of the Bill by allowing it a second reading. We know that the principle of a Bill is generally affirmed or rejected upon its second reading, particularly in the House of Commons. I remember an occasion when Sir John Macdonald took exception to a proposition somewhat similar to this. Where there may be a difference of opinion it is distinctly understood, in allowing a Bill involving a particular principle to be read a second time, that each individual should not be held to an affirmation of the principle of the Bill. Apart from that, it does not seem to me that this Bill is in a totally different position from the motion of my

honourable friend from Halifax (Hon. Mr. Power). There is no suggestion of amending a Bill which is before the House of Commons. The reference made by my honourable friend to what the Railway Committee may do is another matter altogether. This is a distinct proposition, affirming the principle that railway employees should be paid once a fortnight instead of once a month, and I do not see any similarity at all between it and that to which the honourable gentleman refers.

Hon. Mr. RICHARDSON: Apparently I have not been able to follow the deductions of the honourable gentleman (Hon. Mr. Robertson). If I followed him, his deductions are wrong.

Hon. Mr. ROBERTSON: For the information of the honourable gentleman from Halifax (Hon. Mr. Power), I may say that this Bill was introduced into this House and had its first reading prior to the time the railway brotherhood representatives proposed it to the special committee of the House of Commons which is now dealing with the consolidation of the Railway Act.

Hon. Mr. GORDON: Honourable gentlemen, I understand that a similar Bill was turned down a few years ago because some of the railroad employees appeared before the committee and said that they preferred to have things remain as they were. That is practically what my honourable friend has said. If that is the only objection to the Bill, he may rest easy, because the railroad employees from one end of the country to the other are practically united in demanding that they be paid twice a month. I come in contact with a great many railway men, and I find that this is the case; and why should it not be the case? Every little corporation in Canada is paying its employees at least twice every month, and many of these corporations—perhaps most of them—have to borrow the money in order to do it, whereas everything which the railway companies have to sell is sold for cash; they are paid cash for passenger transportation and for the transportation of freight. These are the only commodities which they have for sale, and they are paid cash the day the goods are delivered. For the life of me I cannot see why they should not be willing to pay their men twice a month instead of once a month. As I understood it, the objection that the railway companies had to paying the men twice a month was owing to the accounting feature. They said that paying the men twice a month would entail a hardship upon them. I admit that to pay twice a month instead of once a month will entail some additional expense, but I do not think that it is going to entail any extraordinary expense unless they are going to insist, as I understand they do now, that all their pay-sheets should every month pass through one central office. I may be wrong, but I imagine that that is something which they have always insisted upon. My own opinion is that this Bill is in the interest of the men, and I for one shall be very pleased to see such a provision in the consolidation of the Railway Act which is now being put through, or to have this go through as a separate Bill.

Hon. Mr. BOSTOCK: Honourable gentlemen, I have listened with a great deal of interest to the honourable gentleman who has introduced this Bill. I understood him to say, in answer to the leader of the Government, that this matter had been brought up before the Committee of the House of Commons which is now dealing with the revision of the Railway Act. If that is the case, and if they have considered this question, probably favourably, I cannot quite see the object of our going on with this Bill at the present time. It seems to me that we shall have to consider this question when the Railway Act comes up, and if the substance of this Bill is included in the present Railway Act as amended, we shall have to do the work over again. I think the honourable gentleman might let the Bill stand until later on.

Hon. Mr. DANIEL: It seems to me that the objection taken by the honourable leader of the Opposition is not altogether a good one. We do not know at what time the Government Railway Consolidation Act will come before this House. It may come at such a period of the session that there will be no time to deal with it, and it may not contain the proposal which we have heard to-night. If that is the case, there might not be time left for the introduction and passage of such a Bill as we have before us. I would like to ask the honourable gentleman who has introduced the Bill if the men at the present time do not really get paid every month. I understand that they get paid once a month, although that payment may be seven weeks in arrears.

Hon. Mr. ROBERTSON: Yes.

Hon. Mr. McHUGH: When a similar Bill was before the Senate some years ago, I

think the principal reason why it did not become law was that the managers of the great railways opposed it on the ground that it was going to work a hardship upon them. At that time the railways paid their employees by sending a car out, and they thought that it would be a hardship to be compelled to send that pay-car all over Canada twice a month, and that the benefits derived would not compensate for that hardship. I have heard that the railway companies and their employees are very much in accord now as to payment twice a month, and, as the employees are now paid by cheque, that requirement is not such a hardship on the railways as it would have been at the time the Bill was up for consideration before. As the honourable gentleman who has introduced this Bill has said, it was introduced before the committee of the House of Commons was appointed. I think it would be well for us to go on with the Bill that we have now before us, and if a similar clause is put into the other Bill it is not going to do any harm.

The motion was agreed to, and the Bill was read the second time.

PRIVATE BILLS.

THIRD READINGS.

Bill 8, an Act to incorporate The Bishop of Mackenzie River.—Hon. Mr. Talbot.

Bill 27, an Act to amend the Act to incorporate The Canadian General Council of the Boy Scouts Association.—Hon. Mr. Daniel.

Bill 34, an Act respecting The Interprovincial and James Bay Railway Company. —Hon. Mr. Taylor.

Bill 36, an Act respecting La Compagnie du Chemin de Fer de Colonisation du Nord. —Hon. Mr. Taylor.

SECOND READING.

Bill 38, an Act respecting certain patents of George C. Breidert and Burton W. Mudge.—Hon. Mr. Lynch-Staunton.

DIVORCE BILL.

SECOND READING.

Bill D 2, an Act for the relief of George Walter Sherald Garrett.—Hon. Mr. Ratz.

The Senate adjourned until Wednesday at three o'clock p.m.

THE SENATE.

Wednesday, June 6, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

DIVORCE BILLS.

FIRST READINGS.

Bill H 2, an Act for the relief of George Maisey.—Hon. Mr. Taylor.

Bill I 2, an Act for the relief of Herbert Featherstone Conover.—Hon. Mr. Taylor.

PRIVATE BILL.

FIRST READING.

Bill J 2, an Act respecting the Western Canada Accident and Guarantee Insurance Company.—Hon. Mr. Laird.

THE EXPENSES OF PARLIAMENT.

PROPOSED COMMITTEE.

The Hon. the SPEAKER laid on the Table a message from the House of Commons asking the Senate to appoint a committee to consider and report upon the total cost of each session of Parliament, and the best way, if any, of reducing the same.

On motion of Hon. Sir James Lougheed, it was ordered that this message be taken into consideration to-morrow.

FIGHTING BATTALIONS.

INQUIRY.

Brigadier-General Hon. Mr. MASON inquired:

Is the Government contemplating any action whereby the splendid work and glorious deeds of the fighting battalions will be preserved and kept conspicuously on record?

Is the Government of the opinion that this can be most effectually accomplished by allotting in some equitable manner the fighting battalions among the militia regiments now in existence, and by following the system in operation in the Imperial army?

Can drafts to keep these battalions up to the necessary strength be then obtained with less difficulty and expense?

Have these battalions no root as it were, and that when mustered out their individuality will disappear?

Hon. Sir JAMES LOUGHEED: Yes. Brigadier-General Cruikshank has been detailed on duty to deal with this matter, the work to be performed in conjunction with Major Doughty, Dominion Archivist.

ENLISTMENT OF CANADIANS IN THE UNITED STATES.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

If any arrangement has been made with the United States Government or any department thereof which will allow Canadians of military age residing in the United States to enlist there for the purpose of joining the Canadian Expeditionary Force?

Has any estimate been formed as to the possible number of recruits that may be obtained if an understanding is come to?

Hon. Sir JAMES LOUGHEED: This matter is under consideration. Nothing conclusive has been done yet.

Hon. Mr. BOSTOCK: No action has been taken?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. BOSTOCK: There has been considerable interest taken in this question on the Pacific coast. The idea is that something might be done through certain Scotch societies. There are regiments there which would like to have these men join.

Hon Sir JAMES LOUGHEED: The Government appreciates the importance of this question, but it involves negotiations with the American Government.

Hon. Mr. THOMPSON: According to the Fredericton papers, Colonel Guthrie has returned from Boston bringing back with him twenty volunteers for the Kilties; so I presume there must be some arrangement with the United States authorities whereby they consent.

Hon. Sir JAMES LOUGHEED: Probably they are making no resistance.

DIVORCE BILLS.

THIRD READINGS.

Bill, W, an Act for the relief of Colin Darrach Poole.—Hon. Mr. Sproule.

Bill Y, an Act for the relief of Thomas Edwin Jory.—Hon. Mr. Taylor.

Bill Z, an Act for the relief of Florence Evaline Lockwood.—Hon. Mr. Mitchell.

PRIVATE BILLS.

SECOND READINGS.

Bill C 2, an Act to incorporate The Imperial Order Daughters of the Empire and The Children of the Empire (Junior Branch).—Brigadier-General Hon. Mr. Mason.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. BOSTOCK: Will the honourable gentleman kindly explain the objects of this Bill?

Brigadier-General Hon. Mr. MASON: Honourable gentlemen, the Daughters of the Empire is an organization which is pretty well known, and its usefulness is generally acknowledged. Its objects are charitable, patriotic, and loyal, and are achieved by the services of ladies who give a great deal of their time and in other ways make many sacrifices for the benefit of the order and the objects for which it was established. Since the beginning of the war this organization has raised two and a half million dollars, all of which has gone for patriotic purposes. In the city of Toronto alone they have made ten thousand official visits to the dependents of soldiers. The desire of those responsible for the Bill is to have the order incorporated, with the powers and objects set forth in the Bill.

Hon. Mr. MITCHELL: Is it to incorporate the Children of the Empire? It seems to me to be rather curious legislation.

The Bill was read the second time.

Bill T, an Act to authorize the issue of a patent to James Wallace Tygard.—Hon. Mr. McCall.

Hon. Sir JAMES LOUGHEED: The honourable gentleman from Simcoe (Hon. Mr. McCall), has asked me in his absence to make an explanation as to why this application is made for the issue of a patent to James Wallace Tygard. It seems that Mr. Tygard, the promoter of the Bill, secured a patent in the United States concerning useful improvements in internal combustion engines. This was secured on the 29th of December, 1914. Although the promoter of the Bill is a resident of the city of Toronto, he, apparently unaware that he would have to make an application to the Patent Office in Canada for a Canadian patent within twelve months, let the time go by until March of the present year, when he made this application. Up to the present time, a patent has not issued in Canada for this invention.

The Bill was read the second time.

REGULATION OF WAR CHARITIES.

On the Order:

Second reading Bill P, an Act to incorporate The Army and Navy Veterans in Canada.—Hon. Mr. Sharpe.

Hon. Sir JAMES LOUGHEED: I may say to my honourable friend who has charge of this Bill, and also to my honourable friend from Halifax (Hon. Mr. Dennis), who has charge of the Bill U, an Act to incorporate the Great War Veterans Association of Canada, which is of a similar character, that it is the intention of the Government to bring down general legislation controlling and regulating all war charities, and I would suggest to these honourable gentlemen that these Bills should stand until say this day week, and in the meantime the general Bill may be brought down. I understand that this Bill has been introduced into the House of Commons. These organizations may be doing very good work on behalf of the returned soldiers, but they are becoming so numerous that it is desirable, if not necessary, that they should come under Government regulation.

The said orders were allowed to stand.

WHOLE WHEAT BREAD.

MOTION.

The Senate resumed from May 31 consideration of the motion of Hon. Mr. Casgrain:

That, in the opinion of the Senate, during the war, whole wheat bread should be made as soon as possible in Canada.

Hon. W. H. RICHARDSON: Honourable gentlemen, as I said last week, I think the question under consideration furnishes much food for serious thought in this House and throughout the whole country. The honourable gentleman who moved the motion (Hon. Mr. Casgrain) told us very clearly some of the advantages to be derived from the use of whole wheat bread. He did not show us clearly, however, the great necessity for it. I propose to-day to consider the question whether there is really a necessity for it at the present moment or not. As this matter is one closely connected with my business, I have probably given it far more thought and attention than any other honourable gentleman here; it has been necessary for me to do so. I will give a résumé of the conditions surrounding the wheat trade of this country since the inauguration of the war, in August, 1914.

At that time, honourable gentlemen, conditions were normal. There were no high prices and there was no talk of the increased cost of living. The supply of wheat was quite sufficient for the demand, and it was rarely that the price of wheat exceeded $1 a bushel, which is considered a normal price. Nor did prices advance at once. It was thought by the public at large that this war would be of short duration, that it would last perhaps a few months, and that conditions would then again become normal. Although at the inauguration of the war prices did advance about 25 per cent, the supply coming forward was so great that the advanced prices receded almost to the former price of $1 per bushel. Later on, as the war progressed, it was seen that it was going to be of long duration, and prices gradually creeped up.

Coming to 1915, we find that America had the greatest crop of wheat in its history. The climatic conditions were wonderfully favourable. It seemed at one time as if the United States would have 900,000,000 bushels of wheat and perhaps more. It is impossible, however, to forecast what a crop will be; we do not know until it is harvested. Just as the harvesting commenced, torrential rains came in Oklahoma and throughout the other southern parts of the United States, and the wheat in sheaf was greatly damaged, and some of it entirely lost. These rains, strange to say, followed the harvesting into Kansas, into Illinois, and into the province of Ontario. It is true that we harvested a very large crop of winter wheat, but that crop was damaged to a large extent; what the exact loss was no one can say. A certain portion of the crop was used for feed, but a large proportion was never used at all; it was shelled out in the field. However, we had in the northwest—in Dakota, Minnesota, and our own northwestern provinces—a wonderful crop of spring wheat, a crop amounting to almost 700 million bushels, and in many places the quality was of the very best. So that loss of winter wheat in the southwestern states was not felt, because of the great abundance in the north. Therefore prices in 1915 did not unduly advance, for there was a supply sufficient to meet the demand.

Coming now to 1916, the crop in the southwestern states, which is the main source of United States wheat, was not a failure, but it was a much smaller crop than the preceding one and was rather below the average. The Dakotas and Minnesota had what may be called a real failure; their wheat was in small quantities and the quality was remarkably poor, some of it weighing only 35 pounds per bushel. In our own Northwest there had been a fair

promise, but it was subject to rust in the province of Manitoba, and to frost in many other places, and was much decreased. The only part of our Northwest which yielded a first-class crop was southern Alberta.

So we come to the present year, with stocks very greatly depleted, because the Argentine Republic, which is a very large producer of wheat, had last year a complete failure; so much so that all exportation from that country was forbidden. In the preceding year also it had a very small crop and exported only small quantities compared with what it used to export.

Let us come now to 1917. At the present time the world is looking for a large crop of wheat. The question is, will the world realize that large crop? It is reported that in the southern and southwestern states 12,000,000 acres of land have been ploughed up because the crop of winter wheat was killed in that country to that extent. Since then conditions have rather improved, but in any case the winter wheat crop of the United States will be an unusually small one. The Dakotas and Minnesota have the promise of a fair crop of spring wheat. Their harvest last fall was earlier than ours, their ground was better prepared, and the consequence is that they got on the soil earlier—and because they are south of us their climate also, of course, enabled them to do so. As to ourselves, we did little or no summer-fallowing last year, for various reasons—labour being scarce, the grain crop coming on late, and our harvest coming very late, almost on the verge of winter, with little or no fall ploughing done. Therefore this spring conditions for early sowing were not as good as usual. You all know what kind of weather we have had for the last month, and instead of summer weather we still have a very backward spring. The wheat crop in our Northwest will be somewhat light, the acreage being less than usual—five or possibly ten per cent less. It had all been sown two weeks ago, but owing to dry weather and frost it has not been doing well.

Now, we are dependent upon this year's crop of wheat to feed ourselves and to feed Europe, and anything that we can do to save we are bound in my opinion to do. The motion of the honourable senator (Hon. Mr. Casgrain) with reference to the making of whole wheat bread I agree with to a certain extent; but I question if this country at the present moment realizes seriously enough the conditions to induce Parliament to adopt it. But there is a substitute for whole wheat flour in what we call war flour—76 per cent flour. This is a flour that is manufactured not entirely from No. 1, No. 2, or No. 3 wheat, but from mixed varieties, principally of low-grade wheats. It has more gluten and more phosphates in it than the ordinary flour we now get from our mills; it has a better flavour; and its only defect is that it is of a slightly darker colour. There is no reason that I can see why this flour should not be manufactured, when every bushel of wheat gives six pounds more of this flour than of the other. Figure out what that means, and you will be astonished at the great increase its use would mean in the production of flour in this country and in Europe.

There is another great point in its favour, and that is that in milling this 76 per cent flour you are able to use low-grade wheat. We know that in the past Manitoba, Saskatchewan, and Alberta have always produced a considerable percentage of low-grade wheat. I think the only year in which there was a negligible quantity of the lower grades was 1915; in that year we had a wonderful crop. But low-grade wheats have always been penalized; there is no market at home for them, and they have had to be exported to Europe, and often to be sold on sample; so that we never get for them what they are worth. I claim that these low-grade wheats contain far more gluten, pound for pound, than the higher grades. I think this has been fairly demonstrated. I have a letter from one of my best customers who has been grinding this 76 per cent flour. He states that a barrel of this flour, 196 pounds, will make 280 pounds of bread, which is supposed to be the product of a barrel of strong baker's flour. I repeat that it has more gluten, more phosphates and more fat in it than any other, and, besides having more nutritiveness, it is more palatable and more wholesome. If there were no necessity to conserve our wheat, these reasons alone would be sufficient for this country to adopt the milling of 76 per cent flour.

Hon. Mr. DANDURAND: Is the only defect that of colour?

Hon. Mr. RICHARDSON: The only defect is the colour. Any honourable gentleman can find out for himself in the course of two or three days the quality of the bread. He can go to the baker and get the bread, and he can prove it to his own satisfaction. I am not talking of something I have not proved. I have tested it out, and I know what I have said about the

quality of the bread made from 76 per cent flour to be correct.

I do not intend to occupy the attention of the House longer on this matter. I think I have set before you that we have a shortage of wheat; that at the very best we are not going to meet that shortage; that some substitute will have to be found to take the place of wheat. Europe will require from us, or should get from us, a billion bushels of wheat. She may not need it, because Europe is finding ways and means of making flour go further than usual. Again, England is trying to increase her production of wheat. She has ploughed up acres of land that have been in lawns for years, and has sown wheat and other crops on them. But the soil must be properly prepared a year in advance, for a satisfactory yield of wheat cannot be expected from a single spring ploughing; it is utterly impossible.

Again, if we adopt the use of this low-grade wheat and this 76 per cent flour, we shall secure to our men in the Northwest, when they have a crop that is off-grade, a far better price than they have received in the past. I have found that any legislation that is beneficial to our farmers is what our Government desires to enact. I have been surprised to find that in every move made by the Government the effect upon the producer is considered.

I think I have given you, honourable gentlemen, sufficient reasons why we should have 76 per cent flour, yielding six more pounds of flour to the bushel of wheat and giving a more nutritious and more wholesome bread than the ordinary white flour of the mills.

Hon. W. B. ROSS: What about the offal?

Hon. Mr. RICHARDSON: The offal is used, of course, only for cattle. The winter wheat land in the south that has been ploughed up, about 12 million acres, has been sown to corn and oats. Every available acre in Ontario that we could plough this year has been sown to oats and barley, and the land in the Northwest that has not been sown to wheat, because the season was so late, has been sown to oats and barley. We had last year a most prolific hay crop, from which thousands of tons of hay still remain, and there is every promise that there will be another abundant hay crop this year. So it seems to me that there is no necessity to protect the cattle, because they will have an ample quantity of fodder.

Hon. Mr. McLENNAN: May I ask the honourable senator from Kingston if the production of this flour will require any change in milling?

Hon. Mr. RICHARDSON: The production of this flour simply means coarser bolting cloth—the sieves a little coarser.

Hon. Mr. McLENNAN: It can be used immediately?

Hon. Mr. RICHARDSON: Yes.

Hon. Mr. CASGRAIN: It simply requires that the cylinders be not placed so close together.

Hon. Mr. BEAUBIEN: May I ask the honourable gentleman whether that flour will keep well or not?

Hon. Mr. RICHARDSON: That flour, I think, will keep as well as the white flour; I question if it would sour. It has been tested and has been found to contain 11·85 per cent of moisture. That is below the average. The reason for this is that low-grade wheat, wheat that has been shrunken, contains less starchy matter, but the other nutrients are in it. The shrunken wheat has been tested and found to contain less moisture than the large, plump, 60 pound wheat. Therefore this flour will keep as well as any other.

Hon. Mr. DANDURAND: Is it as suitable for export purposes?

Hon. Mr. RICHARDSON: Yes. We are exporting it now for the War Office, and it must undergo a moisture test. That is how I know that it has tested 11·85.

Hon. Mr. DANDURAND: Will the honourable gentleman allow me a question? He does not feel absolutely in accord with the motion as put by the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain). Would he not be disposed to draw a conclusion from his remarks, and suggest an amendment to that motion?

Hon. Mr. RICHARDSON: I would like to offer an amendment in favour of the use of this 76 per cent flour, because I feel that it will meet with the approval of the people. Its value can be demonstrated in one week. I have in my pocket a proof of this, which I did not think it worth while to give to you before. Here is a letter from a baker who has used this flour and has been selling it:

Re the war flour. For the benefit of any bakers that you get interested in the flour. I made a five-hour dough, using Fleischman's yeast. Temperature of dough, 76. Heat of

oven, 340 degrees Fahrenheit. Baked 35 minutes. Result, 160 pounds of flour yields 153 loaves of 24 ounces each.

That is a wonderful yield, and no trouble —everything easy to do.

Hon. Mr. GORDON: I would like to ask the honourable gentleman if he thinks that last year there was sufficient low-grade wheat to manufacture enough flour for the consumption of Canada.

Hon. Mr. RICHARDSON: If the honourable gentleman will examine the figures of the Winnipeg Grain Exchange, he will ascertain. It was because the country elevator man sold his country's stock in May wheat, composed of No. 1, No. 2, or No. 3 Northern, which he had to deliver on his contracts, and the buyer refused to take the lower grades at any price, demanding that he should deliver the No. 1, No. 2, or No. 3 Northern. The country was full of low-grade wheat and short of high-grade, and the only way these contracts were settled was by the council of the Winnipeg Grain Exchange appointing a committee to decide the difference in value between the high-grades and Nos. 4, 5 and 6 Northern, the committee allowing a deduction of 20 cents per bushel on No. 4, 40 cents on No. 5, and 70 cents on No. 6. In that way they cancelled the contracts and the wheat came down to normal.

Hon. Mr. LYNCH-STAUNTON: May I ask whether this wheat is for sale, and if the flour made from it is cheaper than the product of the high-grade wheat?

Hon. Mr. RICHARDSON: Yes, it is cheaper and it is for sale, and there are mills manufacturing it, but only a few; the Empire Flour Mills manufacture it. It is getting to be universal. As to it being cheaper, I cannot tell you mill secrets, for it would not be fair to my customers to do so, but I can tell you this, that four-fifths of the wheat used in that flour was below No. 3 Northern.

Hon. ROBERT WATSON: I am certainly interested in this very interesting discussion. I take exception to some things which the honourable gentleman (Hon. Mr. Richardson) has said in regard to the manufacture of this flour for export. You might get a larger percentage, not of flour, but a larger percentage of bran and shorts put into the flour, if that is what you mean, by increasing the number of pounds you are going to utilize out of a hundred pounds of wheat for baking purposes; but, while you could manufacture it and use it for domestic purposes, without any length of time in storage, I question very much whether you could manufacture it for export, because it would not keep.

Hon. Mr. GORDON: How long would it keep?

Hon. Mr. WATSON: I do not think you could ship it for export at all. Some members of this House will remember—I know the right honourable gentleman from Belleville (Hon. Sir Mackenzie Bowell) will remember—the time when the Government discussed the question of the export of flour to Jamaica; and Adam Brown of Hamilton was appointed by the Government a commissioner to an exhibition there; and he had some trouble in demonstrating to the people of Jamaica that they could use our Canadian hard-wheat flour, and that it would keep in that hot climate. The only flour that did keep on that occasion was that which was manufactured by what was then called the new process, the roller process flour, the Hungarian flour; the old millstone flour would not keep in Jamaica. Only flour manufactured with rollers that extracted the germ and such other elements as made the flour ferment would keep in Jamaica. Adam Brown demonstrated that they could buy our hard-wheat flour with safety and keep it, but not when ground by the old stone process. I mention that to show that while we might eat this flour at home, we could not possibly manufacture it for export.

I can quite endorse what has been said by the honourable gentleman who has just taken his seat (Hon. Mr. Richardson), who is a practical man, as to the value of our low-grade wheats for milling purposes. I have had practical experience in the milling business, and in the West I have very often found that between No. 3 or No. 4 Northern wheat and No. 1 Northern there would not be over two cents of a spread, for the simple reason that in some seasons the quantity of strength you want in the wheat is found in the lower grades which the Eastern miller requires to mix with soft wheat to make the flour up to strength. In other words, there is more strength per pound in a bushel of No. 4 Northern wheat of a low grade than you would get in high-grade wheat; there is more starch in it, and therefore the miller who wants starch and strength in wheat, will pay more for the low-grade wheat that he wants for milling purposes than he would otherwise.

I would suggest to the Government that a commission should be appointed to investigate the whole situation. I am satisfied that in years gone by the Northwestern farmers have lost tens of millions of dollars on low-grade wheat simply because there was no market for it. There was a duty of ten cents a bushel against it going into the United States; and, as there are only about four milling companies in Canada, they have a monopoly of the business here. The result was that the millers in Canada bought that wheat at their own price, and they made more profit, I venture to say, out of the low-grade wheat than out of the high-grade wheat. We were in hopes we would have a market for low-grade wheat in the United States when the Government took off the duty of ten cents a bushel, which excluded our wheat from the United States market. However, we are deprived of that, as arrangements are not yet worked out for opening that market; though I understand that some arrangement is being made whereby our wheat will go into the United States duty free. In Minneapolis there is a milling capacity of 200,000,000 bushels a year, and this off-grade wheat, which works tough and will not store, will make just as good flour as No. 1 hard Northern wheat, but not quite so much to the bushel, because it is not possible to clean the bran quite as well, though the bran is as good as that from the high-grade wheat. The farmer has been getting more for his bran, consequently he does not lose anything, because he keeps the bran, which is richer and better for his cows. Where you get that wheat off season and store it for months it will mill better; and, with the Minneapolis milling capacity of 200 million bushels seldom running over half its capacity, if the American millers come into our market and buy that wheat on a sample market for milling purposes, the farmer in the West will get a square deal and will get from 15 to 20 cents a bushel more than he would get from local buyers.

I trust that something good will come out of this discussion. I agree with the speakers who have said that the people would be healthier if they ate brown bread rather than white. My honourable friend who made the motion now under discussion the other day recommended the whole wheat for human food. He must not forget that we have to have dairies; we have to have beef; we have to have stock feed; and if the wheat does not all go into a loaf of bread it is not wasted; it goes into some other process whereby we get food. There is no doubt in my mind that if people were better educated on the quality of flour, they would use a great deal more brown bread than is used in Canada to-day.

Hon. Mr. LYNCH-STAUNTON: Is there any objection from a miller's point of view to manufacturing flour from low-grade wheat? Will it require alterations and changes in their machinery which would be expensive?

Hon. Mr. WATSON: Oh, no. No change in machinery, and no additional expense. If you make a low-grade flour out of any kind of wheat, you simply extend and take more out of your bolting; you bolt less out of the starchy material.

Hon. Mr. LYNCH-STAUNTON: Is the only reason for its use that people like to have white bread rather than dark bread.

Hon. Mr. WATSON: That is it.

Hon. Mr. CASGRAIN: The honourable gentleman (Hon. Mr. Watson), with many others, seems to think that cattle would not get along if they did not get the best part of the wheat. Now, when was Hungarian roller milling first started in this country? Does the honourable gentleman remember that in 1876, at the Centennial Exposition in Philadelphia, Canada made the very best showing in cattle it had ever made before or has made since? Yet I do not think Hungarian milling was in use in 1876.

Hon. Mr. WATSON: I think Hungarian flour was first manufactured in Canada in 1874, in the county of Waterloo, Ontario, at a place called Conestoga. It was manufactured by the roller process, with an iron roller which was brought from Hungary. It was for that reason called Hungarian flour.

Hon. GEORGE GORDON: In view of the very high cost of living at the present time, this is one of the most interesting subjects that have been before this House this year. So far as I know, nothing has yet been done in any quarter to reduce the high cost of living; and if the statement made by my honourable friend from Kingston (Hon. Mr. Richardson) is correct, what a simple process it would be to have a law enacted to have only such flour as he describes used in Canada during the duration of the war. He claims that each bushel of wheat will produce six pounds more of such flour than of white flour; that the flour is, if anything, more nutritious and better in every respect for the consumer—that

the colour amounts to nothing. I know as well as he does, and bakers tell us right along, that the demand from the public is always for a white loaf; but if the other kind is better, the fact of our having to put up with that kind of a loaf is going to do us good rather than harm. Therefore I say that this question should be brought to the immediate attention of the Government, and I think we should insist very strongly from our House on having this thing done.

We are suffering to-day from high prices on the principal things that we eat. If maximum prices were fixed on wheat, on flour, and perhaps on one single vegetable. we would be much better off. It is to-day almost impossible for a man with a moderate salary to buy butter to put on his bread. That commodity is very high, not only in Canada but in the neighbouring republic. Over there they have substitutes for butter in oleomargarine and butterine, which are much better than a great deal of the butter which we buy in Canada at a high price. Some people say, "When you touch butter, you are touching the farmer; you are touching the farmer's wife;" but in my opinion there should be a limit, no matter whom it is touching; and I claim that, no matter what quantity of substitute is made in Canada, the farmers will still get a very high price for their butter. Even if we did not consume a pound of butter in Canada to-day, the price they would get for what is exported would be very great. We appear to be waiting for a food controller to do some of these things. My candid, honest opinion is that a food controller should not be waited for to fix a price upon these necessities; I maintain that a price can be fixed which would be satisfactory to the farmer, and would be a good, fat price. Unless something of this nature is done, and done in the near future, the prices of these necessities are going to advance to such an extent that many of the industries in this country will suffer by reason of the fact that the employers will not be able to pay enough for their labour to allow the employees to live as they should.

I have mentioned only one or two articles which I think should be dealt with promptly by the Government, but let me make one more suggestion which I think would help the situation considerably. I would suggest the prohibition of the manufacture of ice cream, in order that the cream might be used in making butter and cheese.

Hon. Mr. GORDON.

Another suggestion I have to make which may be considered by some of my protectionist friends to be somewhat radical; but when we are engaged in a war such as this great war, anything which we can do to help to win that war should be done. One of the vital principal things for winning the war is to encourage our people at home to be happy and contented, and to live within their means. One other thing I think ought to be done, and done promptly, and I make the suggestion to the Government: that is, the duties should be removed from meats and lard. I suggest this particularly for the reason, in addition to the others which I have already given, that for some time the railroads have not been able to give a proper service to the country. This is not entirely the fault of the railroads, but is caused by the lack of transportation by boats at the terminals. Therefore they would not suffer from a little lack of transportation in some respects. I believe that if the duties were taken off meats, and we could import them freely into Canada at points all along the line, thereby helping out transportation and letting the articles go by the shortest routes, it would help not only the railroads but tend to content the people and to quicken enlistment.

Hon. GEORGE LYNCH-STAUNTON: Hon. gentlemen, I would like to add a few words to what has already been said upon this interesting and important question. It is admitted on all sides that the use of low-grade wheat will increase the price to the farmer, a consummation greatly to be desired. It is further admitted that more bread can be obtained from a given quantity of such wheat; it is further admitted that the wheat crop is short; it is further admitted that the kind of bread advocated is more wholesome than white bread, and it is also admitted that its use will not embarrass the miller. Now, if the use of this bread will increase the price to the farmer, will not embarrass the miller, will increase the amount of food in this country, and will better the food from a health point of view, then why in the name of fortune are the people not compelled to use it in time of high cost of living? I can see no reason why a commission should be appointed to inquire into this question when the millers, the grain growers, the producers, the people who know, say that these statements are true. What can a commission ascertain more than we know now — that it will be better for the farmer and the miller, more wholesome for the consumer, and will increase the amount of food in the country?

Hon. Mr. CASGRAIN: It will also cheapen the food for the consumer.

Hon. Mr. LYNCH-STAUNTON: It will also reduce the price to the consumer. If a man stood on the market square offering to sell anything and make such statements about it, the people would perhaps think that he was trying to sell them something which required commendation; but here we have all the people who know declaring the statements to be facts.

I have grave doubts whether we can decrease the cost of living merely by regulations; but we certainly can decrease the cost of living by increasing the quantity of food in the country. If the Senate does nothing more during this session than to impress this point upon the Government and the people of Canada it seems to me that they will have done far more for the country than any regulation of prices can do.

Hon. JAMES M. DOUGLAS: Honourable gentlemen, I do not feel that I can criticise what has been said; but I am amazed at the speeches which have just been thrust upon our hearing. It is quite evident that the honourable gentlemen who have spoken on the subject have not a full knowledge of what has been done by the Government of this country. Apparently they have not taken into consideration the varied means that governments of the past in various countries have taken to test the qualities of grain and to prove chemically and otherwise the benefits to be derived from them. I venture to say that if these speeches were made in the presence of wholesale grain growers and gentlemen who are engaged in the milling business, honourable gentlemen would be perfectly amazed at the way in which their arguments would be turned upside down and outside in. I know that some people like brown bread, and some like white bread; but when you want to sell grain, do not take grain that will sour in twenty-four hours before it is manufactured, when it should produce the quality and quantity of flour which it is expected to produce. Will any honourable gentleman in this House venture to say that any grain, any wheat, or any bread, that has been produced is equal to what we are now putting upon the market, if Canada is to retain her place in the wide world as being a great grain-producing country, and to sustain her reputation of producing the best bread that can be eaten on the face of the earth?

It is well enough for men engaged in trade, and law, and all sorts of things, to come here and teach us a lot about farming. There are plenty of men farming who have got brains, and who know what is in flour, and just exactly how much bread can be made from so much grain. You cannot teach these men, because they already know; they know from a chemical standpoint; they know the business root and branch. You could not do anything with such arguments before an agricultural audience. These arguments may do in certain parts of Canada, but they will not do in the Northwest. Sometimes when there is a crop failure it is due to the climatic conditions. I have had some experience in this country of grain-growing and the stock business, during the last forty years, and I have never thought it necessary to make such changes as have been advocated here.

Yesterday or the day before we heard a speech showing that the great producing business of this country, the one that was going to make the country wealthy, was to help to slay our enemies. We were told how we should destroy our sons and daughters, who have been reared with great care and given the best of education. Are we to feed our enemies and give them the best of the grain that we grow, the best of the cattle that we raise, the best food that Canada can produce? What country on earth can do better? Honourable gentlemen, I simply ask you to look into the records of our own country along agricultural lines, and in two or three months you will have changed your opinion on this question. If people want to live on chaff, let them do so; but why should we be asked to feed the people beyond the seas and to destroy our own home food and our home production? How are we going to support our position in the markets of the world, if these arguments are acted upon, and we are going to be regulated? Try the process if you like, and you will find it one of the most difficult things that you could undertake to convince a man that any grain has been grown, or will be grown, that will surpass the White Fife and the Red Fife—and the Marshall, for example, is almost their equal in value in the production of bread or a marketing flour. No special emergency as to food exists in this country. We do not need to run here and there and propound theories about this and that. We have already gone through the process. We have sent out commissions and skilled men who understand this question from a chemical viewpoint, and who know the best processes that can be employed. I think we

are wasting time. All that I can conclude from the arguments presented is that some honourable gentlemen seem to need education. They are behind the times. Some of them have been in our midst only a few weeks, and they are not posted as to the growing of grain, or as to what is best to do on the farm. They tell us to go and do this, that, and the other thing. We can only laugh in our sleeves; we are making money even with the grain which we have and the stock which we have, and we do not need to fear anybody. We can hold our own and fight our own battles along these lines, and if people will not educate their children along agricultural lines, but let them grow up in ignorance, in schools or otherwise, they must bear the consequences. I appeal to you, and refer you to what has been done in the past. I do not like the idea of paying $40 a ton for bran. I could use a lot of bran in feeding. Some people talk about feeding cows with wheat. Well, he is not a wise man who makes use of good wheat to feed cattle nor yet to fatten hogs. He will not produce as good a quality of hams, for example. The wheat will be dry and hard, lacking the oily substances necessary to produce the kind of ham that the appetite of the Canadian people demands. We need no commission to inquire into this question. I appeal to you again to give us some new ideas, because the ideas which we have heard expressed here are not new ideas. They are old, exploded ideas. You will find all the information you desire in the records now in the possession of the Government of Canada. I sincerely hope that you will not waste time by appointing commissions and sending them, as has been done in the past, to England, and Scotland and other countries. If they want good grain, they must pay for good grain. The farmers must live—

Hon. Mr. POPE: You are right.

Hon. Mr. DOUGLAS: And they are not making much profit out of wheat. I have a fairly large acreage under wheat, and this year we are using more power and are breaking up new fields, in order to meet the deficiency, if there should prove to be a deficiency. What I desire is that we may utilize the knowledge that we have already obtained—that it may be used by our legislators, both here and in the other House. We should know what we are talking about, and any quantity of literature on this subject is available. However, I am not afraid of a famine.

Hon. Mr. DANDURAND: Will the honourable gentleman tell us why, in his opinion, off-coloured flour is inferior to white?

Hon. Mr. DOUGLAS: It is not inferior; the off-coloured is simply a lower grade of wheat.

Hon. Mr. DANDURAND: No.

Hon. Mr. DOUGLAS: Oh, yes. Do not tell us it is not, because we are satisfied on that point. There is no other grain today in the hands of the farmers, and acceptable to our millers, in Montreal or anywhere else, that can produce as much bread out of a given quantity of grain as White Fife or Red Fife, as flinty hard as you please. That is what is wanted, and in order to keep our place in the market we must comply with the wishes of our millers and the requirements of the markets abroad. We must do it along the lines I have indicated, and nothing to warrant a change has yet been discovered in the cultivation, the germination, or the cross-breeding of wheat. Can any of these gentlemen tell us how cross-breeding is done in order to produce new varieties of wheat? That is going on at the Experimental Farm in this very city, and you can see it at the proper season. There is nothing in Canada yet known to the scientists that can surpass Red Fife, or White Fife, or Marshall. I leave you to follow up the inquiry on that point, and you will find that I am right.

Hon. Mr. CASGRAIN: Did not the honourable gentleman (Hon. Mr. Douglas), who is a scientific man, tell us just now that in twenty-four hours whole wheat flour would turn sour? I understood the honourable gentleman to say that.

Hon. Mr. DOUGLAS: Oh, no.

Hon. Mr. CASGRAIN: Or in forty-eight hours?

Hon. Mr. DOUGLAS: I do not remember saying that.

Hon. Mr. CASGRAIN: The honourable gentleman does not remember, but I remember full well. He said that in twenty-four hours it would turn sour. I ask him what kind of bread he has eaten all his life. Is it not the bread made from white flour by the Hungarian process?

Hon. Mr. DOUGLAS: We are content to eat it until the end, because we want no better, and would not exchange it for anything the honourable gentleman has offered.

notwithstanding any of the arguments he has presented on the floor of this House. I am sure they would not be accepted by any scientist, or anyone who knows anything about the processes of chemistry in connection with wheat germination and wheat growth and the production of flour, or about the interest of the farmer. I should modify that reference to the interest of the farmer. Farmers could grow other grain, grain that would be more profitable to them than what they are now growing, but our manufacturers persist in requiring a kind of wheat that will enable them to produce a certain quality of flour, so that when it goes to Europe or anywhere else in the world's markets it may take first place; and you cannot change that by anything that has been suggested here to-day. I am amazed that honourable gentleman should not know all that and a great deal more, because the information is at hand.

We have heard speeches in this House year after year, we have had scientific investigations, and we have gone to the expense of sending commissions all the way to Britain and elsewhere. Even the United States cannot compete with us. And where is the country on the face of God's earth that can produce anything better than what we have? We are not so poor that we cannot afford to follow up what we have done in the past, or at least hold our own, and provide good, solid, wholesome food. Why should we go back? Why should $40 a ton be paid for bran? We do not want that cattle feed. It is good for putting a fine, glossy coat on calves, or for finishing off the feeding of your best stock, but that is about all. We can afford better than that, though sometimes we think we must try it, on account of the exactions of our millers, who study their business in the light of its results in the money market. Flour may be high in price; it is high in price, more than it is worth really; but on whom does the pressure come? Who is suffering by this pressure? The farmer is not making money out of the high prices. The farmer got high prices last fall, and he is getting high prices to-day, but they do not benefit him much in the long run—do not improve his business or increase his resources. It is the manufacturers who get the advantage; they are the men who are making the money. I came to the conclusion that I could not afford to raise wheat very much longer, for the simple reason that I could not make it pay, even with the use of machinery and of artificial power in producing it; but just now we are turning over the soil, and we shall increase our acreage very largely, because there is the possibility of a scarcity. But who is causing the scarcity? If we can get our men, who are willing to sacrifice their own sons, to do anything and everything possible to bring this war to a successful conclusion, we need not bother about the kind of bread that is eaten by the German. He can if he chooses eat black bread, such as is described in the bulletin, but we are not yet obliged to do that and we do not intend to do it. We will send out our boys with well-fed muscles. We will send them out with a deep feeling of pride that Canada is our permanent home, and woe be to any man who will interfere with their rights, their civil or political rights, and the truth that is to make us a free and honourable people. That is what we want.

I should not have taken so much time as I have done. I speak somewhat freely because some years ago I had the honour of being chairman of the Committee on Agriculture for this Dominion, and I think that our experience gives us the privilege of a little latitude. What I desire to say is this: We have made agriculture a success. We do not mean to say that we have not made it a paying business; but we do mean to say that we are not in any secondary position so far as agriculture is concerned. If we utilize what has been done by the late Government and what is being done by the present Government, we shall overcome any difficulties that may loom up in the distance

Hon. FREDERIC NICHOLLS: Honourable gentlemen, the longer I have listened to this discussion the less I seem to know about it. When it started I thought the purpose was to suggest that we could economize in the production of our foodstuffs by using whole-wheat bread, because, primarily, it was more wholesome, and, secondly, it was less costly.

Hon. Mr. DOUGLAS: But we do not all believe that. That is the difficulty in this discussion; we do not believe what has been said.

Hon. Mr. NICHOLLS: If the honourable gentleman is quite through, I will, with your permission, resume my remarks. I would like to ask this simple question. I am not a farmer; I do not know anything about the chemical composition of wheat, but I have been told and have read, and had it impressed upon me, that whole-wheat

bread is much more wholesome than the white bread of commerce, from which all the germ of the wheat and all the really wholesome properties have been extracted by rolling. If that is so, and if whole-wheat bread can be substituted at a lower price, and if it contains a very much larger percentage of nutriment, I for one cannot see why the time of this House should be taken up with such a diatribe about chemical composition as that to which we have listened. In the interests of this country we are expected to economize during the war, and the appointment of a food commissioner is urged. The simple question involved in the proposed resolution is whether whole wheat bread is as wholesome as, or more wholesome than, ordinary bread, and whether it is as cheap, or cheaper. If it is both more wholesome and cheaper, I hold that it is a good thing for this country favourably to consider using it.

Hon. JOHN W. DANIEL: I do not wish to take up the time of this honourable House, and I do not propose to do so, but it would appear from the speeches of one honourable gentleman here and another there that this is a very simple question. There must be reasons for the great perfection to which the milling of white flour has been brought in Canada. It appears to me that our present kind of fine flour is made for one or two reasons. While we have heard many remarks about the wholesomeness and the greater cheapness of utilizing a larger part of the berry, that is, of having something nearer a whole wheat flour, we have also heard it stated that one reason why that process is not used to the same extent now as it was formerly, is because that kind of flour will not keep. If that is a fact—and I believe it to be a fact—that is one reason why we have so much white flour in preference to the brown flour, and, of course, it is a very important reason, too. In order to give you an idea of what occurred during the South African war with regard to the flour that was sent out to our soldiers in South Africa, I will read a statement which I find in the tenth volume of the Encyclopædia Britannica on this subject. It says:

The tendency of flours containing germ to become rancid is well marked. During the South African war of 1899-1902 the British army supply department had a practical proof of the diastasic action of branny particles in flour. Soldiers' bread is not usually of white colour, and the military authorities not unnaturally believed that comparatively low-grade flour, if sound, was eminently suitable for use in the field bakeries. But in the climate of South Africa flour of this description soon developed considerable acidity.

In other words, it turned sour.

Ultimately the supply department gave up buying any but the driest patent flours, and it is understood that the most suitable flour proved to be certain patents milled in Minneapolis, U.S.A., from hard spring wheat.

That is one of the reasons, I take it, that has caused the general use of this white flour.

Hon. Mr. CASGRAIN: Speculation also.

Hon. Mr. DANIEL: Well, it is not the only reason. I congratulate the hon. gentleman (Hon. Mr. Casgrain) on the very learned way in which he introduced this subject into the House. I think he is deserving of a great deal of congratulation in that respect. I would scarcely like to follow him and echo as perfectly accurate all the statements that he made in that speech. I think he rather overdrew the picture. He spoke of the decadence of civilization and civilized people. Is it because we have had so much white flour in Canada that we now hear complaints against conscription? Is that one of the reasons? Is the absence of virility to be put down to the use of white flour? If so, I would certainly support the motion of the honourable gentleman and be satisfied with any law that would result in the use of whole wheat flour. That would be a consummation most devoutly to be wished. But the consensus of opinion, as far as I can ascertain, is that flour—I will not say whole wheat flour, but flour containing a larger percentage of the wheat than we get in our present flour, would be advisable; it would be more wholesome, containing more nutriment than the present flour.

The honourable gentleman (Hon. Mr. Casgrain) stated, I think, that our present flour is absolutely devoid of gluten. I could not go with him that far. I think he is incorrect in that. I do not think it would be possible to bake a flour that had no gluten in it. It would contain nothing but starch, and you cannot make bread out of starch; you must have something else. As a matter of fact, there is gluten in it when it is properly made, though not so much as is found in the ordinary grain of wheat. Gluten is what the bakers want. They like what is called a strong flour. Well, what is a strong flour in the baker's sense? It is a flour with a good deal of gluten in it. By the use of this kind of flour you get bet-

ter rising properties, and, of course, gluten being one of the principal alimentary ingredients of flour, you get more nourishment too.

The resolution before the House might, I think, be modified to advantage; but the idea is, in my opinion, a correct one, although in the remarks that have been made I have heard nothing to convince me that whole wheat flour is going to be any cheaper than white flour. Nobody, so far as I know, has referred to that. Everybody appears to have taken for granted that it would be cheaper. With reference to the manufacture of flour, we must remember this also, that besides the use of flour for bread this country requires a great deal of milk and cream and cheese, and the people who raise dairy and other cattle cannot do so to advantage unless they have some of the by-products of flour in order to feed the cattle. While in producing the ordinary white flour the ingredients of the whole berry are not all used, some of them are utilized to our advantage in other ways.

I think the matter is one that comes within the cognizance of this House, and one that we might fairly bring to the consideration of the Government, or those departments of the Government that may be interested in this particular question, in order that it might be so considered that the people of this country would receive the best advantage from the debate that has taken place in this House this afternoon and previously.

On motion of Hon. Mr. Casgrain (for Hon. Mr. Beique), the debate was adjourned till **Tuesday next.**

DIVORCE BILLS.

SECOND READINGS.

Bill F2, an Act for the relief of Gertrude Ellen Beal.—Hon. Mr. Pope.

Bill G2, an Act for the relief of Donald George Whibley.—Hon. Mr. Owens.

The Senate adjourned until Thursday at three o'clock p.m.

THE SENATE.

Thursday, June 7, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NATIONAL TRANSCONTINENTAL RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

What were the gross earnings and working expenses of the National Transcontinental Railway from Moncton to Winnipeg for the fiscal year ending March 31, 1917?

Hon. Sir JAMES LOUGHEED: Gross earnings, $5,916,550.99; working expenses, $7,806,922.20.

ST. JOHN AND QUEBEC RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

What were the gross earnings and working expenses of the St. John and Quebec Railway for the fiscal year ending March 31, 1917?

Hon. Sir JAMES LOUGHEED: Gross earnings, $81,325.63; working expenses, $98,-300.42.

THE 78TH HIGHLANDERS.

MOTION.

Hon. Mr. TANNER moved for:

An order of the Senate for a return showing:

1. The name and rank of each person who at the outbreak of the war in August, 1914, was an officer, commissioned or provisional, of the 78th Regiment (Highlanders), of Pictou County, Nova Scotia.

2. The length of time each of such persons was attached to said regiment.

3. (a) The name of each of said officers who joined the Canadian Overseas Forces.
(b) The unit to which he was attached.
(c) The rank with which he was attached.
(d) The date at which he was attached.

4. The name of each person who since the outbreak of war became attached as provisional officers to said 78th Regiment and the date at which each such person became attached and his rank.

5. (a) The name of each of the officers referred to in paragraph 4 who joined the Canadian overseas forces.
(b) The unit to which he was attached.
(c) The rank with which he was attached.
(d) The date at which he was attached.

6. The name of each of the officers referred to in each of the foregoing paragraphs who were in active service at the fighting front, the units with which they served, and the length of time they served.

7. Particulars as to each of the said officers showing where each one was on May 1, 1917, to what unit he was attached, and what his rank was at that time.

8. If any of these officers have gone to the fighting front since May 1, state name, unit, rank and date.

The motion was agreed to.

EXHIBITION TRAIN IN FRANCE.

MOTION.

Hon. Mr. BEAUBIEN moved for:

An order of the Senate for copies of all correspondence, memoranda or other documents received by or sent by the Right Hon. the Prime Minister and the Hon. Minister of Trade and Commerce concerning a project to advertise Canadian products by the organization of an exhibition train of sample goods in France.

The motion was agreed to.

THE EXPENSES OF PARLIAMENT.

PROPOSED COMMITTEE.

Hon. Sir JAMES LOUGHEED moved:

That a message be sent to the House of Commons to acquaint that House that the Senate have appointed the Hon. Messrs. Power, Bowell (Sir Mackenzie, K.C.M.G.), Dandurand, Thompson, Bostock, Taylor, Gordon, and Daniel a committee to act with that already chosen by the House of Commons, to consider and during the present session to report the total cost, including incidental expenses, of each session of Parliament, and the best way, if any, of reducing the same.

He said: This is in answer to a message that was brought down from the House of Commons to this House yesterday:

Hon. Mr. POWER: I regret that I overlooked that message. Would it not be better to allow it to stand, say, until Tuesday? The honourable the leader of the Opposition would, I think, like to speak on the subject, and I myself have some doubt as to the wisdom of our dealing with the matter.

Hon. Sir JAMES LOUGHEED: I agree to let it stand until to-morrow.

The motion was allowed to stand.

INQUIRIES FOR RETURNS.

On the motion for the adjournment of the House:

Hon. Mr. BOSTOCK: May I ask my honourable friend when we may expect the papers for which I moved on the 26th of April last, with regard to the proceedings in the Exchequer Court in the case of the Quebec and Saguenay Railway.

Hon. Sir JAMES LOUGHEED: All the papers have apparently been brought down with the exception of a letter which was sent to the Prime Minister by the Solicitor General, and I am endeavouring to ascertain whether that communication can be laid on the Table or not.

Hon. Mr. TANNER.

Hon. Mr. BOSTOCK: I did not know that the papers had been brought down to the Senate.

Hon. Sir JAMES LOUGHEED: I think they are here. However, I will make further inquiries. In any case, all the papers from which information is obtainable are already down.

Hon. Mr. DANDURAND: I beg to inquire of the honourable the leader of the Government if the papers regarding the request of the British Government for rails for the Allies have been brought down in the House of Commons, and, if so, if copies of those papers could not be laid on the table of the Senate.

Hon. Sir JAMES LOUGHEED: I am unaware whether that correspondence has been brought down or not. If it has been laid on the table of the House of Commons, it certainly should be laid on the table of the Senate. I will see that that is done.

The Senate adjourned until Friday at three o'clock p.m.

THE SENATE.

Friday, June 8, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PRIVATE BILL.

FIRST READING.

Bill K 2, an Act to incorporate the Canadian Ukranian Institute Prosvita.—Hon. Mr. LaRivière.

DIVORCE BILLS.

THIRD READINGS.

Bill D 2, an Act for the relief of George Walter Sherald Garrett.—Hon. Mr. Ratz.

Bill F 2, an Act for the relief of Gertrude Ellen Beal.—Hon. Mr. Pope.

Bill G 2, an Act for the relief of Donald George Whibley.—Hon. Mr. Owens.

FIFTIETH ANNIVERSARY OF CONFEDERATION.

REPORT OF COMMITTEE.

On the Order:

Consideration of the report of the special committee appointed upon the arrangements which should be made for the celebration of the 50th anniversary of the foundation of this Dominion.—Hon. Mr. McLennan.

Hon. Mr. McLENNAN: I move the adoption of the report, with the change of the phrase, "that appropriate memorial services be held at London and Paris," to, "that arrangements be made with the authorities in England and France to hold appropriate services on July 1st or July 2nd."

Hon. Mr. BOSTOCK: I would call my hon. friend's attention to the words in the first paragraph, "that a topical pamphlet comparing and contrasting Canada of 1867." The word "topical" seems to me to be rather peculiar. Would it not be better to use the word "descriptive?"

Hon. Mr. McLENNAN: I could defend the word "topical," but I think perhaps "descriptive" would be a little clearer.

Hon. Mr. WATSON: I may say that the Parliament Building Committee consider that some changes should be made in the inscription to be placed on the pillar in the new Parliament Buildings. Therefore, if it is agreeable, I think it would be well to adjourn the consideration of this matter to a future day, so that the two committees may get together in the meanwhile.

Hon. Mr. McLENNAN: The only difficulty, I understand, is that the architect would require almost immediately to get ready the inscription and make the column.

Hon. Mr. WATSON: The Minister of Marine and Fisheries, I think it was, suggested that the matter be referred to Mr. Campbell, of the Archives, who might be able to design something more appropriate. I think the Building Committee meets next Tuesday.

Hon. Mr. McLENNAN: I am perfectly willing that the report should stand until next Wednesday.

The motion was withdrawn.

INTERNAL ECONOMY COMMITTEE.

REPORTS.

On the Order:

Consideration of the second report of the Standing Committee on Internal Economy and Contingent Accounts of the Senate.—Hon. Mr. Power.

Hon. Mr. POWER: With the permission of the House, I prefer that some other honourable gentleman should move the adoption of this report, as I do not concur in the report, for the reason that it says:

Your committee are of opinion that these appointments are matters coming more properly within the sphere of the Joint Committee on the Library of Parliament.

That is not my opinion. The Joint Committee on the Library is very likely not to meet at all this session, and consequently this matter is liable to be indefinitely postponed. Neither the law nor the rules of the House require that a recommendation of this kind should be referred to any committee; it is left to the discretion of the Senate to refer it, or concur in it, or throw it out at once. There is no question, I fancy, as to the propriety of the recommendations made by the Joint Librarians and concurred in by His Honour the Speaker; but, instead of sending it to the Joint Committee on the Library of Parliament, I think the better course would be to have the House adopt the recommendation of His Honour the Speaker, and when some honourable gentleman moves the adoption of the report, I propose to move that as an amendment.

Hon. Sir JAMES LOUGHEED: In answer to what my honourable friend has said, and with a view to establishing some regularity in our practice, I suggest that the motion should be to lay upon the Table the report of the Internal Economy Committee upon this particular subject. That being done, a motion would be in order for concurrence in the report of the Joint Librarians. The Joint Librarians of Parliament are in a position analogous to that of a deputy minister, and the joint Houses of Parliament are in a position analogous to that of a minister; consequently, when the Joint Librarians submit an appointment, it is confirmed by the Joint Houses practically acting in the same capacity as a minister. Therefore I move that the report of the Internal Economy Committee be laid on the Table.

Hon. Mr. THOMPSON: As a member of the committee, I may say that when the matter came before them for consideration, it was felt that the Senate could only have knowledge of the facts through a committee of the Senate. All we had to act upon was the report of the Librarians; we did not know whether or not the joint committee had dealt with the question; and it seemed to us that we ought to have been advised from that source. I think it is rather extraordinary that the chairman, acting for the committee, hesitates to move the adoption of the report of the committee. He wants somebody else to do that. I under-

stand that the chairman ought to act in accordance with the wishes of the committee over which he presides.

Hon. Sir JAMES LOUGHEED: There would have been no irregularity if the Senate had asked the Committee on Internal Economy to make inquiries as to the facts leading up to the appointment and to report those facts to this House; but unfortunately the Committee on Internal Economy has made a report, thus arrogating to itself the right to report on the matter, and the report is that these appointments are matters coming more properly within the sphere of the Joint Committee of the Library of Parliament. That is inaccurate. While I must admit that I myself suggested the other day that probably that committee would have authority to deal with the subject, it is only the joint Houses of Parliament who would have authority to confirm the action of the Joint Librarians, and this Chamber, in concurring in the report of the Joint Librarians, would of course be acting as one of the Houses of Parliament.

Hon. Mr. THOMPSON: We have no report from the Joint Committee on the Library that they have taken any action in the matter. My honourable friend (Hon. Mr. Power) says the Joint Committee will not meet this session. They have not met, and this matter comes before us for approval without a recommendation from that committee.

Hon. Sir JAMES LOUGHEED: I could very well understand our committee advising this House that there was no objection to the appointment, but our committee cannot properly report that it comes within the sphere of the Joint Committee. It is simply a matter of straightening out the practice.

Hon. Mr. WATSON: When the matter came before the Internal Economy Committee, they arrived at the conclusion that it had been sent to the wrong committee, and should have been sent to the Joint Committee on the Library. I am inclined to think that that committee should report before an appointment is made on the recommendation of the Librarians.

Hon. Mr. DANIEL: In the other House these same appointments have to be approved of. We read in the Official Report of the Debates of the House of Commons of the 6th June:

Hon. Mr. THOMPSON.

Sir Robert Borden moved:

That the recommendation of His Honour the Speaker, laid on the table of the House on the 14th instant, respecting the appointment of Mr. Herbert Charles Stock to the position of messenger in the Library of Parliament, be concurred in.

Of course, the Speaker received the report from the Joint Librarians. That is the way the thing is done in the House of Commons, and it appears to me it might just as well be done in that same way here.

Hon. Mr. THOMPSON: The Speaker of the House of Commons makes that recommendation as chairman of the Internal Economy Committee.

Hon Sir JAMES LOUGHEED: I may say that we have not apparently before us any recommendation from the Speaker. The only thing that we have before us, according to the report of the Internal Economy Committee, is a communication from the Joint Librarians of Parliament.

Hon. Mr. THOMPSON: That is all.

Hon. Mr. POWER: Perhaps the House will allow me to make a short answer to what was said by my honourable friend from Fredericton (Hon. Mr. Thompson) with respect to the irregularity of my conduct. My duty is to present the report of the committee. I presented the report at the earliest practicable date, and it was put down for consideration to-day. But surely I am not compelled to endorse a report which I do not conscientiously believe in, especially when there are numbers of gentlemen, like my honourable friend (Hon. Mr. Thompson), prepared to endorse the report and to move its adoption.

The Hon. the SPEAKER: The report of the Internal Economy Committee is already on the Table of the House, and I believe it would be just as well to postpone consideration of the matter till a fixed date, when we may be ready to make an amendment.

Hon. Sir JAMES LOUGHEED: I do not think there is any disposition to interfere with the report. It is on the Table, and we can leave it there. Then I would move concurrence in the communication of the Joint Librarians of Parliament, laid on the Table by His Honour the Speaker.

The motion was agreed to.

On motion of Hon. Mr. Power, the third report of the committee was concurred in.

Hon. Mr. POWER moved concurrence in the fourth report of the committee. He said: Two of our messengers have enlisted in the Canadian Expeditionary Force, and no special provision was made for their payment. The Accountant came to me and asked what he was to do about these men. They were being paid, I think, at the rate of three dollars a day as messengers, and the question was whether they should continue to receive that amount, or be paid some lower amount, or be allowed nothing in addition to their military pay. The Accountant told me that in the Commons the messengers who had joined the Expeditionary Force were allowed $50 a month each. I thought we should be safe in making the same arrangement as to our two messengers, but, of course, it was desirable to have the authority of the Senate for doing that, and for that reason this report is presented.

The report was concurred in.

Hon. Mr. POWER moved concurrence in the fifth report of the committee. He said: This report simply recommends that Mr. Bérubé, who has had charge of the reading room for some years and who is a most energetic and efficient officer, be appointed to the position of curator. There is no difference of opinion on the subject.

The report was concurred in.

Hon. Mr. POWER moved concurrence in the sixth report of the committee. He said: This report recommends that the amanuenses employed in the Debates Office of the Senate be paid at the rate of five dollars per day as sessional employees, but with half pay only for such period of any adjournment as exceeds seven days. These employees are very efficient. As honourable gentlemen have noticed, our reports this session have been very much better than the reports in the past. There is no question that five dollars a day is only a moderate and reasonable allowance.

The report was concurred in.

Hon. Mr. DENNIS: Before we pass from the subject, I would like to ask the Chairman of the Internal Economy Committee, or the chairman of whatever committee has charge of the matter, what is going to be done about supplying senators with additional stenographers and typewriters. The stenographers available to members on this side of the House are not at all competent and are utterly unable to overtake the work that at present offers, and unless the appointment of additional stenographers is authorized, conditions will before long be still worse.

Hon. Mr. POWER: That is a matter which should perhaps have come up at the last meeting of the Internal Economy Committee; but there were a great many items before the committee. The honourable the leader of the House was unavoidably absent, and, as there were some items which might be looked upon as contentious they were left over. But the intention is to try to have a meeting next week and dispose of the matter referred to with the others.

Hon. Mr. McSWEENEY: How many stenographers have we now?

Hon. Mr. POWER: Four. I have a report from the Clerk of the Senate, who has had a great deal of experience with stenographers and typewriters, and he certifies that one of the four is extremely competent and capable, while the others are somewhat deficient. We thought, and I believe the honourable the leader of the Government agrees with me, that before appointing additional stenographers we should consider the matter in the committee.

Hon. Mr. MURPHY: I do not think we should consider the matter so long that the session will end before it is remedied. There is no question that the stenographers, at least those that we use, are altogether inefficient. There is only one of the staff that is at all efficient; she might be termed super-efficient, and she has in consequence to do all the work.

Hon. Mr. WATSON: I would like to say, in reply to the honourable gentleman, that I made inquiries of members on this side of the House, and Hon. Mr. Taylor inquired of members on the other side, and members have reported that the stenographers are giving good satisfaction, so far as the two for this side are concerned.

Hon. Mr. MURPHY: That is for your side of the House. But we do not have their services at all.

Hon. Sir JAMES LOUGHEED: I may say that complaints have been made to myself with regard to the inefficiency of certain stenographers. I do not know them personally. I took the liberty of suggesting to my honourable friend the senior member for Halifax (Hon. Mr. Power), the Chairman of the Committee, that some form of examination should be set before the appointments are made.

Some Hon. SENATORS: Hear, hear.

Hon. Sir JAMES LOUGHEED: And I think I submitted to him a method whereby one of the officers of the House could readily determine the efficiency of candidates for appointment.

Hon. Mr. CLORAN: That is the proper way. Why not at once authorize some official of the House to take charge of that examination and dispose of the matter?

Hon. Sir JAMES LOUGHEED: I suggested that the Clerk of the House, who is himself most competent in stenography, should determine the matter. I think the House could safely leave the matter in his hands.

Hon. Mr. CLORAN: Why not sanction it now?

Hon. Mr. TANNER: I understand that this matter is now in the hands of the Committee on Internal Economy. That committee will not meet until some time next week; then the report will come in and lie on the Table for a day or two, and another week will elapse before anything will be done. In the meantime, on this side of the House we have one competent stenographer to do the work of twelve or fifteen senators. It is physically impossible for any stenographer, however competent she may be, to do that work.

Hon. Mr. DENNIS: For nearly forty senators.

Hon. Mr. TANNER: For my part, I find I have to wait the greater part of a day before getting a chance to dictate a letter. Surely, when there is one stenographer for every three members of the House of Commons, honourable gentlemen at this end of the building should have at least equal accommodation. I hope that there is some way of disposing of a trifling matter like this immediately, so that we may have our business transacted. I do not like to be obliged to spend the day watching in the corridor to see if I can catch a stenographer. I would like to get my work done.

Hon. Mr. POIRIER: I presume that the stenographers who have been mentioned as competent or incompetent are the English stenographers. There is one French stenographer for the whole Senate, a very competent one, I believe, and very obliging, but she is much crowded with work. To overcome the difficulty, I have been obliged for the last two weeks to get my correspondence written outside of the Senate.

I think the whole question might be considered and that we who have French correspondence should not be altogether disregarded and neglected.

Hon. Mr. CLORAN: I can corroborate the statement of the honourable gentleman (Hon. Mr. Poirier) that the stenographer to whom he refers is very competent, not only in French, but equally in English.

Hon. Mr. POIRIER: I know half her time is taken up by my English colleagues.

Hon. Mr. MURPHY: I beg leave to move that the matter of the efficiency of the stenographers and the number required be left altogether in the hands of the Clerk.

Hon. Mr. CLORAN: And that he act immediately.

Hon. Mr. POIRIER: That would be the best way, I think.

Hon. Mr. WATSON: It was arranged agreeably to both parties in this House, that honourable Mr. Taylor and I should make the selection—that he should select two stenographers for one side of the House and I should select two for the other. I was careful to select only stenographers who were recommended to me as competent by persons who knew their qualifications. During the early part of the session there was some complaint from the French members regarding French stenographers, but within a week the complaints had disappeared. I went to see those honourable gentlemen, and they said the stenographers were doing first-class work. So far as this side of the House is concerned, I have had no complaints about the two stenographers selected by me. The honourable gentleman from Leeds (Hon. Mr. Taylor) will be able to judge of the efficiency of the stenographers he has selected. I do not think, however, the matter is one calling for action by the House or the Clerk.

Hon. W. B. ROSS: I would like to say, as to the stenographers, that I have given them up. I have tried to get some work done. I tried hard last year. This year I have not made any effort at all, I was so utterly disgusted with the work done by the stenographers last year. I asked for a fountain pen this year and said I would do the work myself. That is what I am doing now. The present staff of stenographers, with one or two exceptions, is a farce.

Hon. Mr. TAYLOR: I agree with my colleague (Hon. Mr. Watson) in reference

to the manner in which we selected the stenographers. He selected two for the members of the Opposition and I selected two for the Conservative members. Honourable gentlemen must understand that it is very difficult to secure a good stenographer to-day.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. TAYLOR: They are engaged either in the departments or in the Commons, and I do not know where you can get a competent stenographer in the city. I selected one who, I believe, is one of the best in the city. But a great many of the members have individually enough work for one stenographer. I did make application early in the session to have the staff enlarged. We should have for each side of the House two more stenographers; then one or two members would not monopolize the best one all the time, as is done at present.

The matter is to be dealt with by the committee on Tuesday or Wednesday of next week. We shall have a report from the Clerk of the House as to the efficiency of these four stenographers. I understand that the Clerk has held a test, and no doubt application will be made to him, or he will be given authority to select a couple more if necessary, as two are certainly not enough to do the work of honourable gentlemen on either side of the House.

Hon. W. B. ROSS: In making a selection of stenographers why should the honourable gentleman confine himself to Ottawa? There are many cities other than Ottawa where there are plenty of capable stenographers; the woods are full of them.

Hon. Mr. TAYLOR: We had only two to select from.

Hon. Mr. POWER: Honourable gentlemen appear to be labouring under a misapprehension in regard to this matter. The honourable leader of the Government made the suggestion, which I thought a very proper one, and upon which I acted almost immediately, that I should consult one of our officers, who is a skilful shorthand writer and typist, and ask him to examine these four young ladies. I spoke to the Clerk, and he has held an examination, and has made a report to me which will be submitted to the Committee on Internal Economy next week. Some honourable gentlemen seem to think that every senator should have a stenographer for his own use.

Hon. Mr. CLORAN: Those who have work.

Hon. Mr. POWER: That would be a rather large order. It is not very long since no senator had a stenographer.

Hon. Mr. BEAUBIEN: I would like to second the motion of the honourable gentleman from Tignish (Hon. Mr. Murphy). I have been obliged to give up entirely the use of the stenographers. I do not know who chose the French stenographer, but I know that she does work for members on both sides of the House, not only in French, but in English as well. I have dictated a few letters, but owing to the delay in getting them I have since given up the idea and have been writing my letters by hand. This is not practical. In my opinion, the country ought to pay for what each of us gets in his own office—the clerical assistance required. If the matter were left in the hands of the Clerk of the Senate, he could engage assistance and could dismiss any employee who would be unable to do the work.

Hon. Mr. CLORAN: Why not engage returned soldiers who are typists and stenographers? Here is an opening for capable men.

Hon. Mr. EDWARDS: In my humble opinion, if the senators fully understood the inconvenience to which the commercial community is subjected through lack of stenographers, they would be perfectly satisfied with any stenographer they could get.

Hon. Mr. CROSBY: There is no difficulty in getting stenographers if you are willing to pay for them. I understand that the maximum paid here is $75 a month. Who expects to employ a competent stenographer for $75 a month? The woods may be full of them, but they are worth more than that in business and professional life. We should pay a fair wage to the stenographers, and let the Clerk be the judge of their efficiency and the salary that they should receive. They should be paid on their merits. Stenographers are like every one else: some are worth a good deal of money to you, and you cannot get them without paying for them. One honourable gentleman has said that we have stenographers here who are efficient in both English and French; then they should receive more considération than those who are not. Of course, the Committee on Internal Economy should have some control over the expenditure of this

House; but, as suggested by one honourable gentleman, I think it would be well for the Clerk to be authorized to hire these people and pay them what he considers they are worth, running say from $75 to $150 a month. Then we would have the kind of stenographers we want, and would not be compelled to take as much time in reading over and correcting letters as it takes to dictate them.

Hon. Mr. WATSON: I hope the Senate will not deal with this matter along these lines. Two years ago the Government was good enough to give the members of this House some clerical assistance. Up to that time we provided our own assistance. Through the honourable the leader of this House it was intimated that four stenographers, two for either side of the House, might be selected to assist the members in doing their work. The correspondence of the members of this House must of necessity be more or less political in character. Therefore the honourable gentleman from Leeds (Hon. Mr. Taylor) on one side and I on the other side were authorized each to select two stenographers. We did so. I made inquiries, and was furnished with stenographers of the right political stripe; and, so far as this side of the House is concerned, I am glad to say that there is little or no complaint about the stenographers. All that the honourable gentleman from Leeds had to do was to satisfy the members on his side of the House, and I would object to any such arrangement as having the right of selection relegated to the Clerk of the House or any one else. If you wish to do away with the present system, all right; but I do not think that this House ought to take action along those lines.

Hon. Sir JAMES LOUGHEED: It is quite apparent that the honourable gentleman from Portage la Prairie (Hon. Mr. Watson) has taken advantage of the Conservative members of the House, and has selected the better stenographers for the other side of the House. If the honourable gentlemen who have moved and seconded this motion will leave the matter with me, and the House is agreeable, I will see that an arrangement is made with the Clerk.

Hon. Mr. POIRIER: In the House of Commons they have one stenographer to every three members.

Hon. Mr. THOMPSON: They are busy there.

Hon. Mr. CROSBY: Supplementing what my honourable friend from Halifax (Hon. Mr. Power) has said about stenographers being able to take dictation in two languages, I may say that this is the case with the special stenographer given to us. She takes dictation in both French and English; therefore we have no occasion to interfere with the privileges of our honourable colleagues who speak a different language.

Hon. Mr. WATSON: If it could be arranged to employ our stenographers in some of the departments during the recess we would have no difficulty in getting a better class of assistants; but our difficulty is that they are employed only for the session, because any good stenographer can get a permanent position and will take it.

Hon. Sir MACKENZIE BOWELL: For thirty or forty years members of the Senate and members of the House of Commons did their own work.

Hon. Mr. THOMPSON: This is war time, and we do not want to open any new avenues of expenditure.

Hon. Sir MACKENZIE BOWELL: My suggestion is that this matter should be taken into consideration by the joint committee to ascertain if it is not possible to reduce the expenditure of Parliament.

Hon. Mr. MURPHY: In my opinion there should be no such thing as Liberal stenographers and Conservative stenographers. If, in the judgment and experience of the members on this side of the House, that method of selecting stenographers has broken down, some other method should be adopted; and, with the permission of the House and of my seconder, I beg leave to withdraw my motion in favour of the suggestion made by the honourable the leader of the Government.

The motion was withdrawn.

Hon. Sir JAMES LOUGHEED moved:

That the report of the Joint Librarians of Parliament as to the appointment of J. Ludger Parr as a clerk in the Library of Parliament, in Subdivision B of the Second Division, accompanied by the certificate of the Civil Service Commissioners, laid on the Table of the Senate on the 5th of June, instant, be concurred in.

The motion was agreed to.

DIVORCE BILLS.

SECOND READINGS.

Bill H2, an Act for the relief of George Maisey.—Hon. Mr. Sproule.

Bill L 2, an Act for the relief of Herbert Featherstone Conover.—Hon. Mr. Taylor.

Bill J2, an Act respecting the Western Canada Accident and Guarantee Insurance Company.—Hon. Mr. Laird.

THE EXPENSES OF PARLIAMENT.

PROPOSED COMMITTEE.

Hon Sir JAMES LOUGHEED moved:

That a message be sent to the House of Commons to acquaint that House that the Senate have appointed the Hon. Messrs. Power, Bowell (Sir Mackenzie, K.C.M.G.), Dandurand, Thompson, Bostock, Taylor, Gordon, and Daniel a committee to act with that already chosen by the House of Commons, to consider and during the present session to report the total cost, including incidental expenses, of each session of Parliament, and the best way, if any, of reducing the same.

He said: Honourable gentlemen, it is almost unnecessary for me to enlarge upon this motion. It is proposed that joint action be taken by both Houses of Parliament to consider the subjects set out in the message.

I need scarcely say, in the first place, that on the ground of courtesy we should accept the message of the House of Commons; in the second place, I think it is possessed of every merit. I think such a joint committee of both Houses could sit with great advantage, and endeavour to improve the methods relating to the expenditures of Parliament. Under our system of parliamentary government accretions unquestionably gather upon the hull of the ship of state—

Hon. Mr. WATSON: Barnacles.

Hon. Sir JAMES LOUGHEED: —resulting in a state of inefficiency because of these matters being nobody's business. It is not necessary for me to say that no honourable gentleman would tolerate for a moment in his own business the methods by which the transaction of the business of the public is shackled and manacled. We are assembled in Parliament for the purpose of transacting the public business with the same caution, the same prudence, and the same economical management as we transact our own. It seems to me that if we fail in doing that we are false to the public duties which devolve upon us.

I recall that a few sessions ago a committee was appointed by this House to inquire into some of the expenditures of the Senate, and even by the very casual investigation which we made at that time we were able to save to the country a very substantial amount per annum. We reorganized to some extent the staff of the Senate. I am satisfied that we improved it, and at the same time we carried out certain substantial economies.

The present is a peculiarly fitting time for the adoption of economies in public expenditure. I cannot say that I am aware of the character of the proposed investigation, but allow me to illustrate what I mean in saying that economies may be effected. In both Houses of Parliament, for instance, we have distinct translation branches, in which work is duplicated and overlapped. There is no reason why there should not be a single translation branch to do the work for both Houses of Parliament. We have a branch in each House engaged in translating our statutes, yet there is only one issue of the statutes. The same observations apply to Hansard. I have always been in favour of the official reporting of both Houses being done by one branch. I do not know whether that is feasible or not, but there is no reason why it should not be considered. There is another consideration: is the country deriving any advantage from the enormous expenditures that both Houses of Parliament are making year after year in the publication of Hansard? Is there any good reason why the proceedings of committees, particularly those of the House of Commons, where the greater portion of the work is done in committee, should be published in Hansard? The Hansard of this country, comprising sometimes four or five enormous volumes, which are never referred to, never looked at, costs the country, I suppose, hundreds of thousands of dollars.

Hon. Mr. CLORAN: Some members of the House will be getting after you.

Hon. Sir JAMES LOUGHEED: These are some of the items that might be considered. I am not so dogmatic as to say that practical effect can be given to these suggestions, but there is no reason why an extended inquiry should not be carried on by a joint committee of both Houses of Parliament to ascertain what unnecessary expenditures we are making and what efficiency we might introduce into the transaction of the public business. I am satisfied that it would inure not only to the satisfaction of Parliament, but also to the advantage of the public.

Hon. Mr. BOSTOCK: I am sure that we on this side of the House shall be only too anxious to help my honourable friend and

the members of the House of Commons in carrying out the desire expressed for economizing and retrenching in the expenditure of the country. At the present time the need for economy is a pressing question before the country. Perhaps some of the suggestions of my honourable friend can be carried out, and I hope that the members of the Senate on the proposed committee may be able to impress their ideas on the members of the House of Commons.

I might point out to my honourable friend that there has heretofore been a little friction on joint committees of the two Houses. Some members of this House have felt that they have not received quite as much consideration as they ought to receive. I do not know how the House of Commons committee is constituted, but I hope that when the joint committee meets proper consideration will be given to members of the Senate, and that on this occasion there will be nothing similar to what has occurred previously.

Another point that one might suggest to the Government is that in the work of the departments there is, as far as can be learned, a great deal of overlapping, and I hope that this action by Parliament may have a beneficial effect on the Government in suggesting how certain services of the departments might be brought together and retrenchments effected in that way as well. I think that in certain directions there is a great opportunity for that to be done.

Hon. Mr. WATSON: I would like to see the name of the mover added to that committee. The honourable gentleman (Hon. Sir James Lougheed) has always practised economy, as far as I know, in this House.

The motion, amended as suggested, was agreed to.

RAILWAY ACT AMENDMENT BILL.

FIRST READING.

Hon. Mr. LYNCH-STAUNTON introduced Bill L 2, an Act to amend the Railway Act.

The Bill was read the first time.

The Senate adjourned until Tuesday, at eight o'clock p.m.

THE SENATE.

Tuesday, June 12, 1917.

The Senate met at Eight o'clock p.m., the Speaker in the Chair.

Prayers and routine proceedings.

Hon. Mr. BOSTOCK.

PRIVATE BILLS.

THIRD READINGS.

Bill 7, an Act respecting The Continental Heat and Light Company.—Hon. Mr. Beaubien.

Bill O, an Act respecting a patent of Ernest Mead Baker.—Hon. Mr. Belcourt.

Bill X, an Act respecting a certain patent of The Sharp Rotary Ash Receiver Company, Incorporated.—Hon. Mr. McHugh.

Bill B 2, an Act respecting a patent of James B. King and others.—Hon. Mr. Nicholls.

Bill 38, An Act respecting certain patents of George C. Breidert and Burton W. Mudge.—Hon. Mr. Lynch-Staunton.

WHOLE WHEAT BREAD.

MOTION.

The Senate resumed from June 6 consideration of the motion of Hon. Mr. Casgrain:

That, in the opinion of the Senate, during the war, whole wheat bread should be made as soon as possible in Canada.

Hon. F. L. BEIQUE: Honourable gentlemen, I have no intention of detaining this honourable House on this question. I was not present during the debate, but I have read the important speeches which were delivered on the question, and in my opinion it deserves our very serious attention. I have procured the data which were referred to by the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain), and I have found in them authority for some of his statements, but I fail to find more than a prima facie case. It would, it seems to me, be premature on the part of this honourable House to pass an opinion on the resolution proposed by the honourable gentleman. I am satisfied that there is a good deal of ground for improvement in the use of wheat and the making of bread; but from the information at my disposal I have not been able to ascertain what should be done in the matter. If the honourable gentleman is willing to accept a suggestion, I would suggest that the question be referred to the Health Committee, which is composed of members who have given a great deal of attention to questions affecting public health submitted to it from session to session. The chairman of that committee is a medical man. I am satisfied that would be the best way to deal with the question. The committee would procure the best information available

and then make a report, which would have the proper weight not only with this House but also with the House of Commons and the country at large. Therefore, without detaining this honourable House any longer, if the honourable member will accept my suggestion, I will move that the motion be referred to the Committee on Public Health and Inspection of Foods.

Hon. Mr. CASGRAIN: I would like to have it clearly understood, and would ask this honourable House to see to it, that the committee does not give this proposal a first-cass funeral, and that it comes back to this House with some recommendation, whether negative or affirmative. Many things have been referred to committees and have never come back. If this matter can be considered by the Committee on Public Health within a reasonable time, I have certainly no objection to referring it to that committee. I suppose the committee will have the usual power to send for persons, papers and records.

The motion to refer was agreed to.

BRITISH GOVERNMENT AND CANADIAN PACIFIC RAILWAY COMPANY FINANCIAL ARRANGEMENTS BILL.

FIRST READING.

Bill 47, an Act to facilitate certain financial arrangements between the Government of the United Kingdom of Great Britain and Ireland and the Canadian Pacific Railway Company, and for other purposes.—Hon. Sir James Lougheed.

PENNY BANK ACT AMENDMENT BILL.

FIRST READING.

Bill 55, an Act to amend the Penny Bank Act.—Hon. Sir James Lougheed.

BUSINESS PROFITS WAR TAX AMENDMENT BILL.

FIRST READING.

Bill 57, an Act to amend The Business Profits War Tax Act, 1916.—Hon. Sir James Lougheed.

JUDGES ACT AMENDMENT BILL.

FIRST READING.

Bill 66, an Act to amend the Judges Act. —Hon. Sir James Lougheed.

OCEAN TELEGRAPH ACT REPEAL BILL.

FIRST READING.

Bill 69, an Act to repeal The Ocean Telegraph Act.—Hon. Sir James Lougheed.

PRIVATE BILL.

FIRST READING.

Bill 48, an Act respecting The British Columbia and White River Railway Company.—Hon. Mr. Bostock.

The Senate adjourned until Wednesday, at three o'clock p.m.

THE SENATE.

Wednesday, June 13, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

REPORTED RESIGNATION FROM THE CABINET.

INQUIRY.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I would like to ask my honourable friend the leader of the Government if he has any statement to make in reference to the reported resignation of a member of the Cabinet, and whether any papers in connection with the matter will be laid on the table of the Senate?

Hon. Sir JAMES LOUGHEED: I have no statement to make at present. The time may come when such a statement may be desirable. When it does come I shall be very glad to make it.

DIVORCE BILLS.

THIRD READINGS.

Bill H 2, an Act for the relief of George Maisey.—Hon. Mr. Sproule.

Bill I 2, an Act for the relief of Herbert Featherstone Conover.—Hon. Mr. Taylor.

PRIVATE BILLS.

THIRD READINGS.

Bill 10, an Act to incorporate The Grand Lodge of the Canadian Association of Stationary Engineers of the Dominion of Canada.—Hon. Mr. Milne.

Bill I, an Act to incorporate The Canadian Division of the Aerial League of the British Empire.—Hon. Mr. Casgrain.

Bill V, an Act to incorporate The Canadian Council of the Girl Guides Association.—Hon. Sir Mackenzie Bowell.

REGULATION OF WAR CHARITIES.

On the Order:

Second reading Bill P, an Act to incorporate the Army and Navy Veterans in Canada.—Hon. Mr. Sharpe.

Hon. Sir JAMES LOUGHEED: I have to ask that Bill P and Bill U should remain on the Order Paper for a short time, pending general legislation by the Government. As I intimated a few days ago, it is the intention of the Government to bring down general legislation for the purpose of regulating war charities.

Hon. Mr. CASGRAIN: Will that include the Patriotic Fund?

Hon. Sir JAMES LOUGHEED: It will not include the Patriotic Fund. The legislation which the Government has in view will permit of the organization of these societies, and will permit them to have a corporate entity, so that they will be capable of doing the business they have in view; but it is desirable that there should be some uniformity in regard to them and some system of regulation by the Government.

Hon. Mr. SHARPE: The Army and Navy Veterans have been incorporated under the laws of Manitoba since 1886. Their work has extended beyond the limits of the province of Manitoba, and all that they ask in this Bill, as I understand it, is that they may carry on that work in other parts of Western Canada. If they were under a Dominion charter they could carry on their work throughout the Dominion. I think it hardly fair to refuse them a Dominion charter.

Hon. Mr. CASGRAIN: Is there anything that you are asking to do in the Bill that you could not do under letters patent?

Hon. Mr. SHARPE: We have a provincial charter at the present time. The work of the association has extended into the provinces of Alberta and Saskatchewan.

Hon. Mr. CLORAN: The question is whether you could not do the same work under letters patent which would cover the whole of the Dominion.

Hon. Mr. SHARPE: If this Bill were allowed to go to the committee, anything objectionable found in it could be cut out.

Hon. Mr. CASGRAIN.

Hon. Sir JAMES LOUGHEED: I direct the attention of my honourable friend to clause 2 of the Bill. He will see that its provisions are of the most sweeping character, and would permit of all kinds of charitable work being entered into by the organization, with the collection of subscriptions from the public. The object of the Government is to regulate these matters.

Hon. Mr. WATSON: The honourable leader of the Government has taken a stand which holds up this measure until some Government legislation is completed. In Manitoba there is a conflict between the Veterans' Association and the returned soldiers' organization. The Veterans' Association has been incorporated for a number of years, and it has been in reality a social club. That is all right; it is for a good purpose. The returned soldiers' organization is of a more recent date, and I think it is the most active organization in Manitoba to-day. I think it well that the Government should undertake the control and regulation of all such societies, which collect money from the people, who are absolutely innocent as to what becomes of it.

Hon. Mr. CHOQUETTE: Is that association of soldiers organized to prevent the expression of opinion at public meetings?

Hon. Mr. WATSON: I am not criticising them in regard to that. If I were there I think I would join the veterans.

The order was allowed to stand, also the order for the second reading of Bill U, an Act to incorporate The Great War Veterans Association of Canada.—Hon. Mr. Dennis.

CONSERVATION OF CANADIAN TRADE.

MOTION FOR A COMMITTEE.

The Senate resumed from June 5 consideration of the motion of Hon. Mr. Nicholls:

That, in the opinion of this honourable House, it is expedient to appoint a committee to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed, and that the said committee be composed of the Hon. Messieurs Beaubien, Edwards, McLennan, Dandurand, Gillmor, and the mover.

Hon. C. P. BEAUBIEN: Honourable gentlemen, I would like to add a few suggestions to the able address made by the honourable gentleman from Toronto (Hon.

Mr. Nicholls) a few days ago. He has laid before the House a proposition which I consider timely and patriotic, and he has done so in a short, crisp, convincing speech, which to my mind showed clearly the sterling qualities of the business man. I have absolutely no ambition to exhibit to you similar business qualities. A professional man generally has the weakness of the profession which he follows, which unfortunately deprives him of that precision which is so essential to the business man. With your indulgence, however, I will attempt to do my best.

The trade of Canada, it seems to me, has up to the present time developed somewhat as water flows in a stream: it has gone from Canada by gravitation, and little has been done to help it along. I will for a few moments try to illustrate that idea with reference to certain of the resources of our country. Under the pre-war conditions we were living on the marvellous resources of this land and, so to speak, borrowing from the future. But after the war, to my mind, conditions will be changed. Then the nations will be hungry, lean, and intent upon securing the absolute necessities of life. Then, in my opinion, we shall see a war of trade as we now see actual warfare on the battlefields of France. We shall see a war of trade organized, directed, and subsidized by state governments. If that is the case, honourable gentlemen, what shall we do?

There is no land in the world that can compare with Canada in the growing of wheat. I had occasion last year to visit France, and to my great surprise I found that our Canadian wheat had penetrated very little, indeed, into the French market. A few figures will establish this clearly.

In 1913 we exported to France 222,000 bushels of wheat. In the year 1916 we exported to the same country 3,842,362 bushels. France imports a large quantity of wheat. She imports yearly 731,000,000 francs worth of cereals. Let me illustrate in a striking way, as I have seen it, the importance of wheat importation to France. I was informed that a large firm importing wheat into France had for the purchase of wheat in foreign lands the following representatives: in North Russia, 50 buyers; in South Russia, 64 buyers; in Argentina, 34 buyers; in Roumania, 28 buyers; in India, 18 buyers; in Australia, 4 buyers; and in Canada, one buyer, who occasionally comes over from the United States.

Canada now ranks fifth among the nations of the world in the production of wheat. Very soon, I believe, we shall rank third. Is there not something to be done along the lines traced by this resolution to increase our foreign trade in wheat and I may add also in oats? I will refrain from speaking of oats, as my argument for wheat applies equally well to this commodity. Is there not something to be done to secure in this respect a better share of the French market?

I always remember a thing which, though simple in itself, impressed me deeply. I once came to a swiftly-running stream that divided two friendly communities. The people at first did not know how to get across. What did they do? They stretched a steel cable across the stream, and, by turning their boat one way or the other, used the adverse current which had divided them as a means of bringing them together. Is it not possible to take from the adverse conditions created by the war a force which we can usefully employ to develop our foreign and home trade? Owing to the war we have exported to France a great quantity of wheat, and what has been the result? An admirable advertisement of our products all over France. There is not a miller in France who will not acknowledge that Canadian wheat will make more bread and better bread than any other wheat in the world. Is the present not an opportune time for us to use the adverse conditions of the war which are costing us so much in money and blood, to introduce permanently into France the wheat of our beautiful fields of Canada? How could that be done? By a campaign in which we would ask the French millers to specialize in Canadian wheat. With the feeling of sympathy for Canada now running so high in France, that undertaking, you may rest assured, would not be difficult.

What can we do to increase our home trade in wheat? The discussion that took place in this House a few days ago has shown conclusively the importance of this question; and, by the way, the Gazette of yesterday states that whole wheat bread is now being used in England with very good results. May I quote from its special London cable service:

> Bread rations are three pounds per week. The bread made by Government recipes is a great improvement on the former bread, and saves white flour, whole wheat being utilized.

Hon. Mr. CASGRAIN: Hear, hear.

Hon. Mr. BEAUBIEN: Let us disregard the exclusive use of whole wheat flour in

Canada as being perhaps a difficult proposition for us to cope with at present, and take the recommendation of the honourable member for Kingston (Hon. Mr. Richardson) to use 76 per cent flour. I speak subject to correction, but I understood him to say that by using 76 per cent flour we could save six pounds of flour in every bushel of wheat. I also take it from him that 196 pounds of flour will make 280 pounds of bread. Roughly speaking, that means that six pounds of flour will yield about nine pounds of bread. Then every one of the 80,000,000 bushels of wheat that we consume yearly could afford us a saving of nine pounds of bread. This means the stupendous saving of 730,000,000 pounds of bread, if my information is exact. It is admitted, I understand, that 300 pounds of bread per capita is used each year. Let the estimate be as liberal as possible; say one pound per capita per day. What does that mean? It means that our population, now estimated to be 7,000,000, uses 210,000,000 pounds of bread a month; and if it be true that we can save 730,000,000 pounds of bread in a year, the bread thus saved would feed the whole nation for 104 days. It is, I think, admitted, in the first place, that the producer would get more money, because he could to better advantage sell his low-grade wheat; secondly, that the miller would lose no money; and, thirdly, that the consumer would get better bread, more bread, and cheaper bread.

Allow me to touch upon another subject, which I believe is also of great interest to the country, namely, the lumber industry. France imports 220,000,000 francs worth of ordinary lumber a year. Last year, while in France, I inquired whether that country imported any of our lumber, and to my utter amazement I learned that Canadian lumber was absolutely unknown in France. Lately an effort has been made by the British Columbia Government to advertise British Columbia fir in France. We export about $40,000,000 worth of lumber a year. Could we not, there again, make use of the adverse conditions of the war? At the end of this war no less than 3,500 municipalities in France will have been completely destroyed. That is more than exist in the whole of Canada. In the province of Quebec there are only 1,242 municipalities, counting not only the cities and villages, but also the little out-of-the-way places at the cross roads, which have post offices. Those destroyed towns and villages in France have to be rebuilt, and if after the war, when our mills are stopped and our workmen are thrown out of employment, we could face this task of building anew, equipping, and furnishing that once beautiful but now desolate country, would not that be a marvellous opportunity to help to sustain and stimulate our lumber trade and industries? I do not by any means assert that we can secure all that lumber trade of France, but we ought to obtain our fair share of it. The French people are desirous of giving us that fair share, and why should we not make preparations now to secure it?

Honourable gentlemen, that is what I respectfully suggest could be done outside of Canada for our lumber trade. What could be done at home? An immense quantity of lumber is, of necessity, I believe, lost in the carrying on of lumbering operations; but I am told by very good authority that by means of simple legislation a large portion of the wood now lost could be utilized for the manufacture of ethyl alcohol, which would enable us to manufacture many chemicals and pharmaceutical products, especially chloroform, which Germany, I understand, controlled prior to the war. Why should we not do that, again using the adverse conditions in which the war places us, to prevent this waste and turn it into profit?

With reference to our fisheries, I have read, to my great astonishment, a debate in the House of Commons, in which members of Parliament who must be admirably versed in this subject stated that for twenty years our fishing industry had been practically at a standstill. Although the products of our fisheries to-day are valued at $35,000,000, as compared with $20,000,000 twenty years ago, the increase is in price rather than in production, the actual increase in production being only eight per cent. In a country that boasts of possessing the finest, the richest fisheries in the world, is that a satisfactory result? The price of meat has greatly increased, and war conditions will probably continue to enhance these prices from day to day, or from month to month. Can we not there again use the adverse conditions of the war? We should endeavour to increase the output of our sea food not only for the home market but for many foreign markets as well. It seems that this can be accomplished by two methods: firstly, by cheaper production, and, secondly, by cheaper and better distribution.

Another great asset of this country is our water-powers. I have been told and have

often read that Canada and Norway possess the finest and cheapest water-powers in the world. In Canada there are many water-powers that can be developed at a capital cost of from $50 to $60 per horse-power. Can we not use these water-powers to establish new and profitable industries? We are now making our powder with nitric acid from saltpetre or nitrate of soda, every pound of which is imported from Chili. This saltpetre costs us $80 a ton. With water-powers capable of development on the basis of $65 per horse-power, I have it upon very reliable authority that we could manufacture nitrate of soda at $45 a ton, which would mean a saving of $35 a ton on the several thousands of tons which we are importing into this country every month. I am not at liberty to say exactly how many tons are so imported; but it is sufficient to know that several ships of several thousand tons' capacity are continually used for the transportation of that commodity. By so using our water-powers we could economize to the extent of several hundreds of thousands of dollars a month. By that economy we can operate and maintain in this country a new industry—an industry that will render us absolutely independent of Chili so far as saltpetre is concerned; and any one can conceive how necessary this might be when he remembers that German submarines can now cross the ocean and menace New York. Why should they not also cross the Pacific? What could prevent them establishing a base somewhere on the coast of South America, and torpedoing every boat carrying a cargo of nitrate of soda to Canada? If that were done, not a pound of powder could be manufactured in Canada. Apart from the necessities of war, present and future, nitric acid could provide nitrates which, used as fertilizers, would produce the same results here as they have the world over in increasing the productivity of the land.

Honourable gentlemen, there are also by-products of the iron industry which could be used to better advantage than they are now. Some are used in the manufacture of explosives. They could be employed to much greater advantage in the production of powder, and especially in the making of a stabilizer now altogether purchased at substantial cost from foreign markets. We could use these products also in the manufacture of aniline dyes. What happened in France? The modern process for the manufacture of dyes was first invented by a scientist of Lyons and developed there, but soon afterwards purchased by the Germans and made into one of the greatest world-wide monopolies. When the war broke out practically no dyes could be obtained. As a consequence what was done in France? The Government there spent one hundred million francs to create this industry anew, and I am informed that similar steps are being taken in England, where an enormous company called the British Dyes has been created and subsidized by the British Government.

In the House of Commons yesterday the Minister of Trade and Commerce, after announcing the appointment of Mr. McGrath as controller of fuel, read the Order in Council making this appointment, in which it is said:

> At the present moment the outlook for the coming season gives cause for grave anxiety and calls for prompt and efficient action if subsequent shortage and its consequent privations are to be avoided. The Quebec district, which formerly drew for its needs for railways and factories some 2,000,000 tons of bituminous coal from Nova Scotia mines, cannot estimate on more than 200,000 tons from that source. Nearly all the prospective output of these mines will be required for local needs, bunkering purposes, and the use of the Intercolonial Railway. This transfers the supply of this deficiency to the United States mines, whilst in middle Canada the demands have to be met, if at all, by drawing upon United States sources.

This looks very ominous, and in the face of this condition of affairs it would be well for honourable gentlemen to read the book prepared by Dr. Haanel, Director of Mines, on the development of peat bogs for the production of fuel. I glanced at it the other day and found it very interesting. In this country there are 12,000 square miles of peat bog capable of producing 9,300,000,000 tons of peat fuel, which are equivalent to 5,400,000,000 tons of anthracite coal, and sufficient to provide fuel for 5,300,000 families for one hundred years. That sounds a little like a fable, but in reality what has happened? The Government built a model plant at Alfred to manufacture peat fuel on a small scale, and it succeeded so well that a private corporation has been formed and has bought the peat bogs there. According to Dr. Haanel, an experiment has been made in producing power from that fuel for manufacturing purposes. The Government established in Ontario a peat producer gas power plant, which furnished evidence that one horse-power produced by peat fuel would cost yearly $11.25.

Hon. Mr. CASGRAIN: Half the price of coal.

Hon. Mr. BEAUBIEN: And what would one horse-power cost with bituminous coal, not at the prices of to-day, but at $4 a ton? It would cost $18.

This peat question in itself seems to me well worth an investigation. We live in a beautiful country with unlimited possibilities; but we cannot get away from the fact that it is a very large country for seven million people to develop.

Hon. Mr. CHOQUETTE: What will be the result if you still take away 100,000 of the young men of this country to be slaughtered on the battlefield? How can you produce more wheat and more lumber and develop more water-powers?

Hon. Mr. BEAUBIEN: I do not know whether my honourable friend thinks that this is a proper occasion to anticipate the speech which he has reserved for the question of conscription.

Hon. Mr. CHOQUETTE: No, no. It is a proper question.

Some Hon. SENATORS: Order.

Hon. Mr. BEAUBIEN: I think I can answer the question, and when the honourable gentleman makes his speech, if he is patient, I will endeavour to answer him.

It will be extremely difficult to maintain this country in a state of prosperity after the war. Transportation will be very expensive, with our 7,000,000 people scattered broadcast over a country 3,000 miles in extent; its administration generally must be very costly for that and other reasons. In other words, we have a large, beautiful ship, but we have few hands to man her. There is but one way to accomplish our end, and that is by developing the magnificent resources of our country and by throwing back of that development the best brain power that can be got. If we do not, we shall find ourselves lagging behind other countries. We must prepare now; later it will be too late.

Too many committees, in my opinion, have given poor results; and, unless the present one be a working committee, meeting from time to time and having at its service the best possible help, specialists and scientists when required, it had much better not be entertained at all.

Whilst the members of the Lower House are absorbed by the difficult political questions of the hour, I submit that the members of this honourable House, happily free from such concerns, should turn to the grave economical problems that face the country and grapple with them with determination and perseverance.

Hon. Mr. CASGRAIN.

Hon. Mr. DAVID: I hope the honourable member who has just spoken, being a member of the proposed committee, will induce it to report before the end of the session, in order that the Government may act in accordance with the views expressed by that committee.

Hon. Mr. RICHARDSON: This whole question seems to revolve around the future, with the necessity of increased production at home, more work for our people, and a broad territory to cover. These things cannot be done in a moment. The large areas of uncultivated prairie in the Northwest cannot be cultivated at a moment's notice. The land cannot be utilized without the sod being broken a year in advance. If we are going to increase our production in the West, help must be given; new methods must be adopted, the steam plough must be used, new territory must be broken. If we delay this will not be done. The farmers will do the best they can with the help that they have, but they cannot do this alone. It seems to me that we have come to the point where the Government of this country has to step in and assist in every direction in order to increase the production and also the savings of the country. As has already been said, we have unlimited water powers, but up to the present only a few of them have been harnessed. We have peat bogs that are to-day of great value. In the past, with cheap coal, it was a question whether peat could be utilized in such a way as to compete with coal; but to-day coal is worth $6.50 at the mine in Pittsburg, and one is fortunate to get it at that price. In the past I have sold coal to the Grand Trunk Railway at 83½ cents a ton on the cars at the mine. Think what this means. We cannot get individuals or private corporations to take hold of these problems, and I think it is time for the Government of the country to gather the very best information available, employ the scientific men of the country and pay them well, build laboratories, and so on, and see if we cannot take care of our by-products and our waste, because it is just as important to live without importing goods as it is to export goods to other countries. If possible, it is well to utilize what we have at home, no matter if it does cost almost as much as the imported product, because it assists the people and keeps the money in the country.

There is much in the speech of the hon. gentleman from Montarville (Hon. Mr. Beaubien) to make us thoughtful, because no one can tell what

the conditions will be after the war. We know that the munition factories that are in operation to-day will not be running. We are sure that many other industries now in progress will cease. We know also that our soldiers, those of them who are left, will return home, and employment must be found for them. Employment must be provided also for those who are to-day manufacturing war supplies. No one can foretell the duration of the war; but it will not last forever, and I think it is now time to get ready for the conditions that are bound to exist when this war is over.

Hon. Mr. BOSTOCK: I have listened with a great deal of interest to the speeches that have been made with reference to this proposed committee. I appreciate the object which the honourable gentleman (Hon. Mr. Nicholls) has in view in moving for this committee; but I desire to draw the attention of the Senate, and the honourable gentleman himself, to the fact that a committee was appointed in the session of 1916 for a similar purpose. Its object, in the words of the motion for it, was:

> To inquire, alone or jointly with a like committee of the House of Commons, into what is being done and what could be done to best promote the agricultural, industrial, and trade interests of this country both during and after the war.

The House of Commons did not answer the message from the Senate, but the Senate Committee proceeded with the inquiry during the session of 1916. It did not complete its work, however, and, as honourable gentlemen will remember, this same committee was re-appointed this session for the purpose of completing its work. The committee is presided over by the hon. Senator Béique, and I understand that a considerable amount of information has been obtained. Questions were sent out to different organized bodies throughout Canada for the purpose of obtaining expressions of view and ideas or suggestions that might be of interest and value in dealing with this question. The views advanced by these different correspondents have been collated, and some of them have, I understand, been submitted to certain gentlemen for an opinion as to whether they are feasible and can be utilized. If I may be permitted, I would suggest to the honourable gentleman who has moved for another committee, either that it should be joined with the former committee or that the two committees should in some way collaborate, so that both will not cover the same ground. I do not think work of this kind should be duplicated, and I am sure that the two committees could co-operate and accomplish something that would be of much value to the country.

Then, my honourable friend the leader of the Government (Hon. Sir James Lougheed) was appointed chairman of a commission for the purpose of dealing with much the same question. Inquiries have been made at different times as to the result of the work of that commission, but, so far as I know, it has made no report to the public, although it has doubtless done very valuable work, and possibly the Government has benefited greatly by what it has accomplished. I think, therefore, that with these two committees and the commission we ought to be able to give the Government some very valuable advice, and I hope that good results will accrue.

Hon. Mr. NICHOLLS: Honourable gentlemen, with your permission I would like to say to the honourable gentleman who has just spoken that my object in moving for the appointment of this committee is to try to have some action taken. I realize that after the war we shall be confronted with an entirely new set of conditions. I realize also, being more or less actively connected with business enterprises, that the present time is none too soon to take active steps to provide some means which will help to minimize the adverse situation in which we shall surely be placed. Until this morning I was not aware that this honourable House had already appointed a similar committee. I have since looked at the composition of that committee and its duties. On perusing the resolution appointing it you will see that it covers a great variety of important questions, such as the whole field of agriculture, colonization, immigration, labour, employment for returned soldiers at the end of the war, improvement of highways, branch railway development, the attraction of capital to this country, and the extension of trade relations. The committee for which I have had the honour to move will have much more modest objects than these: we propose to take up one or two salient questions and try to push them to some conclusion, so that at the proper time we may be able to achieve some result.

Let me give you an illustration. There was a great deal of criticism some years ago when the Government of the day decided to bonus the iron and steel industry. The idea prevailing at that time was that if this country was to develop the iron and steel industry it could not do so without render-

ing it aid in its earliest stage. What is the result? As I pointed out on Tuesday last, we have received in this country orders for $1,000,000,000 worth of munitions. Now, iron and steel are the basis of munitions manufacture. We threw our bread upon the waters—we invested a few millions in bounties—and it has brought forth fruit after many days: we have hundreds of millions of dollars worth of work which this country could not possibly have undertaken if it had not been for this wise provision of the Government of that day in bonusing, to a certain moderate extent, the iron and steel industry, so that it might be properly established.

Now, honourable gentlemen, all that I desire is to see the appointment of this modest committee. The committee would be only too glad to co-operate with any committee appointed previously, or with any commission that has been appointed by the Government. But I consider it only a waste of time for a committee of this House to attempt to take up the wide range of questions I have mentioned. They should be divided among many committees, because each one of those questions is in itself of great importance. I do not know whether the committee for which I have had the honour to move will be effective or not. Personally I believe it will be; but I leave the decision to this honourable House.

On motion of Hon. Mr. Edwards, the debate was adjourned till Wednesday next.

PRIVATE BILL.

SECOND READING.

Bill K2, an Act to incorporate Canadian Ukrainian Institute Prosvita.—Hon. Mr. La Rivière.

Hon. Mr. WATSON: Explain.

Hon. Mr. LA RIVIERE: This is a society that is now in existence in Winnipeg, but it has no legal status and it desires to be incorporated so that it may proceed with its work. The objects of the society are philanthropic; there is nothing political about it; there is nothing even national about it, from the outside standpoint. The only national features are that it aims to teach its members the laws of the country and to make good Canadians of them. These people have taken the oath of allegiance. They are good citizens, and will become better. The objects of the Bill are stated in full in the preamble. The Ukrainian population is scattered all over Canada; there are people of that origin in every province, and they want a charter to cover the whole Dominion.

Hon. Mr. CASGRAIN: Are they Galicians?

Hon. Mr. LA RIVIERE: They speak the Ukrainian language. They come chiefly from Galicia. Many of them have settled in Manitoba, others in the eastern provinces. In the West they are becoming very good farmers.

The Bill was read the second time.

The Senate adjourned until Thursday at 3 o'clock p.m.

THE SENATE.

Thursday, June 14, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

EMIGRATION AND IMMIGRATION.

INQUIRY.

Hon. Mr. DAVID inquired of the Government:

1. How many Canadians left, monthly, this country since the 1st of January, 1916, to reside in the United States?
2. In what province were they residing when they left?
3. Has any correspondence taken place between the Canadian Government and the United States in connection with that emigration?
4. How many persons came from the British Isles to Canada during the same period?

Hon. Sir JAMES LOUGHEED:

1 and 2. The Dominion Government does not collect data regarding persons leaving Canada.

3. The United States Immigration Department keep records of Canadians entering the United States, the Canadian Immigration Branch keep records of persons from the United States entering Canada, and these statistics are exchanged by correspondence between the two services.

4. Immigration from British Isles to Canada.—1916: January 216, February 224, March 320, April 743, May 858, June 1,134, July 1,021, August, 910, September 1,065, October 879, November 872, December 354; 1917: January 218, February 138, March 90, April 129, May 127.

THE LATE HON. SENATOR OWENS.

Before the Orders of the Day:

Hon. Sir JAMES LOUGHEED: It is my melancholy duty to make some reference to the death of one of our colleagues within the last few days: I refer to the late Senator Owens. On Friday last he passed away. He was one of the older members of the Senate, having for over twenty years occupied a seat in this Chamber and identified himself very closely with our business. He was acute and keen in all the business interests of life, and brought the same intensity and earnestness to the transaction of public business. He had exceeded the allotted span of life by seven years; yet he carried his years well, and gave promise of many more years of usefulness. It was with the greatest surprise that his colleagues in this Chamber learned of his very sudden death. The messenger of death sometimes conveys his message speedily and sometimes slowly. In the case of the late Senator Owens the tidings of death were conveyed more hastily than happens to most mortals. A few days previous to his death he was with us in this Chamber. It seemed to us that one day we saw him and the next he started on that long journey from which no traveller returns. The late senator occupied no unimportant position in the province in which he lived and which he so well represented in this Chamber. His seat is vacant, honourable gentlemen, and we shall see him no more; but I feel sure that I speak the sentiment of every member of this Chamber when I say that we deeply regret his loss and desire to convey to his sorrowing family our sympathy in the bereavement which they have suffered.

Hon. Mr. BOSTOCK: I desire to associate myself with the honourable leader of the Government in his expression of the regret and sorrow we all feel at the loss of the late Hon. Mr. Owens. All who knew him recognized in his genial and kindly behaviour a man who was always popular and with whom they were glad to associate. He took an active part in the work of our committees and in the proceedings of this Chamber. The time he spent in this Chamber since his appointment in 1896 was a time of real service to the country. Hon. Mr. Owens was a member of the Legislature of the province of Quebec from 1881 to 1891. He was recognized as a progressive and feeding agriculturist, and he did a great deal for the advancement of agriculture and the improvement of live stock in that province. I am sure that we on this side of the House all join most sincerely in the expression of our deep sympathy with his family in the loss they have sustained.

Hon. Mr. BOYER: As one who sat in the Legislature of Quebec with the late Senator Owens, may I add my quota of praise for an old companion? We sat together in the Quebec House from 1884 to 1891, when he left. I remember William Owens coming to me one day and saying, "Boyer, are you going home to-morrow?" I said, "Yes." "Let us pair," he said; and for the last fifteen years we have been paired both at Quebec and at Ottawa. I always found in William Owens a true friend. We differed on political issues, but, as far as friendship and the general interests of the country were concerned, William Owens and your humble servant were as one. I made it my duty to attend his funeral and to offer to Mrs. Owens the deep sympathy of all the members of this honourable House, telling her what a loss the death of her husband would be to all of us.

Hon. Mr. CLORAN: Senator Owens was a friend of mine. Senator Owens was a friend of the province of Quebec, with which he was so long identified. I have known him for the past thirty-five years. As a member of the Legislature of the province of Quebec he was an all-round man, fair, open-minded, one of those men whom you can trust to promote harmony instead of racial prejudice and disunion. Senator Owens has been a man of mark in the province of Quebec. He was a distinguished member of the Quebec Legislature four decades ago, and then he became a distinguished member of this House. He was a conscientious worker on behalf of the people of Canada, and everything that has been so well said by the honourable leader of the Opposition over his tomb is well merited. Senator Owens has disappeared from our midst. I hope he will be succeeded by a man of the same stamp.

EXTENSION OF THE TERM OF PARLIAMENT.

INQUIRY.

Before the Orders of the Day:

Hon. Mr. CLORAN: I desire to ask for information which is very much desired by a large section of the people of this country, who were apprised four months

ago in the Speech from the Throne that the Government intended to introduce a most vital Bill, concerning the extension of the term of the present Parliament. On their behalf I rise to ask the honourable leader of the Government what the intention of the Government is? When do they propose to introduce that Bill? I fully understand that at the present moment the honourable leader of this House, who is a member of the Cabinet, may not be in a position to give me an answer to that question. But if he is not in a position to give me an answer, and give the country an answer, as to when we may expect the introduction of that Bill, I shall put on the Order Paper an official and formal notice of inquiry. If he gives me an answer now, that will not be necessary. If his answer is incomplete and does not satisfy the situation, then I shall put this notice on the Order Paper.

Hon. Sir JAMES LOUGHEED: All I can say to my honourable friend is that I am unaware of the Government having in any way receded from the intimation which was given in the Speech from the Throne. Of course, events march very quickly nowadays, and what may be determined one day may possibly not be adhered to the following day. All I can say to my honourable friend is that I know of no change of position in respect to that particular Bill.

Hon. Mr. CLORAN: In view of the incomplete answer from the honourable leader of the Government, I beg to give notice of the following inquiry for Wednesday next:

When will the Government introduce, as announced in the Speech from the Throne, its Bill for further extension of time to permit the present ministry (depleted) and the present House of Commons (very much depleted) to continue in existence without a mandate from the electorate of the Dominion of Canada?

PRIVATE BILLS.

THIRD READINGS.

Bill A 2, an Act respecting The Empire Life Insurance Company of Canada.—Hon. Mr. Nicholls.

Bill N, an Act respecting The Western Life Assurance Company.—Hon. Mr. Watson.

BRITISH GOVERNMENT AND CANADIAN PACIFIC RAILWAY COMPANY FINANCIAL ARRANGEMENTS BILL.

SECOND READING.

Hon Sir JAMES LOUGHEED moved the second reading of Bill 47, an Act to facilitate certain financial arrangements between the Government of the United Kingdom of Great Britain and Ireland, and the Canadian Pacific Railway Company, and for other purposes.

He said: This is a measure growing out of the existing war. It is needless for me to explain to honourable gentlemen, for they must be familiar with, the difficulties which have arisen in the matter of arranging exchange between the United States and Great Britain. As we are all aware, most of the supplies and munitions during the earlier period of the war were obtained by the Allies from the United States. The transmission of gold to the United States became a matter of very great jeopardy and difficulty, amounting to almost an impossibility. It therefore became necessary to devise some method of establishing a credit on behalf of the United Kingdom in the United States, to meet the payments which had to be made from time to time for munitions and supplies. Under the provisions of the Defence of the Realm Act of 1914, and the amendments thereto, the Government of the United Kingdom took power for the purchase, compulsory or otherwise, from persons ordinarily resident in the United Kingdom, of certain securities, not only of the Canadian Pacific Railway Company, but also of other financial organizations..

Hon. Mr. POWER: Not the Canadian Northern.

Hon. Sir JAMES LOUGHEED: Well, I am not prepared to say that the Canadian Northern would not have presented a very attractive feature to the investing public in Great Britain. However, in this particular case attention was directed to the acquiring by compulsory purchase of securities of the Canadian Pacific Railway Company, the greater part or a very large proportion of which were held in the United Kingdom. At the instance of the Imperial Government the Railway Company has been asked to issue collateral trust bonds of the company to such an aggregate amount as might from time to time be determined by the directors, for the purpose of taking over or acquiring such consolidated debenture stock or bonds of the company as were purchased by the Imperial Government. This is being done. These collateral trust bonds of the company will in all probability be made payable in the United States in currency, in exchange for the consolidated debenture stock or the bonds of the company, which are payable

in the United Kingdom in sterling. This will of course permit of the transmission of the original securities to the United States. and their supercession by the new securities.

Hon. Mr. CASGRAIN: Would the honourable leader of the Government kindly explain what he means by collateral trust bonds?

Hon. Sir JAMES LOUGHEED: They are securities that will be issued by the railway company, payable in currency instead of in sterling, and payable probably in the United States instead of in Europe. When the Imperial Government wish to transmit the original securities to the United States for the purpose of establishing a credit or for realizing thereupon, either by sale or otherwise, the new securities will practically take their place, and will be realizable in the United States, whereas the original securities are realizable in Great Britain. This may seem a little complicated, but I hope that I have made myself clear. This issue of securities will be applied entirely in respect of the original securities which I have mentioned. It is not proposed that they shall be applied to any other purpose.

Hon. Mr. THOMPSON: There is no increased liability?

Hon. Sir JAMES LOUGHEED: No. They take the place of the others. The object is to enable the Imperial Government to establish a credit in the United States for the purpose of meeting liabilities that have been occasioned by the purchase of munitions and supplies in that country.

Hon. Mr. McSWEENEY: What is the rate of interest?

Hon. Sir JAMES LOUGHEED: They will represent an equivalent of the other.

Hon. Mr. BELCOURT: In other words, the trust bonds will be given in place of the original securities?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BELCOURT: And the original security disappears altogether; it is handed over for these new bonds?

Hon. Sir JAMES LOUGHEED: That can be done, or a financial institution in the United States may say, "We will take the sterling bonds and hold them, provided that you give us collateral security payable in the United States." In whatever way you look at it, the one will be collateral to the other.

Hon. Mr. CASGRAIN: Then the two will be in existence?

Hon. Sir JAMES LOUGHEED: They might be existent, or the original securities might become wiped out. For instance, if the Imperial Government should transmit the original securities to the United States, the Canadian Pacific Railway Company might come into the financial market of the United States with the collateral trust bonds and purchase the original securities, thus extinguishing them.

Hon. Mr. CASGRAIN: Then they would be collateral no longer.

Hon. Mr. BOSTOCK: This does not in any way affect the stock of the company?

Hon. Sir JAMES LOUGHEED: Oh, no.

Hon. Mr. BOSTOCK: I thought that under the British Defence of the Realm Act, quoted by my honourable friend, the actual stock of the Canadian Pacific Railway Company was handed to the British Government by investors, to be used as security. Has my honourable friend any information on that?

Hon. Sir JAMES LOUGHEED: No, I cannot say that I have.

Hon. Mr. BOSTOCK: Though my honourable friend is taking charge of this Bill, I understand that it is really a Bill of the Canadian Pacific Railway Company.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: I notice that the interest paid on these collateral securities is to be 5 per cent per annum. I think the interest on the debenture stock of the Canadian Pacific Railway Company is only 4 per cent, so that any one buying these collateral bonds would get a higher rate of interest.

Hon. Sir JAMES LOUGHEED: It depends on what they are taken at; they may not be taken at par.

Hon. Mr. POWER: I just wish an explanation on one point. It may come more properly in the committee stage, but I think the honourable the leader of the Government will not raise that objection. On the second page, line 13, I read this:

> Upon the redemption or payment of such Collateral Trust Bonds, such Collateral Securities shall be deemed not to have been paid off or to have become extinguished, but to be still alive, and the same may be disposed of or reissued by the company, and in that event the holders thereof shall have the same rights and priorities as if such collateral securities had not theretofore been issued.

As I understand that, there are certain mortgages of the Canadian Pacific Railway Company which are replaced by these collateral securities. These collateral securities are paid off, but the original securities remain due and unpaid. That seems to me a rather remarkable way of doing things. I am not objecting; I only wish to understand the matter.

Hon. Sir JAMES LOUGHEED: The explanation is that the Company has certain borrowing powers. They have exercised those powers to the extent of the issue of the consolidated debenture stock or the bonds which are dealt with in this Bill. The scheme which is now being put into operation permits of the issue of collateral trust bonds for the purpose of transmitting, so to speak, the original securities to this side of the Atlantic; but the Canadian Pacific Railway Company is not to be called upon to retire those securities, and, even though they should purchase the original securities or retire the collateral trust bonds, their borrowing powers must not be diminished accordingly. That is to say, they have the right to exercise the borrowing powers originally given to them; they are not enlarged, nor restricted, nor diminished.

Hon. Mr. POWER: It seems to me that they are doubled. There are the original securities, and the Company is allowed to duplicate those.

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. POWER: That is what it comes to.

Hon. Sir JAMES LOUGHEED: No, because the collateral trust bonds are issued to deal exclusively in the original securities. They could not sell the collateral trust bonds and still leave the consolidated debenture stock or bonds outstanding. One has relation to the other exclusively, and is not outside of the limits of the transaction involved.

Hon. Mr. CASGRAIN: There is a rumour to the effect that the United States having entered the war and loaned money to the British Government, this legislation is not to be given effect to.

Hon. Sir JAMES LOUGHEED: Notwithstanding that, the Imperial Government has asked the Canadian Pacific Railway Company to put the matter in this shape. I suppose they regard it as expedient in the event of it being necessary to raise that amount of money. At the present time there is no necessity for it.

Hon. Mr. McSWEENEY: Is it not merely a matter between the Canadian Pacific Railway Company and the Imperial authorities?

Hon. Sir JAMES LOUGHEED: Yes.

The motion was agreed to, and the Bill was read the second time.

PENNY BANK ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 55, an Act to amend the Penny Bank Act.

He said: The penny banks have been established by the Government of Canada with a view to promoting thrift and saving on the part of the school children. The deposits made by any individual in these banks are limited to $300, and are placed in the Post Office Savings Bank, where they bear interest at the rate of 4 per cent. It is now proposed that authority be given to invest the funds of these Penny Savings Banks in Dominion of Canada securities, subject to the approval of the Minister of Finance. If there is any profit in excess of the 4 per cent interest which is paid on the deposits it inures to the credit of the depositors.

Hon. Mr. CASGRAIN: How much is now in the Penny Banks?

Hon. Sir JAMES LOUGHEED: I cannot tell my honourable friend.

Hon. Mr. POWER: The honourable the leader of the Government says that the rate of interest to be allowed on these deposits is 4 per cent. I was under the impression that the present rate was 3 per cent.

Hon. Mr. THOMPSON: Not for the Penny Banks.

Hon. Mr. POWER: If the rate is 4 per cent for the Penny Banks, it adds force to the contention raised in this House that in the Government Savings Banks and the Post Office Savings Banks the rate of interest should be 4 per cent.

Hon. Sir JAMES LOUGHEED: This is for the encouragement of the children.

The motion was agreed to, and the Bill was read the second time.

BUSINESS PROFITS WAR TAX AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 57, an Act to amend

the Business Profits War Tax Act, 1916. He said: The principal feature of this Bill is the increase of taxation upon net profits earned by business institutions throughout Canada. Under the original Act net profits over 7 per cent were taxed 25 per cent. It is now proposed to increase that tax so that net profits in excess of 15 per cent and up to 20 per cent shall pay a tax of 50 per cent, and net profits exceeding 20 per cent shall pay a tax of 75 per cent. There are some other features of the Bill which are not material, and which simply deal with the machinery for more successfully carrying out the Act.

Hon. Mr. BOSTOCK: I noticed the other day that a representative of the Manufacturers Association in Winnipeg said that the manufacturers were being pretty heavily taxed. I think he used these words:

> Last year the Federal Government saw fit to provide itself with emergency revenue by levying a tax on business profits, and, although the amount secured largely exceeded their expectations, they have recently said that tax is now to be very substantially increased.

I take it from that statement that the gentleman considers that the taxation has come rather heavily on the manufacturers of the country; and it occurred to me that it would be interesting if this House could get some idea of what this taxation amounts to. My honourable friend said that, by the taxation now proposed, one-half of the profits in excess of 15 per cent on capital stock would be paid to the Government. First of all, one-quarter of the profits in excess of 7 per cent, as provided in the original Act, will be taken by the Government.

Hon. Sir JAMES LOUGHEED: Up to 15 per cent.

Hon. Mr. BOSTOCK: Then, one-half of the excess profits between 15 per cent and 20 per cent will be taken.

Hon. Sir JAMES LOUGHEED: And beyond that 75 per cent.

Hon. Mr. BOSTOCK: A company with a capital of $75,000, if they made a profit of 7 per cent on that amount of capital, would get a return of $5,250. They would pay no tax on that amount. If they made 15 per cent, they would get a return of $11,250, and they would pay 25 per cent of $6,000, or $1,500, to the Government. It does not seem to be as heavy a tax as I thought it was when reading the statement of the gentleman at Winnipeg. If the profits were 20 per cent, the actual amount they would pay to the Government as the tax for the year would be somewhere about $2,875.

Then, the gentleman said that the amount secured by the Government had largely exceeded their expectations. I have never seen any statement as to what the Government expected to get out of their excess profits tax. When we go into committee my honourable friend can probably give us a statement of what the Government expected and what they have actually received from this tax. I have heard it said that a great deal of this money has not been collected, and it would be interesting if my honourable friend could furnish that information for the benefit of the House.

A gentleman with whom I was discussing this matter one day raised this further point. When the tax is to be paid on profits made say in the year 1915, and the balance sheet of the company is made up to December 31, 1915, and shows a profit of, say, twelve per cent, the tax on the excess over 7 per cent would naturally have to be paid in the year 1916. Is the amount that is actually paid over to the Government charged up in the accounts of 1916, so that the profits of 1916 are reduced by the amount of the tax that is paid for 1915? The tax is paid in 1916.

Hon. Sir JAMES LOUGHEED: That pays for the 1915 period.

Hon. Mr. BOSTOCK: It is entirely a matter of book-keeping, but it is conceivable that it might be done in that way, so that the tax of 1915 would really not be paid at all. I would like my honourable friend to look into that point. Perhaps we can discuss it further when we are in committee.

Hon. Sir JAMES LOUGHEED: I do not see that there is any difficulty about that. If a certain well-defined profit is made in the year ending December 31, 1915, of course the tax has to be paid in 1916; but that has nothing to do with the profits of 1916.

Hon. Mr. CASGRAIN: They have not the money; they have paid it out.

Hon. Sir JAMES LOUGHEED: But the money will come in 1916, or may have been collected in 1915.

Hon. Mr. BOSTOCK: It is a matter of book-keeping. If they are allowed to charge that up—

Hon. Mr. MURPHY: They might juggle their accounts.

Hon. Mr. BELCOURT: Will my honourable friend (Sir James Lougheed) allow me to ask him this question: whether the

Government, in considering the imposition of this tax, of which I quite approve, has at the same time considered the possibility of discriminating between different kinds of companies doing business? Has the Government considered the advisability of imposing a higher taxation on the companies engaged in making munitions, for instance, than on companies doing ordinary mercantile business or engaged in ordinary manufacture? There are, I understand, a number of people of the opinion that munition manufacturers ought to contribute a larger proportion of their profits to this tax than men who are engaged in manufacturing say boots and shoes.

Hon. Mr. BEAUBIEN: Why?

Hon. Mr. BELCOURT: I do not desire to discuss the reasons, because that would take too long. I just want to ask my honourable friend if that has been considered, and if he can give us any information on that point.

Hon. Sir JAMES LOUGHEED: I may say that that matter was considered, but it was found impracticable to enforce any such discrimination; it was also considered inequitable. For instance, companies that are not munition concerns may profit through the war as largely as munition makers. There are many industries and many financial or commercial organizations which are profiting more than munition works. In the earlier period of munitions manufacture the undertaking was largely experimental. Then, there is the further consideration, that upon the cessation of the manufacture of munitions, those companies must naturally suffer a very substantial loss. But let us examine the situation in general. As my honourable friend will admit, all companies who are doing business must necessarily profit from the manufacture of munitions; if they do not profit from it directly, they are profiting indirectly through the war. Hence it seemed to the Government that the only fair course was to impose a tax, on the basis provided for in the Bill and in the Act which it amends, upon all companies that were making profits exceeding the amounts that are mentioned; and I think honourable gentlemen will agree that the percentage which we have exempted is a very reasonable return upon the capital invested, no matter what the company may be engaged in.

Hon. Mr. BELCOURT.

Hon. Mr. BELCOURT: I presume the greatest difficulty was in making the discrimination—in drawing the line.

Hon. Sir JAMES LOUGHEED: Yes, and it would exempt many other prosperous companies—some companies that are more prosperous than munition concerns.

Hon. Mr. BELCOURT: If that explanation were given to the public—if it were known by the public that the Government had considered the matter and found itself confronted by these difficulties to which my honourable friend (Hon. Sir James Lougheed has alluded, that would perhaps reconcile a great many people to this tax.

Hon. Sir JAMES LOUGHEED: I hope my honourable friend will make the explanation.

Hon. Mr. BELCOURT: The explanation ought to be made by the Government. Mine would carry no authority.

Hon. Mr. CLORAN: This Bill strikes me as one that will create alarm in the country. It has, in fact, already done so. This Bill, sanctioned by the Finance Minister, tells the people of Canada that a certain class of persons called manufacturers are making anywhere from seven to one hundred per cent profit. If that does not alarm the working classes, I would like to know what would. And the Government allows companies or individuals to make profits of from seven to one hundred per cent and more. Is that not alarming? Is that not a cause for the people to cry out for the conscription of wealth as well as the conscription of blood? Has the Government taken that into consideration? Is the fact that profits are made of from seven to one hundred per cent and over not a cause of the high cost of living? The honourable the leader of the Government has said that the high profits are not made by munition manufacturers alone, but also by others—by boot and shoe manufacturers, by beef trusts, by cold-storage concerns; and is the Government going to allow this to continue? I contend, with the vast majority of the people of this country, that during this war-time any profit over seven per cent should go into the public treasury, to put down the high cost of living and give the Government a chance to pay the interest on the national debt, which is increasing by millions and billions. Has the Government taken that into consideration? No. I understand that the present Finance Minister, a friend of the trusts and of the

manufacturers, does not want conscription of wealth; and so far as the public knows he as a member of the Cabinet is opposed to any such scheme and prepared to resign if such a scheme is carried through. Honourable gentlemen, we have it from the lips of the Government itself that a small class of people are taking from the pockets of the masses 100 per cent profit. Is that not an outrage upon the economy which is urged upon the people? Instead of imposing a tax on profits over 10 per cent here, 15 per cent there, and 20 per cent there, I say that no profit should be allowed over 7 per cent, which is twice as much as the Government gives to the poor man who deposits in the Post Office Savings Banks his hard-earned money. Those profiteers, be they munition makers, be they pork dealers or beef dealers, or cold storage men, or grain handlers, or millers, the Government should be courageous enough, as has been done in France, as is being done now in Russia, as Lloyd-George is doing in England, to prevent from making these excess profits; or, if they make these profits, the Government should have them turned into the national treasury. The proper thing to do would be for the Government, if it had the courage, to prevent these people from making such profits and making the poor man pay 14 cents for a pound-and-a-half loaf of bread, for which he should pay only six or seven cents. That should be the action of the Government; but up to the present time, during the past three years of war, the Government has done nothing but allow the country, not through its action, but by the voluntary system, to drain itself of its life-blood. The Government has not taken one step to prevent the monopolistic classes, or the manufacturing classes, from bleeding the rest of the people. What is the Government for but to guard the welfare of the people? The Government is promoting the interests and wealth of the companies and individuals who are bleeding the masses in this country and sucking their life-blood. How can the Government go before the people and say: "We want your confidence; we have conscripted your manhood; 430,000 men have left the shores of this country for the battlefields of Europe; now we want more of your blood." And the people will say to them: "Yes, we are ready to shed our blood on the battlefields of Europe, but the dependents, the mothers, the children, the cripples, the sick, and the old, are left behind to be bled, not on the battlefields of Europe, but in their own homes by your protégés"—the protégés of Sir Robert Borden and his Government—"by your protégés, the manufacturers, the munition-makers, and others." What answer can Sir Robert Borden expect but that? This Bill reveals to the country that manufacturers, companies and individuals, are making excess profits. The word "excess" is so easy to say. The word should be "outrageous." I repeat that any profit over seven per cent made by any company, at least during this war-time, should go into the national treasury; it should be the duty of the Government to prevent any profits in excess of that rate from being retained. This Bill does not provide for that, and the Government will have to suffer the consequences.

The motion was agreed to, and the Bill was read the second time.

JUDGES ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 66, an Act to amend the Judges Act. He said:

There are three features in this Bill. One makes provision for the salary of an additional judge in the province of Saskatchewan. By reason of certain legislation passed by the Government of that province, it becomes necessary to make this provision. Another section of the Bill provides for an increase in the number of judges in the province of Ontario. It is proposed to appoint a county court judge for the district of Timiskaming. Under section 3 of the Bill, provision is made for restricting the travelling expenses of a judge to those incurred in the district in which he exercises his jurisdiction. This is necessitated by certain legislation passed by some of the provinces changing the residence of the judges and thus permitting them to draw allowances in excess of travelling expenses incurred in the judicial district in which they perform their duties.

Hon. Mr. BOSTOCK: I understood my honourable friend to say that this Bill had some application to Ontario; but, looking at it, I do not see that it has any relation to Ontario at all.

Hon. Sir JAMES LOUGHEED: Section 2 of the Bill increases the number of judges in Ontario from 73 to 74.

Hon. Mr. BOSTOCK: Some time ago a deputation came from the West, and, I think, other parts of Canada, to see the Minister of Justice with regard to the ques-

tion of salaries of county court judges throughout the Dominion. I understand that the Minister of Justice told the deputation that he would give the matter serious consideration and hoped to be able to do something in the interest of the county court judges, but as yet no announcement, so far as I know, has been made. Can the honourable the leader of the Government tell us whether anything of that kind has been considered, or if any action is likely to be taken in the matter?

Hon. Sir JAMES LOUGHEED: No action, to my knowledge, is about to be taken in that matter. It is almost needless to say that when a vacancy occurs it is not an extremely difficult matter to secure an incumbent, and I fancy that as long as that condition prevails the increase of salaries will not be a matter of overwhelming anxiety to the Government.

Hon. Mr. WATSON: The qualifications should be raised.

Hon. Mr. POWER: I think the provision contained in clause 3 of the Bill is a very good one. The truth is that, while judges administer the law as applied to persons who come before them in generally a very satisfactory and accurate way, they do not always carry out the law with respect to themselves as well as they might; and I am glad to see that this practice of permitting a judge exercising his jurisdiction in one district to live in another district and draw travelling expenses between his place of residence and the place where he holds his court, is to be prevented. I think that is a step in the right direction. While the Government were considering this question of the liberties which judges have taken in the past, there is another subject that they might have considered, and that is, the fact that a law which was passed, I think, in 1903, forbidding judges to act as trustees, or in any capacity other than that of judge, has not been enforced, and throughout the country there are judges acting as trustees, not only for estates which come to them as executors, but also in trust companies and in commercial companies of various kinds. I think that is a practice which deserves reprobation. It is not necessary to alter the law; if the Minister of Justice will see that the law is enforced, that will be sufficient; and I hope that the honourable the leader of the Government in this House will urge the Minister of Justice to carry out that law. Of course, in the case of the present Minister of Justice there would be a certain amount of self-denial in enforcing a law of that kind.

Hon. Mr. BELCOURT: I agree with my honourable friend that the section reads well, but I am afraid that in practice it might not work out quite so well. The difficulty exists by reason of the last provision:

> Unless his residence at that place be authorized or approved by the Governor in Council.

In practice it looks well because permission is generally given to a judge to reside at some place other than in the judicial district over which he has jurisdiction—just what the section intends that he should not do.

The motion was agreed to, and the Bill was read the second time.

OCEAN TELEGRAPH ACT REPEAL BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 69, an Act to repeal The Ocean Telegraph Act. He said: In 1913 Parliament passed the Ocean Telegraph Act, confirming an agreement entered into between the Government and the Universal Radio Syndicate, Limited. This syndicate was to establish a wireless service between Canada and the United Kingdom, and in pursuance of the agreement entered into between the Government and the syndicate at that time, a deposit of £10,000 was made with the Government of Canada. £5,000 of that was to be returned to the syndicate upon the completion of a certain section of the work, which was accordingly done, and the money was repaid. When the war began the financial situation was such as to result in serious embarrassment to the company, and a loan of $15,000 out of the remaining £5,000 was made by the Government to the company. This loan, however, did not save the company, and it went into liquidation. Since that time the Marconi Company has entered into an arrangement by which this service will be practically completed between Canada and the United Kingdom; and, in pursuance of subsequent arrangements which have been made, it is proposed that the Government of Canada shall repay to the company, or those who represent it, the $10,000 which is still in hand. This does not mean that the Government is paying anything out of its exchequer. The money was deposited simply as an evidence of good faith, and Canada is now securing, through the new arrangement entered into,

and by a very much more responsible company, a wireless service between the United Kingdom and Canada which will be a very great improvement.

Hon. Mr. BOSTOCK: I notice that my honourable friend, in moving the second reading of this Bill, did not tell us very clearly as to how much work had been done by this company. I think the company was started in 1913 to push forward in Canada what is known as the Poulsen system of radio-telegraph. Previous to that time I think the Marconi system had been established in this country, with the support, to a certain extent, of the Canadian Government; therefore the result of the action of the Government in 1913 was to create a rival company to the one already in existence. I presume that when the Government adopted the policy of incorporating this company and giving it certain monetary assistance, it was considered that the Poulsen system was better than the Marconi system; but, from what my honourable friend has said, it would appear that the Marconi system is the better one, and that the Government is now falling back upon the Marconi Company.

Hon. Sir JAMES LOUGHEED: It is stronger financially; I do not know whether the system is better.

Hon. Mr. BOSTOCK: I have never heard of anybody sending messages by the Poulsen system, but I have heard of messages being sent by the Marconi system. I think the policy of the former Government in adopting the Marconi system has been justified by the results; apparently it is further developed and more useful than the Poulsen system. As I understand it, when the subject of wireless telegraphy was first under consideration, the idea was that the wireless telegraph might compete with the cable system. There has been a great deal of discussion on this question from time to time, and I think it is generally admitted that the cable companies have a very strong monopoly. It was thought that the wireless telegraph might possibly be a means of supplying the people with a much cheaper means of communication between this country and Europe; but, so far as I know at the present time, it has not benefitted the public to any great extent. I understand that the Dominions Royal Commission, of which I think the Minister of Trade and Commerce was a member, has reported in favour of some action being taken, not only by this Government, but by the British Government, to break the monopoly created by the cable companies and to provide better and cheaper cable service generally. I understand that they have reported very favourably upon the part taken by this Government years ago in building the Pacific cable connecting Canada with Australia and New Zealand, and I think I am right in saying that the Pacific Cable Company is now a commercial success, and that it has been a great benefit to the Dominions of the British Empire as a whole. I hope it will not be long before the Government will take some further action with a view to reducing the tariff on the cable service between this country and Great Britain. At the present time the public generally is much more interested in the question of cables than it used to be, and I think the Government would be well advised to go carefully into the question to see if something cannot be done along this line.

The motion was agreed to, and the Bill was read the second time.

PRIVATE BILLS.

SECOND READINGS.

Bill 48, an Act respecting the British Columbia and White River Railway Company.—Hon. Mr. Bostock.

Bill M 2, an Act to incorporate the Manitoba and Ontario Railway Company.—Hon. Mr. Smith.

Hon. Mr. POWER: Although this is a private Bill, I think it is desirable, before it is read the second time, that some substantial reason should be given why the Bill is proposed. Clause 7 says:

> The company may lay out, construct and operate a railway of the gauge of 4 feet 8½ inches from a point at or near Brereton Station on the main line of the National Transcontinental Railway in the province of Manitoba, to a point on the English river in the province of Ontario between the easterly boundary of Manitoba and the 94th meridian of longitude; thence northerly to a point on the Hudson Bay between the mouths of the Albany and Nelson rivers.

In the first place, this line, if constructed, would to a certain extent compete with the Government road which runs to Hudson Bay a little north of the proposed terminus of this road, and I think it should be shown that there is some commercial demand for this road. When I look at the list of incorporators I do not find the names of any gentlemen who are capitalists or who would be likely to take a substantial interest in the construction of the road. It looks to me very much like a case of charter-mongering.

Hon. Mr. SMITH: This road is to run through the territory of the English river, which is said to be a very good district. It is a well-timbered country, and is likely to furnish a large amount of local traffic. As to this road competing with the Government railroad, the only sense in which that can be said is that both roads will touch Hudson bay. I hope that in the future Canada will have more than one railroad touching Hudson bay. This railroad touches it fully two hundred miles from where the Government railroad does. I can easily conceive that in the future there will be a large amount of traffic from Hudson bay. The fishing industry will no doubt be a large one, and there is no question that minerals will be found there. This Bill has a two-fold purpose: firstly, to connect Hudson bay with the Transcontinental railroad by the shortest possible route; and, secondly, to open a new and excellent territory. I do not know any of the incorporators personally, with the exception of Mr. Kerry, who is a well-to-do man, and one of the most prominent civil engineers in Ontario. I do not think that he would lend his name to a company that was not bona fide and in the general interests of Canada.

The Bill was read the second time.

FIRST READING.

Bill M2, an Act respecting the Montreal Central Terminal Company.—Hon. Mr. Beaubien.

CHINESE IMMIGRATION ACT AMENDMENT.

FIRST READING.

Bill 42, an Act to amend the Chinese Immigration Act.—Hon. Sir James Lougheed.

CIVIL SERVICE ACT AMENDMENT.

FIRST READING.

Bill 68, an Act to amend the Civil Service Act.—Hon. Sir James Lougheed.

ACCOMMODATION FOR SENATORS IN HOUSE OF COMMONS.

On the motion to adjourn:

Hon. Mr. DAVID: Before the adjournment of the House I beg to be allowed to raise a question which concerns and interests the members of this House. There was a time when the members of this House were able to go into the House of Commons to listen to the discussions which took place there, but to-day that seems impossible. When we go to the entrance to the gallery, we find three or four hundred women there, so that it is practically impossible to get in. If we do succeed in entering the Chamber we find the gallery which is supposed to be reserved for members of this House, filled with people. Is there no way of protecting the rights of the members of this House? I think that the Speaker and the leader of the Government in this House should find a means of protecting the privileges of members of this assembly, either by obtaining permission for them to enter the House of Commons before the prayers are said—there would be no harm in our listening to the prayers in the House of Commons—or perhaps it would be possible to have a policeman to make a passage for us through the crowd so that we could go in.

Hon. Mr. MURPHY: I do not think the trouble lies with the Speaker of this House nor with the leader of the Government; I think it lies largely with ourselves. There are members of this House who seem to have no hesitation about taking in two or three of their friends and putting them in the seats that should be occupied by the honourable gentleman who has just spoken and other members of this House. Under the old conditions, it was laid down very distinctly that a member of this House had no right to take anybody into the House of Commons on an occasion of importance except his wife or daughter; but from what happened the other day it is evident that this rule was not observed, or that it was honoured in the breach rather than in the observance.

Hon. the SPEAKER: As requested, I conferred with the Speaker of the House of Commons and the Serjeant-at-Arms, after the several complaints which were made to me in regard to the gallery which is reserved for the Senate being filled with outsiders. I proposed that a messenger of the Senate should be placed there to see that only senators should be admitted to the Senate gallery, but that was strongly opposed by the Serjeant-at-Arms. At the same time, he told me that he would see that none but senators should be admitted there. I might go again to see the Serjeant-at-Arms or the Speaker of the Commons and deliver the request that we be given proper accommodation.

Hon. Mr. CLORAN: The honourable the Speaker should not be put to that trouble.

He has done his duty, and I think that the Speaker of this House is far above the Serjeant-at-Arms of the House of Commons. The arrangement in the old Parliament Buildings was that the Speaker had a messenger appointed who stood at the door of the Senate gallery and admitted only senators, their wives and daughters, except when there were but few persons in the gallery. All that is necessary for the Speaker of this House, without consulting the Serjeant-at-Arms or anybody else, is to appoint a messenger to take his place there when the House of Commons opens—that is the right and the power of the Speaker of this House—and tell him to allow nobody in but senators, their wives and daughters.

Hon. the SPEAKER: But it is the House of Commons.

Hon. Mr. CLORAN: We admit that the House of Commons belongs to them, but the Senate gallery comes under the control of the Speaker of this House, and it is his duty to see that the rights and privileges of the members of this House are respected. There are two ex-Speakers of this House present here to-day, and I appeal to them if that has not been the custom hitherto.

Hon. Mr. WATSON: I am inclined to think that if an arrangement were made whereby a railing could be placed at the rear of our division of the gallery of the Commons, with a gate at the end, and a messenger from the Senate were placed in charge, we would have no trouble at all. The messenger of the Commons does not know the members of the Senate, and there is no reason why he should know them. Before the Parliament Buildings were burned we had the privilege of sending a messenger to take charge of our particular portion of the gallery. I fully agree with what has been said by the honourable gentleman from Tignish (Hon. Mr. Murphy), that some of our senators are themselves a good deal to blame for the inconvenience of other members of the Senate. I noticed, as he did, the other day that some senators took in three or four persons who occupied seats that had been reserved for senators. We ought to recognize the fact that a senator has no right to ask any person into that gallery except his wife or daughter. In the old House of Commons we used to have messengers who adhered strictly to that rule. They got their instructions and carried them out. I am sure that if we got a good messenger and instructed him that nobody but senators, their wives and daughters should be admitted to that gallery, there would be no difficulty.

The Senate adjourned until Friday at three o'clock p.m.

THE SENATE.

Friday, June 15, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

What were the gross earnings and working expenses of the Intercolonial Railway for the year ending March 31, 1917?

What was expended on Capital Account for the same period on the Intercolonial Railway?

Hon. Sir JAMES LOUGHEED: Gross earnings, $16,805,723.64; working expenses, $15,731,389; expenditure on capital account, $4,490,497.56.

RETURNED SOLDIERS.

SCHEME OF SETTLEMENT.

On a notice of motion by the Hon. Mr. Domville with reference to a scheme for the settlement of returned soldiers in the Northwest of Canada:

Hon. Mr. WATSON: Stand.

Some Hon. SENATORS: Dropped.

Hon. the SPEAKER: Honourable gentlemen, I do not think it right that this long motion should be reprinted from day to day. If the honourable gentleman who placed it on the Order Paper wishes to make a speech on it, he may renew the motion.

Hon. Mr. CLORAN: I do not think it is within the powers of the Speaker to dictate to the House as to whether the motion stands or not. I do not think it is within the powers of the Speaker to make the observations which he has made.

Hon. Mr. POWER: I think it is the duty of the Speaker to call attention to anything which he thinks is being done in contravention of the rules and practice of the House. Some honourable gentlemen have, I suppose, made rather extensive researches into the doings and rules of procedure of parliamentary bodies elsewhere; but I think that one can search in vain the world

over for a precedent for setting out this document on our minutes. In reality it is not a notice of motion. It would appear that the honourable gentleman from Rothesay (Lt.-Col. the Hon. Mr. Domville) had a scheme which he thought might be a valuable one. Instead of setting out his views in a speech to the House and having his remarks reported in Hansard, he has put them in the shape of a notice of motion on the minutes, where they are continued day after day, and in that way he has brought them to the notice of the public more forcibly than if he had made a speech. There is another point to be considered. Every page of printing adds considerably to the expense of carrying on the Senate. We now have a joint committee to endeavour to reduce expenses. I am satisfied that the honourable gentleman from Rothesay would be perfectly willing that the notice should be dropped, because he has gone away and left it.

Hon. Mr. WATSON: I have no observation to make except that the day before yesterday the honourable gentleman from Rothesay asked me to request that this order should stand when it was called.

Hon. Mr. LYNCH-STAUNTON: The honourable gentleman came in immediately after it was allowed to stand the last time.

Some Hon. SENATORS: Dropped.

Hon. Mr. CLORAN: A former senator from British Columbia, the late Senator Macdonald, put motions on the Order Paper which remained there for almost whole sessions, and no objection was taken under the Speakership of the ex-Speaker (Hon. Mr. Power). That happened dozens of times. The honourable senator from Rothesay has asked another senator to request that this order stand for to-day; he asks no more. The ex-Speaker says that it is going to be an expense. Such a picayune economy does not appeal to me when we are willing to vote millions for purposes that are not to the advantage of the country. This way of dealing with the expenditure of a dollar or two dollars for a typewriter and such petty matters is, as I say, picayune—I have no Irish word to express it.

The notice of motion was dropped.

CLAIMS OF BRITISH COLUMBIAN SEALERS.

MOTION.

Hon. Mr. BOSTOCK moved:

That an Order of the Senate do issue for a return made to an Order of the House of Commons of the 7th February, 1916, for a copy of all correspondence and reports on the claims of sealers of British Columbia under the last treaty with the American Republic and all papers connected therewith.

The motion was agreed to.

FIFTIETH ANNIVERSARY OF CONFEDERATION.

JUBILEE PAMPHLET.

Before the Orders of the Day:

Hon. Mr. LAVERGNE: May I ask the leader of the Government if the pamphlet called "The Jubilee of Confederation," which is published in English, is to be published also in French and distributed to the senators, as the English edition has been?

Hon. Sir JAMES LOUGHEED: I know nothing about the pamphlet to which my honourable friend refers.

Hon. Mr. WATSON: I may say that the pamphlet referred to was issued by the joint committee appointed for the purpose of arranging a fitting celebration of the fiftieth anniversary of Confederation. The pamphlet is printed for distribution in Canada, and contains a few head-notes on subjects which might well be discussed by school teachers and others. I am not aware whether or not it is to be published in French.

Hon. Mr. LAVERGNE: I suppose the Government will order it to be printed in French?

Hon. Sir JAMES LOUGHEED: Apparently it has been issued by the committee, and I have no doubt that if my honourable friend asks them to have it published in French they will be very glad to do so.

Hon. Mr. POWER: There should be a French version.

Hon. Mr. DANDURAND: Doubtless it will be printed in French.

PRIVATE BILL.

THIRD READING.

Bill R. an Act respecting The Security Life Insurance Company.—Hon. Mr. Bostock.

The Senate adjourned until Tuesday next at eight o'clock p.m.

THE SENATE.

Tuesday, June 19, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

DIVORCE BILL.

FIRST READING.

Bill O 2, an Act for the relief of Rozilla Lamb.—Hon. Mr. Robertson.

INTERCOLONIAL RAILWAY.

INQUIRY.

Hon. Mr. McSWEENEY inquired:

What were the receipts of the I.C.R. between Lévis and Moncton for the fiscal year ending March 31, 1917?

Also, what were the receipts of the National Transcontinental Railway for the year ending March 31, 1917, between Moncton and Lévis?

Hon. Sir JAMES LOUGHEED: Statement of earnings of the undermentioned districts of the Canadian Government railways during the fiscal year ending March 31, 1917:

District.	Track Mileage.	Passenger Earnings.	Freight Earnings.	Mails and Express.	Total.	Less Miscellaneous.	Grand Total.	Earnings per Mile.
		$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.	$ cts.
No. 5. Moncton to Diamond Jct. via Transcontinental.	455	64,128 96	1,147,920 17	9,270 84	1,221,319 96	178,291 38	1,043,028 59	2,292 37
No. 1. Montreal to Mont Joli.	355	1,830,510 61	3,981,429 89	335,989 85	6,167,930 35	302,531 89	5,865,398 46	16,522 25
No. 2. Mont Joli to Moncton, including Branch Derby Jct. to Fredericton.	421	1,231,067 66	2,172,291 76	235,718 58	3,639,078 30	105,629 34	3,533,448 96	8,392 99

ENCOURAGEMENT OF SETTLERS.

INQUIRY.

Hon. Mr. DAVID inquired:

Does the Government intend to vote money in order to help the Provincial Governments to promote and encourage the establishment of settlers on their lands and the production of food?

Hon. Sir JAMES LOUGHEED: No policy of assistance in this direction has yet been determined.

IMMIGRATION FROM BRITISH ISLES.

INQUIRY.

Hon. Mr. LEGRIS inquired:

1. How many emigrants from the British Isles entered Canada during the years 1914, 1915, 1916, and 1917 up to date?
2. How many out of this number have devoted themselves to agriculture?
3. How many have enlisted in the Canadian overseas army?
4. How many have secured employment in industries?
5. How many have found employment in railway companies?

Hon. Sir JAMES LOUGHEED:

1 and 2.

Fiscal Year.	Emigrants from British Isles.	Farmers and Farm Labourers.
1913-14	142,622	33,599
1914-15	43,276	10,217
1915-16	8,664	1,804
1916-17	8,282	1,207
1917-18 (2 months)	263	33

3, 4 and 5. No information available.

RUMORED RESIGNATION OF CABINET MINISTERS.

INQUIRY.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I would draw the attention of the honourable leader of the Government to a notice that appeared in the Ottawa Journal of Friday last, as follows:

One of the first resignations from the Cabinet which will pave the way to contemplated reorganization will be that of the Hon. T. W. Crothers, Minister of Labour, if rumours which seem to emanate from usually reliable sources have foundation in fact. It is said to be Mr. Crothers' personal wish to facilitate in every way the strong government reorganization planned by the Prime Minister. Five other ministers are also expected to relinquish office about the same time.

Has my honourable friend the leader of the Government any announcement to make in regard to this matter?

Hon. Sir JAMES LOUGHEED: No. What my hon. friend is reading is manifestly prophetic.

Hon. Mr. BOSTOCK: It is a Government paper.

Hon. Sir JAMES LOUGHEED: It seems to be a prophecy as to what will happen. It is also qualified by the statement that it is but a rumour that is in circulation; so until it assumes some more concrete form I cannot answer my honourable friend.

BRITISH GOVERNMENT AND CANADIAN PACIFIC RAILWAY COMPANY FINANCIAL ARRANGEMENTS BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 47, an Act to facilitate certain financial arrangements between the Government of the United Kingdom of Great Britain and Ireland and the Canadian Pacific Railway Company, and for other purposes, Hon. Mr. Landry in the Chair.

On section 1—Company empowered to acquire consolidated or debenture stock or bonds issued by company and to issue collateral trust bonds therefor:

Hon. Sir JAMES LOUGHEED: I think I have fully explained this Bill upon its second reading. There is nothing new that can be said about it.

Hon. Mr. POWER: Notwithstanding the lucid explanation made by the honourable leader of the Government, I am not quite clear as to the latter part of the clause—authorizing the company to issue collateral trust bonds to the amount of all the existing encumbrances on the property of the company.

Hon. Sir JAMES LOUGHEED: No, no.

Hon. Mr. POWER: That is what I understand:

> The stocks and bonds and other securities of the company or of such other company so acquired by the company, shall in such case be held by the company as still subsisting and continuing.

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at lines 28, 29, and 30 he will notice the limitation:

> May issue collateral trust bonds of the company to such aggregate amount as may from time to time be determined by the directors for the purpose of taking over or acquiring such consolidated debenture stock or bonds of the company.

That is to say, the collateral trust bonds will be issued for the purpose of taking over or acquiring the consolidated debenture stocks or bonds.

Hon. Mr. CASGRAIN: On the last occasion the honourable leader of the Government gave us a very lucid explanation of this Bill; but not only myself but some other senators with whom I was talking afterwards did not clearly understand the position of these securities. It seems to me that, if the honourable leader of the Government has no objection, this Bill, which is not a Government Bill, might be allowed to go to the Railway Committee, and the solicitor of the Canadian Pacific Railway Company, who is now in Ottawa, might explain this matter to the satisfaction of the Committee. I may say I have been asked to make that request by some others. It is a delicate matter to touch bonds. I have had something to do with railways that have had such bonds. It may be very simple, but I do not entirely understand the matter.

Hon. Sir JAMES LOUGHEED: As my hon. friend (Hon. Mr. Casgrain), very properly, has great confidence in the explanation that would be made by the solicitor of the company, I may say for the information of the House that I hold in my hand his explanation of the Bill, and, with the consent of the House, I will read it. It may be more illuminating than the explanation which I made upon the second reading. It says:

> The British Government have acquired or will acquire from holders in Great Britain bonds and consolidated debenture stock of this company and bonds and debenture stock of two of the subsidiary companies of the Canadian Pacific. They will deposit these securities with this company or a trustee, and we will issue collateral trust bonds, in dollar form so as to be marketable in New York, which collateral trust bonds will be secured by the securities handed over to us by the Government. When the collateral trust bonds are redeemed or mature, the British Government will put this company in possession of the moneys to redeem or pay them off, and the collateral securities will then be returned to the Government, continuing in the meantime the exact status, so far as the company is concerned, that they have now.

The financing is really that of the British Government; but, for the convenience and in order to facilitate it, the company is lending its credit to the Government temporarily to the extent mentioned. The col-

lateral securities will of course be kept alive, because they must be returned to the original holders thereof, that is, the British Government, upon the payment off of the trust bonds. Then, in order that the points raised by the Hon. Mr. Bostock and the Hon. Mr. Power may be met, the writer says in addition that the deposits of the collateral securities is made on the basis of par for those bearing 5 per cent interest and 80 for those bearing 4 per cent interest. In this way the collateral securities equal in interest charges what will be paid on the trust bonds.

Hon. Mr. CASGRAIN: But it is said in the Bill that this only applies to such securities as belong to the British Government?

Hon. Sir JAMES LOUGHEED: Yes. If my honourable friend will look at section 1, he will see that collateral trust bonds will be issued to a sufficient amount for the purpose of taking over or acquiring the consolidated debenture stocks or bonds of the company that may be acquired by the British Government. The one will be practically the equivalent of the other.

Hon. Mr. BEIQUE: I may add that there has been deposited with the Imperial Government about $197,000,000 of those bonds of the Canadian Pacific. This was done a year or two ago for the purpose of enabling the Imperial Government to borrow on those bonds. These bonds were held by people in the United Kingdom. Owing to the high rates of exchange, the Imperial Government cannot advantageously use those bonds in the United States, as they are payable in London.

Hon. Sir JAMES LOUGHEED: In sterling.

Hon. Mr. BEIQUE: In sterling, and they could not be paid in the United States except at a considerable loss. The object of the Bill is merely to enable the company to issue an equal amount of temporary collateral trust bonds, which will be payable in dollars in New York. The purpose is to enable the British Government to effect a loan on these securities, if it should become necessary, in the United States, and the bonds which were deposited with the Imperial Government by the English bondholders will have to be deposited in New York with the trust company for two purposes: for the purpose of guaranteeing the payment of the collateral trust bonds, and for the purpose of guaranteeing the Canadian Pacific Company that these collateral trust bonds will be paid at maturity by the Imperial Government. When they are paid by the Imperial Government, the original bonds will either be returned to original holders or remain the property of the Imperial Government, if the Imperial Government purchases them out and out.

Hon. Mr. BELCOURT: How did the consolidated bonds come into the possession of the Imperial Government?

Hon. Mr. BEIQUE: Under the Imperial Act which mobilized all the securities in England about two years ago. The holders of all bonds were compelled to deposit them with the Government, the Government having the option either of purchasing them at a stated price or of returning them, and in the meantime paying interest on the bonds. This is a matter entirely between the holders of the original bonds, the Imperial Government, and the Canadian Pacific Railway, and is merely to enable the Imperial Government to effect a loan in the United States on better terms than they otherwise could.

Hon. Sir JAMES LOUGHEED: This is not an isolated case. The Imperial Government has mobilized the bonds of some of the provinces—for instance, Manitoba. Manitoba was negotiating for an exchange of its issue in the same way. It proposed making a currency issue with which it could take up in New York its bonds in Great Britain. Some of the Canadian municipalities have done the same thing.

Hon. Mr. POWER: I am not a financial man, but the company is issuing say a million dollars and encumbering its debenture stock and bonds to that extent. The British Government takes over this consolidated debenture stock for $1,000,000. The company then issues collateral trust bonds, apparently, for any amount up to $1,000,000. It seems to me that you have just doubled the amount of the encumbrance.

Hon. Sir JAMES LOUGHEED: No. My honourable friend as a lawyer should know that the two securities cannot be disposed of separately. Of course, this issue of collateral trust bonds will show on the face of it that it is issued as collateral to the consolidated debenture stock.

Hon. Mr. BELCOURT: Is my honourable friend of the opinion that this transaction could have been accomplished without legislation. I do not know that it could,

but I have an idea that it might. This is a domestic arrangement between the Canadian Pacific Railway Company and the Imperial Government.

Hon. Sir JAMES LOUGHEED: The bonding power of the company is necessarily limited by the statute, and the company could not issue stock or bonds without authority.

Hon. Mr. BELCOURT: It is a case of replacing certain bonds by certain other bonds.

Hon. Mr. CHOQUETTE: The collateral security will be given by the same debtor. There is no more guarantee in the one than there is in the other.

Hon. Sir JAMES LOUGHEED: The collateral trust bonds will be given to the holders of the consolidated debenture stock.

Hon. Mr. CHOQUETTE: Who is asking for the Bill?

Hon. Sir JAMES LOUGHEED: The Imperial Government is asking for it in order to overcome the difficulty of exchange between Great Britain and the United States. As my honourable friend knows, the rate of exchange is so adverse to European financiers that it would be a most destructive transaction to ship gold to the United States to pay for munitions or supplies to the amount represented by these bonds. By the mobilization of these bonds and the issue of currency stock, or dollar stock, they overcome that difficulty.

Hon. Mr. CASGRAIN: Then, it is the intention to sell them in New York?

Hon. Sir JAMES LOUGHEED: The original bonds will be sent over and the collateral bonds will be sold.

Hon. Mr. CASGRAIN: When those collateral bonds are put out, they are out for good.

The section was agreed to.

The Bill was reported.

PENNY BANK AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 55, an Act to amend the Penny Bank Act, Hon. Mr. Thompson in the Chair.

On section 1—withdrawals for investment in Government securities and application of interest:

Hon. Sir JAMES LOUGHEED: This Bill is to permit of the Government investing the funds of the Penny Banks in securities of the Government of Canada.

Hon. Mr. BOSTOCK: Can my honourable friend state the amount invested in those banks?

Hon. Sir JAMES LOUGHEED: Yes. There are two of those banks. One is in Toronto, and has thirty-four branches. It has on deposit in the Post Office Savings Bank $370,000. The other is the Penny Bank of Chicoutimi, and has on deposit $13,000.

Hon. Mr. POWER: I think the honourable gentleman said that the depositors were allowed 4 per cent interest?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. POWER: I do not understand why all the depositors in the Savings Bank should not get the same rate of interest. You give the children 4 per cent; you give the bankers anywhere from 5 to 7 per cent; but you give the average person only 3 per cent.

Hon. Sir JAMES LOUGHEED: I presume it is an incentive to the children to use the Penny Bank.

Hon. Mr. BELCOURT: After giving authority, the section says:

—and may apply towards paying the working expenses, or for the purpose of augmenting the guarantee fund of the bank.

How is the augmenting of the guarantee fund done?

Hon. Sir JAMES LOUGHEED: Those are 5 per cent securities, and of course that rate would be 1 per cent in excess of the present rate of interest. I assume that the cost of administration will be no greater than it is at the present time, so that the rate of interest on the deposits should be increased pro rata.

Hon. Mr. BELCOURT: The section does not say that. It does not provide that the depositor shall receive anything over 4 per cent, which goes to augmenting the guar- difference between 4 per cent and say 5 per cent which goes to augmenting the guarantee fund of the bank. I confess that I do not know what that means.

Hon. Mr. BEAUBIEN: The reserve.

Hon. Mr. BELCOURT: There is no reserve in the Penny Bank.

Hon. Mr. BEAUBIEN: Why not?

Hon. Mr. BELCOURT: Because it is a Government bank.

Hon. W. B. ROSS: The Government could keep the guarantee account.

Hon. Mr. BELCOURT: That is not an answer to my question. How does it keep it? Where does it go? This difference apparently is ear-marked for a certain specific purpose: "for the purpose of augmenting the guarantee fund of the bank." But so far as I know it has none.

Hon. Sir JAMES LOUGHEED: Yes, it has.

Hon. Mr. DANDURAND: It is not a Government bank.

Hon. Sir JAMES LOUGHEED: The Act says:

"Guarantee fund" means the fund in this Act required to be established and maintained by the bank as security for the purpose in that behalf in this Act set forth.

The procedure apparently is that the Governor in Council may by letters patent grant a charter.

Hon. Mr. BELCOURT: That is the explanation.

Hon. Sir JAMES LOUGHEED: Section 8 of the Act makes further provision. Apparently it is not a Government bank.

The section was agreed to.

On section 4—annual report to minister:

Hon. Mr. BOSTOCK: What is the object of striking out "months of June and December?" I understand that it means that they have to report only yearly instead of every half year. Would there not be a better guarantee to the people if the report were made every six months?

Hon. Sir JAMES LOUGHEED: Once a year may be regarded as sufficient.

Hon. Mr. McSWEENEY: Twice a year would be better.

Hon. Sir JAMES LOUGHEED: The present provision is that the bank shall transmit a statement to the Minister of Finance in June and December of each year. It is evidently intended to reduce the returns to once a year, as in the case of other banks.

Hon. Mr. POWER: I think it would be better to strike this clause out entirely. It is desirable that the depositors should know where they are twice a year rather than once a year.

Hon. Sir JAMES LOUGHEED: There will not be very much apprehension in the minds of the children who have deposits in these banks, particularly when they come under the inspection and regulation of the Government, and more particularly as the funds will be invested almost entirely, I fancy, in Dominion of Canada securities. Furthermore, these banks are not being carried on on a very large scale.

The section was agreed to.

The Bill was reported.

BUSINESS PROFITS WAR TAX AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of the Hon. Sir James Lougheed, the Senate went into Committee on Bill 57, an Act to amend the Business Profits War Tax Act, 1916, Hon. Mr. Daniel in the Chair.

On Section 1—taxes when profits exceed 15 per cent; when they exceed 20 per cent:

Hon. Mr. BOSTOCK: Will the honourable leader of the Government tell us what has been collected under this Act of 1916?

Hon. Sir JAMES LOUGHEED: I am very sorry to say that I cannot inform my honourable friend. Before the third reading is had I will make inquiry of the Department of Finance. Upon the second reading I explained that the object of the Bill is to increase the business profits war tax. On excess profits between 15 and 20 per cent the tax imposed will be 50 per cent; on profits in excess of 20 per cent it will be 75 per cent.

Hon. Mr. THOMPSON: Under the original Act, as I understand it, incorporated companies may retain a profit of 7 per cent on their capital and ordinary business firms 10 per cent. Does the 15 per cent include that 7 and 10 per cent? Or is the 7 per cent for incorporated companies taken before the percentage of profit is considered for the war tax?

Hon. Sir JAMES LOUGHEED: Under the existing Act the tax imposed is 25 per cent of the excess profits over 7 per cent. The former Act will continue in operation, and 25 per cent will be imposed on profits between 7 per cent and 15 per cent. Then, from 15 per cent up to 20 per cent, 50 per cent of the net profits will be taken.

Hon. Mr. POWER: I think that the passing of this measure is a step in the right direction. There is just one point on which I would like the honourable leader of the Government to give us a little explanation. When you impose such very severe penalties on the people who are in business you naturally lead them to try to evade the law. I have not a copy of the original Act by me at the moment; but I should like to know whether it contains provisions to render it impossible, or impracticable at any rate, to violate the law.

Hon. Sir JAMES LOUGHEED: Human ingenuity is usually equal to evading almost any statute, but the administration of the Act, so far as the Finance Department is aware, has been very satisfactory.

Hon. Mr. POWER: That is all right enough up to 25 per cent; but when you come to 75 per cent it must make a difference.

Hon. Sir JAMES LOUGHEED: There may be efforts to evade the consequences of the law; but the Finance Department, in carrying it out, have endeavoured to secure the very best talent in the way of accountants to examine the books of the different concerns to which the Act applies, and they have expressed satisfaction at not only the machinery which they put into motion but the assistance which has been given them by the various commercial concerns throughout Canada in arriving at the proper determination of what the tax should be.

Hon. Mr. McSWEENEY: You put all establishments on the same plane? You do not differentiate between munitions factories and ordinary establishments, do you?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. BOSTOCK: I notice by section 9 of the original Act that the Governor in Council may appoint a board or boards of referees, a board to consist of not more than three members. Would my honourable friend give the names of the referees who are appointed under that section?

Hon. Sir JAMES LOUGHEED: I can not do that at the moment. It is practically a board of appeal. I will have that information for my honourable friend tomorrow.

Hon. Mr. BOSTOCK: I asked my honourable friend the other day how this tax was collected. Has he had time to look into that? As I understand it, the tax is charged on the first accounting period of the year from December 31, 1914, to December 31, 1915?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: The tax on the profits earned in the year 1915 would not be paid until 1916, and the question is whether a company paying taxes is allowed to charge that tax up in their ordinary expenses of the year 1916, or how they handle it? Of course, if it is charged up in the ordinary expenses of the year 1916, it reduces their profits for the year 1916 by the amount of the tax.

Hon. W. B. ROSS: I asked about that, and I was told that they are not allowed to do that.

Hon. Sir JAMES LOUGHEED: The parties affected know that provision has to be made for the payment of the tax for the accounting period, and consequently it would not run over into the following period. It has nothing to do with the following period; that is to say, each period must sustain its own burden.

Hon. Mr. BOSTOCK: But, unless the officials of the department look carefully into the matter or instruct the company how to deal with it, any company doing business would naturally charge up their taxes as part of the expenses of the year in which they are paid.

Hon. Sir JAMES LOUGHEED: Not the year in which they are paid, but the year for which they are paid. They are in the same position as a dividend. If a dividend is declared for 1915 it is not chargeable as expenditure for 1916 although it may be paid in 1916.

Hon. Mr. WATSON: Is any publicity given to the amount of taxes paid by different firms? Is there any return brought down?

Hon. Sir JAMES LOUGHEED: Not to my knowledge. There is nothing to prevent a return from being brought down.

Hon. W. B. ROSS: A statement was made in the other House three or four days ago.

Hon. Mr. WATSON: I made inquiries at the Finance Department a few months ago. A firm asked me to find out what had been paid by other firms in the same town, and I was told that the information could not be produced.

Hon. Mr. POWER: That is right.

Hon. Mr. WATSON: I do not think it is. I think that anyone paying taxes should be able to learn what his neighbours pay.

Hon. Mr. THOMPSON: A return has been laid on the table of the House of Commons respecting the assessments paid.

Hon. Sir JAMES LOUGHEED: That is, as to the total amount collected.

Hon. Mr. McSWEENEY: What is the duration of the tax?

Hon. Sir JAMES LOUGHEED: Three years, under the first Act.

Hon. Mr. BOSTOCK: Can the honourable leader of the Government tell us whether all the assessments for the first accounting period have been made up to the present time?

Hon. Sir JAMES LOUGHEED: I cannot tell my hon. friend with exactitude, because there has been considerable delay in making an examination of certain companies whose head offices are in various countries. There is not an assurance that the tax will be collected from companies of that class, as there is in the case of domestic companies; but, notwithstanding that fact, of course such companies are liable, and the collections are being made.

Hon. Mr. McSWEENEY: I think in the statement that was presented the other day in the House of Commons the Ogilvie Company gave the net profits for the year and the amount paid out for dividends on preferred stock and on common stock, but not the amount of the war tax.

The section was agreed to.

The Bill was reported.

JUDGES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 66, an Act to amend the Judges Act, Hon. Mr. Watson in the Chair.

On section 1—appointment of additional puisne judges:

Hon. Sir JAMES LOUGHEED: On the second reading of the Bill I explained that owing to recent legislation of the province of Saskatchewan providing for the organization of a new court and the reorganization of the existing supreme court, it is necessary to appoint an additional judge; consequently provision is made for the salary of that additional judge in Saskatchewan. Likewise, in the province of Ontario the number of county court judges has been increased by one, with the intention of giving to the district of Timiskaming an additional judge, and provision is accordingly made for the payment of that judge. The other principal feature of the Bill deals with the residences of judges. As honourable gentlemen know, when a judge is appointed his commission indicates where his judicial district is or where his jurisdiction will be exercised. Apparently of recent years some of the provincial legislatures have intervened at the solicitations of a judge who naturally desired to have a more attractive place of residence than that indicated at the time of his appointment; and, with that ingenuity which sometimes characterizes the human mind on the question of mileage, the judge has been charging mileage between his new residence and his judicial field, thus entailing very large expenses upon the Dominion exchequer. It is proposed to stop that by limiting the residence of the judge to the district in which he exercises his jurisdiction.

Hon. Mr. DANIEL: Does this increase the salaries of the judges?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. DANIEL: I would like to ask the honourable leader of the Government how the salaries named in this Bill compare with the salaries of the judges say in Nova Scotia and New Brunswick?

Hon. Sir JAMES LOUGHEED: The same, I think.

Hon. Mr. DANIEL: We used to hear a great deal of the high cost of living out West—that it was so much more expensive to live out West than in the East that every official had to receive a much larger salary than he would receive in the eastern part of the country. So far as I can find out, it does not cost a bit more to live in the West than in the East, and I think the time has now arrived when salaries should be equalized all over the country, and that higher salaries should not be paid in British Columbia and Saskatchewan and other western provinces than are paid in the eastern provinces for the same services.

Hon. Sir JAMES LOUGHEED: I can assure my honourable friend that the judges of New Brunswick have not been neglectful of their interests.

Hon. Mr. DANIEL: I know they are not, but I was speaking of the policy. I take it for granted that the judges of New Brunswick do not receive as high a salary.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. THOMPSON: Just the same.

The section was agreed to.

On section 3—travelling expenses of judge not residing in his district:

Hon. Mr. CHOQUETTE: I would like to inquire what is meant by the last words of that clause: "Governor in Council." Does that mean the Governor in Council of the province?

Hon. Sir JAMES LOUGHEED: There is only one Governor in Council.

Hon. Mr. CHOQUETTE: I doubt if the Government has any right to change that provision. We know that a Provincial Government has a right to arrange the judicial districts in the province and to fix the place where the judge shall reside. The Dominion Government has no right to do that, and I think the last words in this section infringe on the rights of the provinces. The Federal Government has the right to appoint the judges, but it has no right to say where they shall reside. That is determined by the statute of the province. I think that if we leave those words in that section, it will be unconstitutional.

Hon. Sir JAMES LOUGHEED: The Bill does not say that the province shall not designate the residence of the judge. It only states that if the appointment indicates or provides for his place of residence, mileage shall be chargeable only from that particular place. Of course, the province may indicate another residence, but we are not bound to pay the mileage.

Hon. Mr CHOQUETTE: But you say, "unless his residence at that place be authorized or approved by the Governor in Council." This Parliament has no right to do that at all. We might say, "unless the place is changed by the province to which he belongs." That would be quite different.

Hon. Sir JAMES LOUGHEED: My honourable friend misapprehends the clause. It provides that the province may designate the residence, and the Governor in Council may authorize or approve of that residence, and accordingly the mileage will be computed from that residence.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. CHOQUETTE: I protest against that. We have no right to fix the place where the judge shall reside. The province has the right to declare the place where the judge shall reside, in his district or in the prvoince, but the Federal Government, by any Order in Council, or even by any Bill, cannot do that.

Hon. Mr. BELCOURT: My honourable friend (Hon. Mr. Choquette) misinterprets the section altogether. As I understand it, those words, "unless his residence at that place be authorized or approved by the Governor in Council," simply mean that if the judge chooses to reside at some other place and travels from that place to his judicial district, the Dominion Government will not pay the expenses unless they have approved of that.

Hon. Mr. CHOQUETTE: That is not according to law.

Hon. Mr. BELCOURT: It is the Dominion Government that has to pay; it is not the province.

Hon. Mr. CHOQUETTE: They have refused during the last three or four months to pay. The Minister of Justice has declared that a judge had no right to some of his travelling expenses.

Hon. Mr. BEIQUE: The honourable gentleman (Hon. Mr. Choquette) is losing sight of the first clause, which says:

> A judge who is appointed or assigned to a district for the exercise of his ordinary jurisdiction therein, and required by law at the time of his appointment to reside within that district, shall not be entitled to travelling allowances incurred or made necessary by reason of his residing at any place outside of the district.

That is, if he resides anywhere outside of the district where he is required, by virtue of the law, to reside. Therefore it respects the provincial law.

Hon. W. B. ROSS: I think this is a good point at which I should intervene to move an amendment that I wish made to this Judges Act. You will see that this section 3 is really a section to stop peculation by a judge. It is a little painful that legislation of that kind must be passed in this House with regard to the judges. If we are entitled to expect honest dealing from any persons in this country, I should say it would be from the judges of the Superior Courts.

Hon. Mr. BELCOURT: Of any court.

Hon. Mr. ROSS: I think that from the great majority of our judges we get that,

but here and there are exceptions, and section 3 deals with exceptions of that kind. Now, section 33 of the Act is in these words:

No judge of the Supreme Court of Canada or of the Exchequer Court of Canada or of any superior or county court in Canada, shall, either directly or indirectly, as director or manager of any corporation, company or firm, or in any other manner whatever, for himself or others, engage in any occupation or business other than his judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

You see, the position is stated there positively and negatively; it is impossible that any man with sufficient capacity to occupy the position of a Superior Court or County Court Judge could misunderstand that statute. It is stated in two ways: you shall not engage in any of those things, and you shall give your whole time to your office. Now, there are two cases—I am not going to name them—of Superior Court judges who are not observing the provisions of that section. One of them says it is nonsense, because there is no penalty annexed to it. In my opinion, there is a penalty that could be enforced against him, the penalty of impeachment; and possibly there is another, under a clause in the Summary Convictions Act. A man violating a statute in which there is no penalty provided can be fined $100 and imprisoned for one year. It is all very well to chase a man who has been caught in some peculation in connection with horses or drugs; you expect to find a little of that in this wicked world; but to find judges of the Superior Court openly defying the provisions of that section is, I think, a little surprising. It is regrettable, and I am sorry that the subject has to be brought up in this House; but I think it ought to be brought up in this House and ought to be dealt with.

Hon. Mr. McSWEENEY: You say they can be impeached. Can they?

Hon. Mr. ROSS: I think they can. They are violating the provisions of a public statute.

Hon. Mr. BELCOURT: Will my honourable friend say in what respect they are violating the law? What is it they are doing?

Hon. Mr. ROSS: Well, there is one judge who is drawing a salary of $2,500 a year in connection with a business, besides getting $6,000 as a judge.

Hon. Mr. BELCOURT: Is that the case of a director of a company?

Hon. Mr. ROSS: That is not the case of a director.

Hon. Mr. BELCOURT: In what capacity does he draw the $2,500?

Hon. Mr. POWER: I think it is better not to identify him.

Hon. Mr. ROSS: Another judge is drawing pay as a director in two or three companies. Now, I propose this amendment to the section:

Section 33 of the Act is amended by adding thereto the following subsection:

"And every such judge shall in the month of December in every year file a statement with the Minister of Justice that he has complied with the terms of this section, or, if not, shall state in what manner he has departed therefrom. No salary shall be paid to any judge failing to file such statement."

Hon. Mr. McSWEENEY: That is good.

Hon. Mr. ROSS: If the judge files his statement, the Minister of Justice will get what he does not get to-day; he has no check upon the judges in this country. He has to depend on private information, which is to a certain extent unsatisfactory. It is no hardship on a judge at the end of each year to say, "I have devoted my whole time to the duties of my office," or to say, "I have not; I have drawn a salary elsewhere," and what it is. Then the Minister of Justice can say, "Now, you stop that or it will have to go before Parliament," or, "Stop that or I will know what to do."

Hon. Mr. THOMPSON: There is no penalty; there is only the requirement to file a statement.

Hon. Mr. ROSS: No, but it brings the whole matter right before the Minister of Justice. The violation of the law is now under cover. There is merely a report.

Hon. Sir JAMES LOUGHEED: Assuming that he does not file the declaration, as the law is at the present time, what then?

Hon. Mr. BELCOURT: He does not get his salary.

Hon. Mr. ROSS: "No salary shall be paid to any judge failing to file such statement."

Hon. Sir JAMES LOUGHEED: That is very effective.

Hon. Sir MACKENZIE BOWELL: That is a good penalty, is it not?

Hon. Mr. BELCOURT: Will my honourable friend explain further whether he thinks that section will cover the case of a

judge sitting as a commissioner—as a member of a commission of inquiry such as is now sitting in Montreal?

Hon. Mr. ROSS: I suppose that in the case of the creation of a commission and the appointment of a judge the Minister of Justice or the Government has some way of getting clear of the provisions of the statute. Of course, I am unalterably opposed to the putting of Superior Court judges on these commissions. I think it is a bad practice, and is gradually but surely lowering the character of our bench. But as to the question that my honourable friend (Hon. Mr. Belcourt) asked, I do not know; I do not care very much whether or not this amendment would conflict with the appointment of judges as members of commissions. I should be very glad to find that you could head that off in some way or other.

Hon. Mr. BEIQUE: But as the proposed amendment stands it does not cover the case, does it?

Hon. Mr. ROSS: I do not know that it would.

Hon. Sir JAMES LOUGHEED: It does not prohibit it, at any rate.

Hon. Mr. ROSS: Let the judge who is offered an appointment on a commission find out before he takes it and draws his pay.

Hon. Mr. BELCOURT: I agree with my honourable friend (Hon. Mr. Ross) that judges should not be given that kind of job at all, and I think that the judges themselves should refuse to act in that capacity; but if my honourable friend is going to deal with this thing drastically, as he proposes in one respect, I do not see why he leaves that unprovided for. To my mind this practice is open to just as much objection and is just as scandalous as the other; in fact, I think it affects the administration of justice far more than the receiving of a mere salary as a director or administrator of a company.

Hon. Mr. ROSS: But you have the statute. I am dealing with a statute which this Parliament has adopted and which is being defied and violated. That is all I am dealing with. If my learned friend (Hon. Mr. Belcourt) will bring in a Bill to prohibit the appointment of judges of the Superior Court on commissions I will support it.

Hon. Mr. POWER: I cordially endorse the amendment proposed by the honourable gentleman from Middleton (Hon. W. B. Ross). I think there has been a very great abuse of the law. The law at the present time provides that a judge shall not engage in any other business than the discharge of his duties as a judge; but some judges set the very bad example of paying no heed to the law which they are supposed to administer, and I think the honourable gentleman from Middleton is perfectly right and is doing valuable service in introducing this amendment. But I think that there are one or two points about it which perhaps need further consideration; that with respect to the appointment of judges as commissioners, for instance, and there is another point on which I had thought of moving an amendment myself. I would suggest to the honourable leader of the Government that the committee report progress and ask leave to sit again.

Hon. Sir JAMES LOUGHEED: I quite concur in that, but would suggest that we let the preamble stand and that we pass down to section 4; then I will move that the committee rise, report progress, and ask leave to sit again. In the meantime, the proposed amendment will be printed, and we shall discuss it at the next sitting of the committee.

Hon. Mr. BEAUBIEN: I regret that I cannot see eye to eye with my honourable friend (Hon. W. B. Ross). I think we must all acknowledge that, although there may be a few exceptions, we are justly proud of the men who sit on the bench in this country. It seems to me that the first thing to do in order to have good judges is to lead the people to respect them. There is no country in the world where judges are more respected than they are in England and no country in the world where they are better paid. Now, because there are two or three judges in the whole land who do not do their duty—

Hon. Mr. POWER: A great many more than two or three.

Hon. Mr. BEAUBIEN: There may be, but I think everybody will admit that they are rare exceptions. Because there are a few exceptions are you going to force the judges to make a return every year in that form to the Government—to come to the Government, as it were, and say, "My hands are clean"? I say that is unfair. I do not think we ought to oblige the judges to do that. May I draw the attention of the House to one thing: section 33 is a very severe one. It prohibits a judge not only

from engaging in any business, but also from engaging in any occupation. We are using our judges in Montreal now for occupations, patriotic and others, and we are very glad to have them.

Hon. Mr. McSWEENEY: Occupations they are paid for.

Hon. Mr. BEAUBIEN: Excuse me. Section 33 does not say that. This is what section 33 says:

> No judge of the Supreme Court of Canada or of the Exchequer Court of Canada or of any superior or county court in Canada shall, either directly or indirectly, as director or manager of any corporation, company or firm, or in any other manner whatever, for himself or others, engage in any occupation or business other than his judicial duties.

Hon. Mr. BELCOURT: The Patriotic Fund is not an occupation.

Hon. Mr. BEAUBIEN: Wait a minute. The word "occupation" is one that can be very easily stretched; it is a very wide word. Why is it not an occupation? A man may have a very steady, daily occupation that is perfectly patriotic and for which he receives no remuneration whatsoever.

Hon. Mr. BELCOURT: Give an instance.

Hon. Mr. BEAUBIEN: There are a great many instances. There are judges who are administering our hospitals in Montreal, for instance. That is an occupation, a very heavy one indeed.

Hon. Mr. McSWEENEY: They get no pay for it.

Hon. Sir JAMES LOUGHEED: "Engage in any occupation," are the words of the statute.

Hon. Mr. BEAUBIEN: The word "occupation" in itself is very wide, and by this amendment you add a very drastic provision that may have a much wider effect than you expect. To my mind the reason against this amendment is this: because there may be a few exceptions we should not ask all the members of our bench throughout the land, men of high standing, men who deserve and have the respect of the public, to say every year that their hands are clean, so to speak, before they can receive their salaries. I repeat, I do not think it is a fair position in which to place a man having the high standing of a judge.

Hon. Mr. POWER: I think that, as a general rule, if the judges respect themselves they will have the respect of the public, and the exceptional ones do not deserve to be respected. I think that what the honourable gentleman has just said goes to show the desirability of having the committee report progress. I should suppose that the "occupation" should be a gainful occupation.

Hon. Mr. BEIQUE: I quite agree with the honourable gentleman from Montarville (Hon. Mr. Beaubien): I think the adoption of the amendment would be a reflection on the whole judiciary. Some means might be taken to make the clause more stringent than it is, but I quite agree with the honourable gentleman that the amendment would go too far. If it were necessary to make a rule affecting all judges in that way, that would imply, I think, that a large number are disregarding the statute, and that this is the only means of reaching them and compelling them to observe the law. I think that the law, instead of affecting, directly or indirectly, all members of the Bench, should be directed only against those who violate the statute. I quite agree with the honourable gentleman also as regards the interpretation of the word "occupation." The question was discussed, I remember, when this law was passed a few years ago. It was contended, and I think that the consensus of opinion was to this effect, that the intention of the statute was to prohibit only such occupations as either entailed a salary or interfered with the discharge of the duties of the judge by preventing him from giving the whole of his time, or a reasonable proportion of his time, to his judicial duties.

Hon. W. B. ROSS: The honourable senator who has just sat down must have been in this House when section 33 of the Judges Act was passed. If you can contrive anything more in the nature of a reflection on the judges I would be very much surprised. All that the amendment asks is that the judges shall say once a year that they have complied with the section, or, if they have not, that they shall tell the Minister of Justice in what way they have not. There is no reflection on the judges, and I do not think it is nearly as severe as section 33.

Hon. Mr. DANDURAND: When the Judges Act was amended, I remember, an increase in salary was given to the judiciary. Judges in the cities received an increase from $5,000 to $7,000 a year, and judges in the country from $4,000 to $5,000 a year. The then Minister of Justice said

that the judges up to that time had been allowed to engage in some other occupation, or to occupy positions of trust, even on commercial bodies, and the Minister of Justice tolerated this procedure because he felt that for a number of years the judges had been underpaid. The principal argument against judges sitting on boards was that it might affect their independence inasmuch as it would bind them to some policies adopted by those boards which they would have to review in some parallel cases, and that, coming into contact with those institutions, business and otherwise, would perhaps create some bias in the minds of the judges and bring them down from the high plane on which they must stand. I do not remember if the then Minister of Justice explained the word "occupation;" but I know that in my province, and I am convinced that it is the same in other provinces, judges are members of universities. Some have been professors of law in universities and I have no doubt have received a fee for their services. We perhaps felt that it would be injudicious not to allow them to continue giving the benefit of their experience and knowledge to the young men of the universities. I do not remember whether the Minister of Justice proposed to temper that disposition of the law; I doubt if he could; but I do not see that the judges have altered their ways since that law was passed, and have withdrawn from serving the universities. I confess that I am somewhat reluctant to go with my honourable friend from Middleton (Hon. W. B. Ross), because the amendment affects all the judges. It seems to me that if he wants to strengthen the hands of the Minister of Justice he can do so by sanctioning the law without forcing all the judges to make a declaration.

Hon. Mr. CHOQUETTE: Clause 33 has been cited. It says positively that a judge must attend to his business and must do nothing else. If the Minister of Justice learned of a judge doing something else it seems to me that it would be sufficient to write him and call his attention to the statute. I would not be prepared to vote for the amendment proposed by my honourable friend. I think it is somewhat of a reflection on the judges. You are going to ask the judges to give themselves a certificate that they have not sinned. I do not know of any class of men who are asked to do that. I think that the Bill as it stands is sufficient. I have been told that within the last three or four months some judges have been stopped of the practice referred to in a very simple way. I know of two judges who have sent in accounts for sitting in Quebec. They were appointed for outside of Quebec but resided in that city, though by the law they are obliged to reside in their district. This practice has been followed since Confederation, you may say. These judges sent in accounts of their per diem expenses for the time they sat in Quebec. They had no right to do that; according to the law they have no right to their expenses. It would have been sufficient in the past for the Minister of Justice to write and say, "You have no right to this, because you have been sitting outside of your judicial district even though in the district in which you reside." I maintain that a change by the Federal Parliament would be unconstitutional, because the right to charge travelling expenses to the places where they sit is fixed by the local authorities. The Government at Ottawa has only the right to appoint judges for the district. With the exception of the clause providing for the appointment of new judges, I think the Bill is of no value whatever. The Minister of Justice has all the machinery necessary to make the judges obey the law, and he can refuse to pay the expenses to which they are not entitled.

Hon. Mr. BEAUBIEN: The honourable gentleman from Middleton (Hon. W. B. Ross) has made a very plausible argument on the face of it. He says that section 33, if put into effect by the sanction which we are now giving, would in itself be the instrument making the change. I say not at all. Section 33 restricts the duties of a judge. There are other sections which say that judges shall not take money for judgments which they render. There are a great many sections in our law to guide men through life and to make them honest whether they want to be so or not. What would any honourable gentleman in this House say if at the end of the year he had to write down a negative confession, so to speak?

Hon. Mr. BELCOURT: The honourable gentleman has to do it every session in order to get his indemnity.

Hon. Mr. BEAUBIEN: I must confess that I did not know it. It makes no difference; it does not change the value of my argument. If the judges have every year to report to the Minister of Justice that they have not violated that clause before they

can touch their salaries, why should they not also state that they have not violated other clauses of the law?

Hon. W. B. ROSS: The amendment does not say that. It requires the judge to inform the Minister of Justice whether or not he has complied with that section.

Hon. Mr. BEAUBIEN: By painting the picture in more vivid colours, so to speak, it will be seen more readily. You force the judge to come down, figuratively speaking, and show a clean record as far as that section is concerned. It is not a fair rule to apply to a judicature which until now has been held up to the respect of everybody.

Progress was reported.

OCEAN TELEGRAPH ACT REPEAL BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 69, an Act to repeal the Ocean Telegraph Act, Hon. Mr. Gordon in the Chair.

Hon. Sir JAMES LOUGHEED: As I explained the other day, the object of this Bill is to authorize the Government to make a repayment to the Universal Radio Syndicate of the balance of a deposit made by that company as a guarantee of carrying out its contract with the Dominion Government. A wireless telegraph system was to be constructed between Canada and the United Kingdom. $50,000 was deposited with the Government at that time; half of this amount was to be repaid to the company upon the expenditure of $50,000, which was done. Afterwards a loan of $15,000 was made to the company out of the remaining $25,000, and $10,000 is still held on deposit. The Marconi Wireless Company practically propose taking over the contract and carrying it out, and in this way the Government is securing the construction of a line as good as, if not superior, to the original line.

The Bill was reported.

PRIVATE BILL.

SECOND READING.

Bill N2, an Act respecting The Montreal Central Terminal Company.—Hon. Mr. Beaubien.

Hon. Mr. DANDURAND: Explain.

Hon. Mr. BEAUBIEN: I understand that this Bill is simply for the purpose of extending the period for construction.

Hon. W. B. ROSS: Why?

Hon. Mr. BEAUBIEN: Because the company has found it impossible to proceed with the work during the war.

CHINESE IMMIGRATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 42, An Act to amend the Chinese Immigration Act. He said: The main provision of this Bill is to allow Chinese students to visit Canada without being subject to the usual head tax. At the present time the tax is imposed upon them and is refunded on their departure from the country. This is not done in the United States. The other clauses are simply the necessary machinery for the purpose of making more effective the tax on Chinese.

Hon. Sir MACKENZIE BOWELL: The imposition of this $500 tax has prevented scores of students from coming here to obtain an education.

Hon. Mr. BOSTOCK: I do not quite see why the tax should prevent them coming into the country, because I understand that it is returned.

Hon. Sir JAMES LOUGHEED: They have to get the money first.

Hon. Mr. BOSTOCK: I thought that in many cases there was a society that put up the money to provide for this tax.

Hon. W. B. ROSS: There was one very regrettable case last winter. A Chinaman who came to New Brunswick was put in jail and finally deported, although his father was a naturalized British subject, and he was born in Trinidad. He was coming here to study at one of the colleges. He was sent away like a calf or a horse. There was a great deal of excitement about the case in Trinidad and also among the churches.

Hon. Mr. BOSTOCK: Do I understand my honourable friend to say that he could not establish the fact that he was a student?

Hon. Mr. ROSS: Yes, but he had not the $500.

Hon. Mr. DANDURAND: What certificate does the Government exact as to evidence

in order that a Chinaman may be allowed in? Is it a simple declaration that he is a student and that he comes in to perfect his education?

Hon. Sir JAMES LOUGHEED: I could not tell you at the moment. I think the Act is very explicit on the subject.

Hon. Mr. DANIEL: I think the case mentioned by the honourable gentleman from Middleton (Hon. Mr. Ross) is even worse than he has stated. As I understand it, both the father and the mother of that so-called Chinaman were British subjects living in Trinidad. There was a trace of Chinese blood in either the father or the mother, I do not know which, and on the strength of that this man was held up in St. John and not allowed to land because he had not $500 to pay.

Hon. Mr. BOSTOCK: This is rather irregular on the motion for the second reading, but I may be allowed to say that the difficulty is found in the West, where a large number of Chinamen come in. The problem is to know how to distinguish between students and ordinary labourers.

Hon. Sir MACKENZIE BOWELL: They are British subjects.

Hon. Mr. BOSTOCK: It is quite conceivable that others might come in who are not students and slip through without paying the tax. I presume the Government has some regulations or some methods of finding out whether a man is a student, and following him up to ascertain whether he goes to college, or what he does after he gets into the country.

Hon. Sir MACKENZIE BOWELL: Let us discuss that in committee.

Hon. Mr. BOSTOCK: If my honourable friend has the information, we can probably go into the matter better in committee than now.

Hon. Mr. BELCOURT: My hon. friend has inquired what is the reason that clergymen are included in the class exempted. There are two classes exempt from the tax—clergymen and students.

Hon. Sir JAMES LOUGHEED: That is, Chinese clergymen.

Hon. Mr. CLORAN: They are all clergymen.

Hon. Sir JAMES LOUGHEED: A clergyman has been a student. The clergy are a favoured class. It is unreasonable that we should impose a head tax of $500 upon clergymen of a particular sect that we allow to come into Canada.

Hon. Mr. BELCOURT: This exemption is susceptible of abuse, because clergymen are not ear-marked in any way; anyone from China can be a clergyman for twenty-four hours.

Hon. Sir JAMES LOUGHEED: You can easily tell them; they have a peculiar brand usually.

Hon. Mr. CLORAN: I think the attention of the Government ought to be called to this matter. The clauses are very wide. "Clergymen" is a very general term. Who is going to diagnose the case of a Chinaman when he comes here, to ascertain whether he is a clergyman or not? That term is very broad, and the Government ought to look into it. The second class who are exempt are students who will attend colleges. Well, there are any number of colleges all over the Dominion, from Vancouver to Charlottetown, and you would have five or six or a dozen students going to each college or each university; but how long will they stop there? It is open to them to stay for a whole term of a college, university, or school; but it is open to them also to go abroad promiscuously through the land. I think the Government should consider this matter and make the terms of the exemptions definite. If you are going to tax every Chinaman because he is not a student or a clergyman, you are not giving them a fair deal. Those men will come into the country under the classification of students; but what is a student and how long is he going to be here?

Hon. Mr. BELCOURT: The Act provides that if he ceases to be a student he may be deported.

Hon. Mr. CLORAN: How are we going to find out? The Government and all its officers would require to follow them.

Hon. Sir JAMES LOUGHEED: The Act provides that those certificates shall be endorsed by the British consul or an official representing the Imperial Government, or the accredited representative of His Majesty at the port or place of departure of a student or clergyman, or the individual in question.

Hon. Mr. CLORAN: That is one protection, but is it sufficient? I am simply pointing out the danger, that is all.

The motion was agreed to, and the Bill was read the second time.

CIVIL SERVICE ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 68, an Act to amend the Civil Service Act. He said: There are two particular features in this Bill. The first is to be found in section 2, which gives the persons placed in the Third Division by the Act of 1908, who had passed a qualifying examination, the right to avail themselves of the standing which they had at that particular time. Owing to some peculiar phraseology in that Act, they seem to have been deprived of that right, although not intentionally. The other clauses deal chiefly with increasing the minimum salaries in the lower grades of the Inside Service by about $200. I think it will be recognized by honourable gentlemen that that class of public servants, particularly those who have been receiving from $600 to $1,000 a year, are very poorly paid, particularly at this time, when the high cost of living is so emphasized. These are the chief features of the Bill.

Hon. Mr. BELCOURT: Is the meaning of section 2 that a civil servant can be promoted from the Third Division to the Second Division without examination? That is the object of it, is it not?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BELCOURT: It is a pity that another wording could not have been chosen to convey that idea rather than the wording that is here.

Hon. Sir JAMES LOUGHEED: When the Act was passed in 1908 it was the intention that that right should continue to those who desired to exercise it, and who had passed the qualifying examination; but it has been interpreted by the Civil Service Commissioners to be that it only qualifies them for the Third Division, and that they will have to pass another examination for promotion to the Second Division.

Hon. Mr. BELCOURT: I do not think this is very much of an improvement on the old section.

Hon. Sir JAMES LOUGHEED: It is very desirable to remove a cloud and make it clear. We can go into that in committee.

Hon. Mr. BELCOURT: It seems to me that adding the words "without examination" would have made it clear.

Hon. Sir JAMES LOUGHEED: No. The idea is that, they having passed an examination previous to 1908, that examination shall qualify them for the higher classes as well without their having to pass another examination.

Hon. Mr. BELCOURT: I understand the object of it, and I think it would have been made perfectly clear if, after the words, "may be promoted from the Third Division to the Second Division," the words "without examination" had been added. If anybody is so disposed, I think it could still be interpreted in the way it has been interpreted before.

Hon. Sir JAMES LOUGHEED: That may be.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned till three o'clock tomorrow.

THE SENATE.

Wednesday, June 20, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PRIVATE BILL.

FIRST READING.

Bill V2, an Act to incorporate the North American Insurance Company.—Hon. Mr. Nicholls.

FURTHER EXTENSION OF TERM OF PARLIAMENT.

INQUIRY.

Hon. Mr. CLORAN inquired:

When will the Government introduce, as announced in the Speech from the Throne, its Bill for a further extension of time, to permit the present ministry (depleted) and the prsent House of Commons (very much depleted) to continue in existence without a mandate from the electorate of the Dominion of Canada?

He said: I do not suppose the Government can give me any definite and complete answer to this question, but I am sure the House will be very much interested in any answer that may be made.

Hon. Sir JAMES LOUGHEED: I cannot say at what time during the present session the Bill will be introduced.

A VOTE ON CONSCRIPTION.

INQUIRY.

Hon. Mr. CHOQUETTE rose to call the attention of the Government to the following extract from an article published in the Montreal Star of the 5th June, instant:

> Too Much Secrecy at Ottawa.
>
> And by that same token if there is ever to be a vote on our war policy, it should be an open vote. The ballot has its uses in protecting the labouring man from his employer and the poor from the rich, but it should not be prostituted into a shield for cowardice, moral or physical. Any man who goes up to vote either to conscript his fellow citizen or to desert his other fellow citizen already under German fire should do so like a man, under the eyes of the youth he intends to conscript or the father and brother of the other youth he intends to desert.

He said: Honourable gentlemen, I may say that there has been a line omitted, by oversight or otherwise, after the citation of the article mentioned. My original notice must have had the words, "and will inquire if the Government intends to do anything in that direction." How this omission occurred I do not know, but I ask permission of the House to go on with the motion. I do not intend to take very much time on this matter, and it is not because I attach very great importance to the article that I bring it up.

I may say that the method of taking the vote does not make a particle of difference in Quebec. We are willing to vote openly or secretly; but I see by the Star, which is supposed to know a great deal about sentiment outside of Quebec, what the sentiment is about conscription. In order that we may know what that sentiment really is I will take the liberty of placing before the House a few quotations from Ontario papers. They are not Liberal papers, not papers which are absolutely opposed to recruiting, and you will see from these quotations that the article to which I refer—

Hon. Sir JAMES LOUGHEED: Will my honourable friend pardon me? If it is in order for honourable gentlemen to direct the attention of this House to every article which appears in the newspapers of this Dominion it is quite manifest that we would not be able to do the business of the country. There must be some limitation placed upon a discussion of this character. I regret very much to have to raise the point of order; but my honourable friend is entirely out of order, as there is nothing before the House.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. CHOQUETTE: With all due respect to my honourable friend, I do not think the point of order is well taken. Every day we discuss public matters in this House. I am dealing with the question of voting on a public matter. I do not refer to any Bill or anything else to come before the House. This is an article discussing a public matter and asking the Government to change the law with respect to voting. I ask if it is the intention of the Government to do something in the direction of doing away with the secrecy of the vote in this Dominion on this question. I think I am absolutely in order. I will not take much time—

Some Hon. SENATORS: Order.

Hon. Mr. POWER: I do not think the point of order is well taken. The honourable gentleman is not raising a question of privilege; in that case there might be some question as to the propriety of referring to a newspaper. What the honourable gentleman wishes to do is to find out what the policy of the Government is as to the manner in which the vote on the conscription measure is to be taken. There is nothing objectionable about that. The honourable gentleman has a right to ask that question. He need not have referred to the Star at all; he might simply have asked the question. He used the reference for the purpose of making perfectly clear what he intended, and I fail to see that there is anything contrary to order in the inquiry.

Hon. Sir JAMES LOUGHEED: The article does not for a moment allege that the Government is going to do anything. The Star as a newspaper is advocating some particular policy. What right has my honourable friend to ask if the Government is going to follow the policy advocated by this newspaper? If my honourable friend is serious about this matter, he knows perfectly well that if his course were carried to its logical conclusion we would not be able to transact any business in this House at all; our time would be taken up in the discussion of newspaper articles, and very much more important articles than this one.

Hon. Mr. POWER: The honourable gentleman from Grandville (Hon. Mr. Choquette) is not discussing the article in the Star at all. He simply uses that to show the point which he wishes to get at, and he has a perfect right to make the inquiry.

Hon. Sir JAMES LOUGHEED: There is no inquiry.

Hon. Mr. POWER: The fact that he cites the Star does not count for anything at all.

Hon. Mr. CROSBY: Question. I ask the Chair to rule.

Hon. Mr. CLORAN: We are in the dark; we want some light.

Hon. Mr. POWER: I fail to see that there is anything contrary to order at all.

Hon. Sir MACKENZIE BOWELL: It seems to me that the honourable gentleman would be correct if the motion contained an inquiry at the end of it.

Hon. Mr. BOSTOCK: I understood that my honourable friend from Grandville (Hon. Mr. Choquette) drew attention to the fact that there was an omission in the notice as printed, and, as I understood, obtained permission to amend it.

Hon. W. B. ROSS: When did he get that permission?

Hon. Mr. CLORAN: To-day, while you were not listening.

Hon. Mr. ROSS: What is the inquiry?

Hon. Mr. CHOQUETTE: I asked the permission of the House, and I thought that there was no objection, to add the words, "and will inquire if the Government intends to do anything in that direction;" then I proceeded. I am willing to postpone the motion until to-morrow so that it may be printed correctly.

Some Hon. SENATORS: Go on.

Hon. Mr. POIRIER: Does my honourable friend for a moment think that the Government would be ready to answer such a momentous question just as it is put? Such questions should be put in the regular form, and sufficient time should be given to look them over.

Hon. Mr. CHOQUETTE: I will give the Government all the time that is required to answer.

Hon. Mr. CLORAN: They should answer it off the bat.

Hon. Mr. DANIEL: The honourable the Speaker decided some time ago, in regard to an inquiry by an honourable member of this House, that the inquiry was out of order because it had been announced by the Government of the country that the subject to which it referred would be brought before Parliament. I take the same point of order with regard to this matter.

Hon. Mr. LANDRY: I rise to a point of order. The honourable gentleman cannot raise a second point of order until the first one has been decided.

Hon. Mr. CLORAN: That makes three points of order.

Hon. Mr. LANDRY: The Speaker must decide the first point of order first.

Hon. Mr. DANIEL: I withdraw my point of order.

Hon. Sir JAMES LOUGHEED: I raised the point of order that there was nothing before the House as the motion appeared on the Order Paper.

Hon. Mr. POWER: The House, by unanimous consent, allowed the honourable gentleman to amend his notice.

Hon. Sir JAMES LOUGHEED: I am entirely unaware of that.

Hon. Mr. CHOQUETTE: I will postpone it until to-morrow in order that it may be printed correctly.

The notice was allowed to stand.

BRITISH GOVERNMENT AND CANADIAN PACIFIC RAILWAY COMPANY FINANCIAL ARRANGEMENTS BILL.

THIRD READING.

Bill 47, an Act to facilitate certain financial arrangements between the Government of the United Kingdom of Great Britain and Ireland and the Canadian Pacific Railway Company, and for other purposes.—Hon. Sir James Lougheed.

PENNY BANK ACT AMENDMENT BILL.

THIRD READING.

Bill 55, an Act to amend the Penny Bank Act.—Hon. Sir James Lougheed.

OCEAN TELEGRAPH ACT REPEAL BILL.

THIRD READING.

Bill 69, an Act to repeal the Ocean Telegraph Act.—Hon. Sir James Lougheed.

PRIVATE BILLS.

THIRD READINGS.

Bill E, an Act to incorporate the Kenora and English River Railway Company.—Hon. Mr. Beith.

Bill C2, an Act to incorporate the Imperial Order Daughters of the Empire and the Children of the Empire (Junior Branch).—Brig.-General Hon. Mr. Mason.

Bill T, an Act to authorize the issue of a patent to James Wallace Tygard.—Hon. Mr. McCall.

Bill E2, an Act to incorporate the Dominion Good Roads Association.—Hon. Mr. Beaubien.

SUPREME COURT OF CANADA JURISDICTION BILL.

On the order:

Second reading Bill C, an Act to limit the Appellate jurisdiction of the Supreme Court of Canada.—Hon. Mr. Casgrain.

Hon. Mr. CASGRAIN: I do not intend moving the second reading of this Bill today. I may explain that I have been in communication with some very eminent lawyers and some judges, and, as usual, there is much diversity of opinion between the lawyers and the judges on this question. I am gathering all the information obtainable and hope to be able to present it to this honourable House in moving the second reading of this Bill. I shall try to give good reasons for its adoption. If, however. I am not able to find better reasons than I have been able to collect up to the present time, I shall have to drop the Bill. I would therefore move that this order be discharged and be placed on the Order Paper for July 19.

The motion was agreed to.

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. GEORGE LYNCH-STAUNTON moved the second reading of Bill L2, an Act to amend the Railway Act.

He said: In moving the second reading of this Bill I wish to make a few remarks as to the reasons why I have introduced it. The Bill, you will notice, provides that hereafter:

4. No person shall be qualified to be nor shall be elected a director of the company—

That is, of any railway company authorized under the Railway Act of Canada—

who is not a bona fide resident in Canada, nor shall any person act as a director after he has ceased to be a bona fide resident in Canada.

5. All meetings of directors shall be held within Canada and no action of the board of directors had or taken elsewhere shall be lawful or of any force or effect.

6. The provisions of subsections 4 and 5 of this section shall apply only to elections of directors and meetings and actions of directors had, held or taken after the first day of January, 1918.

The object of this Bill is to compel any railway company receiving aid from Canada or its provinces to have the supervision of its affairs committed to directors who know the conditions which exist in Canada.

It may be said that, railway companies being private corporations, their shareholders should be the sole judges as to the persons to whom they should confide the care of their money. But this is not a sound position, nor a position which has been respected by the legislatures of Canada. Under the general Railway Act every railway company must submit to an order of the Railway Board directing it to allow its private property to be utilized by any other company, and on such terms as the Railway Board may decree. In innumerable ways we interfere with the disposal and the enjoyment of the rights and properties of persons who invest their money in public utilities of this description. Not only are the railway companies to which I refer not exempt on that ground, but they are debtors of Canada, and creditors often undertake to interfere with the management of the business of their debtors. Not only that, but it is in the public interest of Canada that the great railway corporations be well and economically managed and be prosperous. Moreover, a failure of a great railway corporation reflects upon the credit of this country.

These are, I submit, general reasons, no matter how well a railway company is governed, why the legislatures of Canada have the right to interfere with their internal management. If it were only an academic question, if it were only the assertion of a right, perhaps we would never undertake to interfere with them. In my opinion, however, it is not only wise but it is the absolute duty of the Parliament of Canada at this time to interfere with the government of the Grand Trunk Railway Company, which is the company I have in mind in introducing and speaking on this Bill.

The Grand Trunk was the first of the great transportation companies authorized to build railways in Canada. They obtained their charter in 1851, and a few years after they commenced the building of their roads they dropped their Canadian directors, electing a board of directors all, I think,

or at least a majority, of whom were non-residents of Canada. I do not wish to make any extravagant statements, nor to reflect harshly upon anybody; but I think that it is known to all who know anything of Canada that the Grand Trunk Railway Company has been uniformly unsuccessful throughout its history, from the day that it first commenced operations until the present time. The Hon. Mr. Barker, who was a member of the House of Commons for many years, who was an acute, able financial critic, and who had a great railway experience, was a few years ago commissioned by the Grand Trunk Railway Company's shareholders to investigate the company's affairs, and he made such a report that the shareholders turned out the whole board of directors for inefficiency—for the manner in which they had financed the road, and for the buying of the Michigan and Vermont branches. Mr. Barker told me, in discussing that report upon many occasions, that the fundamental blunder made by the Grand Trunk Railway directors was in the purchase of their feeders. They bought everything that was offered to them, and, so far as I know, they did not buy any feeders which ever benefited the Grand Trunk.

Hon. Mr. CASGRAIN: In what year was that?

Hon. Mr. LYNCH-STAUNTON: The report was made about the year 1900; I cannot tell you the exact date. I tried to ascertain it, but I am not sure. I know personally that they bought lines running from the city of Hamilton to Caledonia and towards the international boundary, and they have so mismanaged them that the Toronto, Hamilton, and Buffalo Company within the last few years have been paid by the town of Dunville a large bonus to run an opposition line to Dunville in order that that part of the country might be served with railway communication. It takes one nearly a day to go by rail from Hamilton to Dunville, and a whole day to go to Cayuga, though you can drive there in three or four hours. The Grand Trunk made no pretense of accommodating the public. Now, if it would pay the Toronto, Hamilton, and Buffalo Railway Company to build a line of railway to share the business of Dunville with the Grand Trunk, surely common sense and decent management would have induced the Grand Trunk to run over the existing lines a direct train to that town.

Hon. Mr. CASGRAIN: What is the population of the town?

Hon. Mr. LYNCH-STAUNTON: Four or five thousand, but it is in an excellent country, where there is much business. At all events, the Canadian Pacific Railway Company, the Toronto, Hamilton, and Buffalo, and the New York Central, which are governed by men who know how to run a railway, thought it was sufficiently important to build a line there to share the business.

Years ago the Grand Trunk Railway Company had a monopoly of the business of the city of Hamilton, and I remember when the city offered to the Canadian Pacific Railway Company $500,000 to build a line into that city. They went on their knees to Mr. Van Horne, they begged and begged him for years, to have the Canadian Pacific railway run into Hamilton. What for? To divide business with the Grand Trunk, who, if they had had the common sense to treat the city of Hamilton with ordinary business prudence, might have continued until this day to have the whole business of that city, which is now the second or third manufacturing city in this Dominion.

Hon. Mr. McSWEENEY: How does the Canadian Pacific railway get into Hamilton from Toronto?

Hon. Mr. LYNCH-STAUNTON: It goes as far as the Desjardins canal, within a mile of Hamilton, over the tracks of the Grand Trunk. It pays the Grand Trunk about $40,000 a year for that privilege. All I wish to impress upon honourable gentlemen by my statements is that not only did the Grand Trunk buy poor properties as feeders, but after obtaining them they have never endeavoured to develop them; they have allowed them just to go along until the population in the district concerned induced opposition railroads to parallel them and take from them the little business they had. It was not the enterprise of the Canadian Pacific Railway Company, but it was the entreaties of the people served by those railways, which induced it to come in.

We all know that the Grand Trunk Railway Company had an opportunity to obtain the greatest prize that was ever offered to a railway company when Sir John Macdonald conceived the idea of building the Canadian Pacific railway. The Grand Trunk allowed that golden opportunity to pass, and it was seized by a group of Canadian gentlemen who lived in Canada and knew the

value of the opportunity. The gentlemen who were governing the Grand Trunk were three thousand miles away, and whenever there was some tin-pot railway that their local manager asked them to buy they purchased it; but when they had an opportunity to build the greatest adjunct to their railway which they possibly could have obtained, they let it go by.

I have already said that on Mr. Barker's report the Grand Trunk shareholders turned out the old Board and put in a new absentee set of masters. And what did they do? I have been reading with interest the report made by the commission appointed to inquire into the railways and transportation of Canada, consisting of three gentlemen—Sir Henry Drayton, Mr. W. M. Acworth, and Mr. A. H. Smith, of the New York Central Railway Company. I assert, honourable gentlemen, that this report publishes the most humiliating, the most abject confession of ignorance and inefficiency on the part of the Board of the Grand Trunk Railway. It reports conduct which at least should not be approved of by the Parliament of Canada. Now, what is said in it? We all know that the Grand Trunk Railway Company applied to the Government of Canada to build the Transcontinental line. Mr. Hays suggested to Sir Rivers-Wilson that it was desirable that the Grand Trunk Railway Company should induce the Government of Canada to build the Transcontinental railway in order that the produce of Canada might be carried to the ocean entirely on British territory; and they laid a scheme of that kind before the Government. Now, mark: the object was to carry the output of the West to the ocean entirely on British territory. They laid this scheme before the Government of the day, and the Government of the day made some important suggestions for the amendment of the proposition, and it eventually came about that the Grand Trunk Railway Company agreed with the Government to build the Grand Trunk Pacific railway from Winnipeg to the Pacific coast, and to rent for fifty years, with the right of renewal, the Transcontinental line from Winnipeg to Moncton, creating another competitor for the old Grand Trunk. The Grand Trunk Railway was given the right to supervise and interfere with the cost of construction of the Eastern section, or what is known as the Transcontinental railway; and, so far as I know—and I know a little about it—they had the absolute control of the construction of the western or Grand Trunk Pacific end of that road. Recently they came to the Government of Canada and asked to be relieved from their obligations and from their contract, and, as the commission puts it, they wished to wash their hands of the whole transaction. Now, what are their obligations?

The Grand Trunk Railway Company has guaranteed to the Government of Canada and to the public a payment by the Grand Trunk Pacific of at least $120,000,000; it has advanced in cash to the Grand Trunk Pacific $25,000,000; it has obligated itself to pay for the present $5,000,000 a year and after next year $7,000,000 a year interest on the construction of that railway. During that time, from 1906 to 1916, the Grand Trunk Railway Company paid out $36,000,000 in dividends; and they deferred—to use a technical word, when I mean to say they did not do their duty—deferred improvements of $6,000,000 which they said were absolutely necessary to the railway. Why did they take this tremendous responsibility? This wrecking of the Grand Trunk railway was undertaken by a board of directors living 3,000 miles away from Canada. I do not know whether any one of those gentlemen is a railway man—whether any member of that board has any railway knowledge or experience; but I trust for their honour that they are tyros and not business men. They have allowed what Mr. Chamberlin has sworn to be an absolutely impossible bargain to be made by the Grand Trunk Railway Company. They have put the seal of the Grand Trunk Railway Company to a liability of $125,000,000—to a contract which Mr. Chamberlin swears never could benefit the Grand Trunk Railway a single dollar. They have taken from the treasury of that railway $25,000,000 when they knew—unless they were, as I say, tyros—unless they were simply a dummy board—that they were putting that amount into the building up of a road which would never be of any use to the Grand Trunk, and which money they now claim should have been expended for the ordinary up-keep of the Grand Trunk railway itself. In this country we would not call them directors; we would call them wreckers. And those men have taken this enormous corporation, this great artery of Canada's trade, and, if their General Manager is to be believed, they have destroyed it beyond redemption. Unless the Government of Canada comes to their aid they must, he says, go into the hands of a receiver. I consider that is a national disaster. I am not lecturing; but I have tried to impress upon you how seriously I think this case is from my point of view as a

Canadian. I consider that this railway company should be rescued from these men, who are either betrayers of their trust or ignorant of their duty. I have not in the least overstated the evidence of Mr. Chamberlin. He swears to the statements which I have quoted.

Hon. Mr. CASGRAIN: Is it true that Mr. Chamberlin has left the Grand Trunk and is no longer connected with that company?

Hon. Mr. LYNCH-STAUNTON: Rumour has it that Mr. Chamberlin is retiring. I know not whether it be true or not; but I understand that the Chairman of the Grand Trunk Railway Company is in Canada, and so far as I know he has never repudiated or answered the charges that have been made by Mr. Chamberlin. Here are the very words Mr. Chamberlin uses:

> We can no more carry out that contract with the Government than anything in the world. How are we going to raise money to build those steamships? How are we going to build steamships? How are we going to carry the burden if we are forced to carry all that stuff all the way down there at Boston and Portland rates?
>
> Sir Henry Drayton: Your second ground is that of impossibility?
>
> Mr. Chamberlin: It is an impossibility.
>
> Sir Henry Drayton: If it is impossible now, it was always impossible?
>
> Mr. Chamberlin: It was always impossible.

Now, there is the contract that they entered into. If they had taken a gambler's chance at the expense of Canada, as they say some other people did, it would have been different; but to take that great railway enterprise and pledge it for an impossible enterprise certainly shows that the men who did that are not fit to be allowed to govern that company any longer. This Chamber is made up of men who have succeeded in nearly all walks of life, men who know Canada, men who understand great business enterprises; and I ask if there are six honourable gentlemen in this House who, appreciating their duty and endeavouring to perform it, would undertake to be the directors of and govern from Ottawa a railway in South Africa or Australia, or in England, for that matter? Yet these gentlemen jumped jauntily into the directors' chairs, and, although from year to year they saw, if they spent a moment to look at the reports, that the railroad was on the toboggan slide, they continued to draw their directors' fees and allow the railway to take care of itself.

Now, the railway conditions of Canada at the present time are very critical. It is in the air—not only in the air, but it is discussed in practical railway circles—that the steam railway engine will be as rare as a stage coach seen only on a coloured plate. In the United States there are 400 or 500 miles of railway operated by electric power.

Hon. Mr. CASGRAIN: More than that.

Hon. Mr. LYNCH-STAUNTON: Perhaps 1,000 miles; and it is the opinion of engineers for whom I have great respect that the time has now arrived when all the railroads of Ontario and Quebec at least, to be efficient, must be run by electric power, the only possible force by which railways in this northern country can be run economically and successfully. I am not going to enter into the details of that problem; but these questions are up and are being discussed. The railways are short of equipment, inefficient, and, to use the phrase of the board, have fallen down. They must be rebuilt. Is it reasonable or fair to the people of Canada, not to speak of the shareholders of the railway companies themselves, to allow these radical changes to take place under the guidance of a board 3,000 miles away?

I would like to point out what Mr. Smith said in his report regarding the possibilities of this railway under proper control. He is apparently an able and successful railway man; he is president or general manager, I do not know which, of the New York Central Railway. He says this:

> Standing alone, with efficient operating conditions imposed, there is no reason within my knowledge why the Grand Trunk Railway proper should not become a profitable operation. It occupies a good territory, reaching some of the best traffic centres in the United States and Canada, and has American connections that ought to contribute to its welfare. The company needs terminal improvements in cities and modern equipment, especially locomotives. The need for equipment is pressing and should be met.

There is the railway: it has never succeeded; it has been under foreign control, while the Canadian Pacific railway has been under Canadian control. The Canadian Pacific railway is the most successful and perhaps the most efficient railway corporation in the world; Canada is proud of it. The Canadian Pacific railway aids our credit; it is to-day able to help finance the British Empire; while the Grand Trunk is a mendicant at the doors of Parliament. The contrast ought to convince any one that it is the part of wisdom at least to compel the Grand Trunk railway to be governed by Canadians, men who know our environment, men who understand our needs, men who have been brought up in this country and do not have to listen for their guidance to the reports of hire-

lings—of some person who is simply earning his salary.

I submit, honourable gentlemen, that the shareholders of the Grand Trunk Railway Company are entitled to gratitude; they are shareholders with the people of Canada; they invested their money in the early days, and they have received very small returns from the investment. They live in a distant country and do not understand the reasons for their non-success. We do. I heard Canada reproached twenty years ago because of losses on the investments which confiding gentlemen in England had made in this railway, and I say that when we gave that charter it was our duty to see that the road was governed by people who understood our conditions; if it was not our duty, it was our interest; and now we should at least step into the breach and endeavour to save the Grand Trunk Railway Company shareholders from themselves.

Hon. F. L. BEIQUE: I think it is acknowledged that for many years to come this country will not be able to look to England or to any part of Europe for capital for the development of this country, which up to this day has been and for a long while to come will be a new country. I think we shall have to go to the United States to a very large extent for capital for the development of Canada, and our ability to obtain capital from that country will be impaired if its citizens cannot become directors of the companies in which they invest their capital. Therefore I think that this Bill would not be in the general interests of this country.

I quite understand the criticism of the honourable gentleman (Hon. Mr. Lynch-Staunton) as far as the Grand Trunk Railway Company is concerned; I have no doubt that the able speech which he has delivered will be distributed to the shareholders of that corporation and will be a lesson to them; but we must not close our eyes to the facts that it is almost entirely British capital which is invested in the Grand Trunk Railway Company, that it was invested because of faith in a charter which was granted by Parliament, and that under that charter it was open to those gentlemen to have their affairs administered by people chosen by themselves. I think it would be a very serious interference to take that right away by a general Act, and to say that in the future it will not be open to the English shareholders in the Grand Trunk Railway Company to elect any of the members of the Board although they have contributed all the capital. I think honourable gentlemen will agree that this bill goes too far; it shows the danger of dealing with this question by a general Bill. I think the honourable gentleman should wait until the Grand Trunk Railway Company comes to this Parliament asking for help, when means could be devised to prevent all of the directors being appointed outside of Canada, or to curtail the right of appointment to some extent; but I fail to see the advisability of trying to cure the evil by a general law such as has been suggested. For my part I am not disposed to assent to the second reading.

Hon. Mr. LYNCH-STAUNTON: With reference to the point raised by the honourable gentlemen (Hon. Mr. Béique) I may say that I have a letter from the president of the Toronto, Hamilton, and Buffalo Railway Company, raising the same objection, but I thought that this might be discussed more properly in committee. No doubt there are railway companies in Canada which should not be brought under such a sweeping enactment. The president of the Toronto, Hamilton, and Buffalo Railway says that there are five American directors on their board, but that the majority are Canadians. I quite appreciate that a company which has had no aid from Canada and which has a substantial number of Canadians on its board of directors should not perhaps be treated in the same way as a company which has received a great deal of aid from Canada and has not been built entirely by the capital of foreign shareholders. I did not discuss that point because I thought it might well be considered in committee, and I would ask to have it deferred until then.

Hon. RAOUL DANDURAND: I had intended raising the objection taken by the honourable gentleman from De Salaberry (Hon. Mr. Béique) to the principle of this Bill; but, as that objection has been made, I will simply say a few words in justification of the action of the Grand Trunk Railway Company in promoting the extension of their system and the building of the Grand Trunk Pacific. The Grand Trunk Railway Company, the oldest railway company in Canada, having a system covering the whole of Ontario and much of Quebec, and with important connections with the United States and with the Atlantic seaboard, felt that, when it had gathered valuable freight from the cities and towns of

the East, and had carried it by a short haul to North Bay, it was not just to itself to have to hand over that freight to a railway which was not part of its system in order to have it carried to the Pacific ocean and the Northwest. Feeling strongly on that point, the then president of the Grand Trunk Railway Company, Mr. Hays, an expert railway man and a man of very high standing in the United States and Canada, proposed that the Grand Trunk railway should first be extended from Fort William and Port Arthur throughout the Northwest, connecting their existing system with Fort William and Port Arthur for some time by means of their water transportation. It is true that when they came before Parliament they asked for authority to build from the Pacific ocean to Winnipeg, thence to Fort William, and thence to North Bay; but I had it at the time from officials of the Grand Trunk that their main object for the time being was to develop that western extension by means of their water connection with Fort William. When their petition was presented to Parliament, I was one of those who thought, since the Grand Trunk Pacific Railway Company, or in other words the Grand Trunk Railway Company, intended building from the Pacific ocean to North Bay, that, instead of deflecting their road from the point now called Cochrane, but which was then simply a geographical expression, to North Bay, and thence to Toronto, they could, without covering much more ground, push on by a direct line to the seaboard at Quebec. Many members of both Houses felt the same way and urged that view upon the Grand Trunk Railway Company. I need not detain this House in order to state what followed. The Grand Trunk Railway Company agreed to alter their scheme, undertaking to build the portion of the line from the Pacific to Winnipeg and a branch to Fort William, under the charter of the Grand Trunk Pacific, and leaving to the Government the construction of the line from Winnipeg to the East. The company was to lease the railway and to have the privilege of operating it for seven years after it was built and completed, without paying interest on the capital expended. This scheme was seriously studied at the time by the best railway men that the Grand Trunk Railway Company could command. Although the management felt that the development of the country traversed by the eastern section of the railway would be a somewhat heavy undertaking, yet it was no heavier a load than was assumed by the Canadian Pacific railway in the development of the Northwest when there was hardly a settler beyond Winnipeg. I make this statement in order to justify the action of the board sitting in London in agreeing to this undertaking. They had no mean advisers on this side of the Atlantic to study and report upon the scheme. I may say that in the last conversation I had with Mr. Hays before he started on that fatal trip on the Titanic which ended in his drowning, he expressed a robust conviction that the Grand Trunk Railway Company and the Grand Trunk Pacific Railway Company would carry the undertaking through the lean years and make it financially successful. I say this because he felt strongly on the matter and because it is due to the directors of the Grand Trunk in London that I should affirm it. He did not come to this conclusion without serious study. I will not speak of the handicap which the board in London were under in studying conditions at such a distance. As the honourable gentleman from De Salaberry (Hon. Mr. Béique) has said, nearly all of the capital invested in the undertaking was that of private individuals, and it was quite natural that they should deem it their privilege to decide where the board should sit and who should be the directors. I know there has been a strong sentiment throughout Canada that the Grand Trunk Railway Company would do better to have their board in Canada. At this stage of the discussion I will not express an opinion upon that, except to say that I felt at the time I refer to that the board in London had taken all the precautions that were possible to them in the circumstances.

Hon. Mr. CASGRAIN: I intend to move the adjournment of this debate, but I do not want to do so before saying that I dissent very strongly from what has been said by the promoter of this Bill. The Bill seems to apply only to the Grand Trunk railway. The promoter has read from the majority report made by Sir Henry Drayton and Mr. Acworth. The report of Mr. Smith does not agree with that. We have still the memory of a famous report made by Messrs. Lynch-Staunton and Gutelius, and there seems to be a little rancour left with regard to the Grand Trunk Pacific and the Grand Trunk Railway Company because the Grand Trunk has allowed the Canadian Pacific to run into the city of Hamilton because Hamilton wanted two railways. Every place wants two railways so that there may be competition.

I do not want to lose my opportunity of speaking later on by saying anything now. Therefore I move the adjournment of the debate; but I desire to say that I do not believe that all the statements made by the honourable gentleman (Hon. Mr. Lynch-Staunton) can be substantiated, and I hope, when this debate is resumed next Thursday, to be able to answer every one of his arguments and to satisfy this honourable House that it is a very partial discourse which we have heard.

The debate was adjourned.

CHINESE IMMIGRATION BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 42, an Act to amend the Chinese Immigration Act, Hon. Mr. Beaubien in the Chair.

On section 1—clergymen and students to be exempt from tax:

Hon. Mr. BOSTOCK: I desire to draw the attention of the committee to this clause. It is to amend clause 2 of the Act of 1908, chapter 14. I cannot find, either in that Act or in the original Act, any definition of the term "clergyman" in this connection. I notice in the Act of 1908, in section 2, the words "the wives and minor children of clergymen." In the Bill now before the House it is proposed to provide that clergymen also may be allowed to come into this country without paying the Chinese head tax. If we look at the dictionary we find that the proper definition of the word "clergyman" is "an ordained minister, especially of the established church." I do not think that definition can be made to apply at all to a Chinaman coming into this country, whether he is a priest of the Buddhist church or a priest of the order of Confucius or of any other sect that may exist in China at the present day. I think, therefore, that some definition should be given of that term; otherwise it is left open to all kinds of interpretations—to any interpretation that the official of the department who is dealing with the matter might place upon it. The other subsection reads:

> Students coming to Canada for the purpose of securing a higher education in any Canadian college or university or other educational institution approved by the Minister.

Clause 2 of chapter 14 of the Statutes of 1908 contains the words:

> who shall substantiate their status to the satisfaction of the controller, subject to the approval of the Minister, or who are bearers of certificates of identity.

Hon. Mr. CASGRAIN.

At the port of entry, I presume, they have to make it very clear to the controller that they are really going to be students. A student can be a student of anything. A Chinaman coming to Canada might claim that he was going to be a student of agriculture simply because he was going to work on the land, or he might claim to be a student of mechanics of some kind simply because he was going to work in a blacksmith shop. I think it is very necessary in this case also that we should very clearly define what is meant by a student; otherwise there may be great laxity in enforcing the Act.

Hon. Sir JAMES LOUGHEED: I am at a loss to answer my honourable friend in defining what the word "clergyman" should mean. A clergyman is a clergyman; he is a priest of religion; he is a minister of souls, so to speak. Are you going to use those terms? The word "clergyman" is very well understood in the English language; no term is better understood. If we proceed to define it we shall simply place on it a limitation which may lead to confusion. There can be no question as to what a clergyman is, and the officers of the Government must work out the application of that section; they must satisfy themselves that the man occupies a priestly office in relation to the people to whom he ministers.

Hon. Mr. BOSTOCK: I would suggest to my honourable friend, if that is his point of view, that it would be very much better to use the word "priest" than "clergyman."

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. BOSTOCK: Because the definition of "priest" is "an officiating minister of a non-Christian religion."

Hon. Sir JAMES LOUGHEED: I fancy that some of my honourable friends here would take exception to that as a definition of a priest.

Hon. Mr. BOSTOCK: I maintain that unless the Government is prepared to give a definition of the term we shall have to fall back on the definition that is found in the dictionary.

Hon. Mr. McLENNAN: There are also Chinese Christians, in no inconsiderable number—

Hon. Mr. CLORAN: A very negligible number.

Hon. Mr. McLENNAN: —so that the use of the word "priest" might eliminate per-

sons whom it would be desirable under this privilege to permit to come in.

Hon. Mr. CLORAN: I pointed out last night to the honourable leader of the Government that the word "clergyman" is a very broad one; that it covers every kind —priest, minister, and all. Everybody is a clergyman who wears a robe of any kind, and there are some without a robe. I asked the Government if they could not define the term in some way. We in this country understand what a clergyman is, but there are no clergymen in China. In that country there is a population of four or five hundred million. I suppose everybody there is a "clergyman." How do we know? We know they have no Christian religion? Clergymen, priests, etc., appertain to the Christian religion. Of course there are pagan rites in China. They believe in Confucius and Buddha and in various theories of philosophy and theology. What is a clergyman in China? That is what the Government ought to find out. The leader of the Government states that a clergyman is a clergyman. But what is a clergyman in China?

Hon. Sir JAMES LOUGHEED: What would you call him?

Hon. Mr. CLORAN: Well, I would call practically every man in China a clergyman.

Hon. Sir JAMES LOUGHEED: They must be a very religious people.

Hon. Mr. CLORAN: They have their Buddhist priests; I suppose they have as many rites in their churches as there are in the Christian church; there must be at least as many sects amongst the millions of Chinamen as there are amongst the seven or eight million people in Canada. If the door is to be left open for any Chinaman to come here who simply says, "I am a clergyman," the Government will need to have a good many officers to watch those who are coming in. I am suggesting that it should be made easy rather than difficult for the Government officials to prevent these men from crossing the border at all points, going before a justice of the peace and saying, "Me clergyman, me clergyman." The same applies to the students. Wherever Chinese students receive an education, whether in a university, a college, or a high school, the authorities of such institutions should be required to report to the minister the departure of these students. The minister would then have a check on them; but, as the Bill is drafted, there is, so far as I can see, very little check upon this kind of immigration. I do not object to the immigration, but I certainly do object to charging one Chinaman, a bona fide workingman, $500 to come into the country, and then giving a fellow Chinaman the chance of coming in without paying a cent. There is that phase of the question to be considered. It seems to me it is the duty of the Government to make this legislation a check on, and not an open door for, this class of immigration.

Hon. Mr. BEIQUE: I hope the honourable leader of the Government will be able to give us some explanation of the meaning of the word "clergyman" as applied to a Chinaman. If he is not able to do so, I would suggest that the committee report progress and consider the Bill later. I think we should know.

Hon. Sir JAMES LOUGHEED: Is my honourable friend prepared to say how a more intelligible meaning can be placed upon it than by merely using the word? In the first place, a clergyman must necessarily be a teacher or minister of religion. We cannot possibly define in the Act what the religion is. In the Act we are amending it is provided that Chinese immigrants shall bring certificates from the point of embarkation. In fact, the most effective machinery, it seems to me, is provided by the statute, to determine who are students, who are clergymen, etc. Section 2 of chapter 14 of the Statutes of 1908 roads:

> Who shall substantiate their status to the satisfaction of the controller, subject to the approval of the Minister, or who are bearers of certificates of identity, or other similar documents issued by the Government or by a recognized official or representative of the Government whose subjects they are, specifying their occupation and their object in coming into Canada.

Hon. Mr. CLORAN: Do I understand that this form is to be made up here in Canada?

Hon. Sir JAMES LOUGHEED: They must bring certificates.

Hon. Mr. CLORAN: Countersigned by the British consul?

Hon. Sir JAMES LOUGHEED: From the Government of the state from which they come.

Hon. Mr. CLORAN: That is, from the Chinese officials?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. CLORAN: Well, why not have those countersigned or endorsed by the British consul or some other British official in China? That would be a proper precaution.

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at the Act, he will see that that is already provided for. This machinery has been in operation for years. The department has been very strict in enforcing the law as against the entry of Chinese; in fact, we are amending the Act now because of the restrictions which have been placed on Chinese immigration having operated as a hardship in some cases. We can only use terms which are well understood in the English language. Any attempt to define a well-known term only leads to further complications. When we speak of a clergyman you know that he is a minister of religion. When we speak of students you refer to the Bill and you find what the word "student" means. Students are those:

coming to Canada for the purpose of securing a higher education in any Canadian college or university or other educational institution approved by the Minister.

Then, they must bring with them from China a certificate as to their status as students or clergymen, as the case may be. They must also satisfy the officials on this side of the water as to their status. Then they are admitted.

Hon. Mr. BEIQUE: For my part, I should be satisfied if the honourable gentleman were in a position to state that amongst Chinamen there is a class known as clergymen, but until we have an answer to that question, or some assurance on that point, we should delay consideration of the Bill.

Hon. Sir JAMES LOUGHEED: It is for us on this side to determine whether they are clergymen or not, just as we determine whether they are students or not.

Hon. Mr. BEIQUE: But is there such a class amongst Chinamen?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: It may not be easy to determine.

Hon. Mr. CLORAN: The criticism is not an objection to the Bill. All this honourable House wants is to make it as clear and definite as possible. Some of us think that the door is left open to immigration which the country does not want, that is all. If the minister and the department are satisfied that immigration can be restricted under the terms of this proposed law, the House will accept the Bill, subject to any modification that may be necessary in the future. But I am still of the opinion, and I think the honourable gentleman from De Salaberry (Hon. Mr. Beique) is correct in stating, that the word "clergyman" is very broad and indefinite.

Hon. Mr. DANDURAND: I know two things: there are religions in China, very many; there are temples in China, very many. The question is, have they any priests or clergymen? I have no doubt from my knowledge of humanity that when there are those two conditions, religions and temples, there are priests, in China as elsewhere. I may say that during the winter of 1915-16 there was a congress of religions held in Shanghai under the auspices of the International Institute, presided over by the Rev. Gilbert Reid. There were in attendance at that congress representatives from all the sects, divisions, and subdivisions, including the Christian sects, who, before the higher intellectual classes of Shanghai, expounded the doctrines of their religions, which were all represented by clergymen of high standing, either by their official status or by their learning. I received the report of that congress, which lasted five or six months. They devoted a couple of days in the week to an exposition of the doctrines held by the various sects represented at the congress.

The section was agreed to.

On section 2—persons ceasing to be in exempt class liable for tax:

Hon. Mr. BOSTOCK: How will the Government keep track of these people? I think it would be rather difficult, once they get into the country, to keep track of them, whether they are exempt or not.

Hon. Sir JAMES LOUGHEED: In just the same manner as it is done to-day.

Hon. Mr. BOSTOCK: But, as I understand, it is not necessary to keep track of them at all to-day. Every Chinaman coming into the country pays the tax of $500. Now it is proposed to allow these men to come in without paying any tax, on the representation that they are students.

Hon. Sir JAMES LOUGHEED: On the certificate issued by their own Government and endorsed by the British consul at the port of embarkation. Furthermore, they have to satisfy the authorities here.

Hon. Mr. BOSTOCK: That is when they come into the country.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: Then they go to the university or the college where they intend staying, and after they have been there a year they may leave and start in business for themselves in the country, and they are no longer students. What happens then?

Hon. Sir JAMES LOUGHEED: If they have been admitted properly into the country, I presume they have a right to stay here. If they have the right, they remain.

Hon. Mr. BOSTOCK: In that case this Bill would be simply a means of avoiding the tax altogether.

Hon. Sir JAMES LOUGHEED: No: it simply gives exemption from the tax to certain specified classes.

Hon. Mr. BOSTOCK: It does seem to me that it is going to throw the door open very wide for Chinamen coming into the country. I think there is great danger.

Hon. Sir JAMES LOUGHEED: Not more than heretofore. The Bill only means that instead of a refund of the tax there shall be no tax imposed. Students heretofore have been entitled to come in and then have been entitled to a refund of the tax at a particular point. The wives and children of clergymen have been entitled to come in without paying the tax. It simply makes our law practically the same as that of the United States. The United States, which has always had very drastic legislation in regard to Asiatics, to-day permits to come in Chinese students and other classes such as are referred to in this Bill, without imposing a tax upon them.

Hon. Mr. BOSTOCK: But the difference between the Canadian law and the United States law, as I understand it, is that in the United States all other classes, outside of those expressly specified, are excluded altogether. In Canada they are allowed to come in, and I understood that one of the troubles was that a large number of Chinese came into Canada, paid the tax, and then crossed the line into the United States. In Canada we allow any to come in who pay the tax, but the United States excludes all Chinamen except those who are specially exempted. I do not think that the legislation of the two countries is on all fours.

The section was agreed to.

The Bill was reported.

CIVIL SERVICE ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of the Hon. Sir James Lougheed, the Senate went into committee on Bill 68, an Act to amend the Civil Service Act, Hon. Mr. Taylor in the Chair.

On section 2—persons placed in third class under 1908 Act who had passed qualifying examinations, etc., eligible for promotion to second class:

Hon. Sir JAMES LOUGHEED: Before the passage of the Act of 1908 those who had passed a qualifying examination would have been entitled to promotion to all the higher classes. As I explained yesterday, owing to certain phraseology in the Act, the Civil Service Commissioners have placed a contrary interpretation upon it, and exact from those persons an examination for each class. There are about 400 persons entitled to the advantage of this particular provision, and the object of it is to make clear what was intended in 1908.

Hon. Mr. BOSTOCK: I understand that those persons had already passed a qualifying examination before the Act of 1908 was put into force?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: And that since that time they have had to pass a further examination to get into the next class?

Hon. Sir JAMES LOUGHEED: Some of them have and some of them have not.

Hon. Mr. POWER: Would the honourable gentleman be good enough to state just the change which this amendment makes in the existing law?

Hon. Sir JAMES LOUGHEED: Subsection 2 of section 26 of the Act of 1908 reads as follows:

> Any person placed in the third division upon the coming into force of this Act may, by the Governor in Council, upon the recommendation of the head of the department, based on the report in writing of the deputy head, and accompanied by a certificate of qualification by the Commission, to be given with or without examination, as is determined by the regulations of the Commission, be promoted from the third division to the second division without an open competitive examination.

Now, if any honourable gentleman is able to follow that on the wing, so to speak, he will make an excellent wing shot. It is so complicated, so involved, that it is quite manifestly capable of two or three meanings; consequently it is proposed to repeal

that section and to make quite clear what is intended, viz., that a person who passed a qualifying examination previous to the passage of the Act of 1908 shall be entitled to be promoted to the other divisions.

Hon. Mr. BOSTOCK: Are there not a number of civil servants who did not pass any qualifying examination before 1908?

Hon. Sir JAMES LOUGHEED: They cannot avail themselves of this provision. It only extends to those who have passed the qualifying examination.

Hon. Mr. BOSTOCK: Those who had not passed it would have to pass an examination now?

Hon. Sir JAMES LOUGHEED: Yes, they come under the existing Act; but this Bill applies to what may be termed vested rights, and is only giving recognition to the rights which these persons then had.

The section was agreed to.

On section 3—minimum and maximum salaries:

Hon. Sir JAMES LOUGHEED: The only change in the Second Division is that the minimum is increased in Subdivision B from $800 to $1,000; that is to say, in the Second Division the minimum and maximum salaries shall be: in Subdivision A, $1,600 to $2,100, the same as before; but in Subdivision B the minimum has been increased from $800 to $1,000, and the maximum from $1,000 to $1,600.

Hon. Mr. BOSTOCK: They start at the higher salary?

Hon. Sir JAMES LOUGHEED: Yes. They started at $800, but now it is proposed that they should start at $1,000.

Hon. Mr. POWER: I think these changes are in the right direction at any time; but I dare say honourable gentlemen have seen a great many complaints that the increases were not as great as they should be in order to enable the civil servants to live respectably. I think those objections are made because we are now dealing with what I trust is an abnormal condition. It is to be hoped that before very long, "when this cruel war is over," conditions will revert to something nearer to what they were before the war began. If at the present time we permanently increased the salaries of public servants so as to enable them to be just as comfortable now as they were before the war, we should be placing a considerable burden on the public, which would be unnecessary when the war is over and things return to their normal conditions. As you all know, I am rather in favour of economy as a rule; but the idea has been suggested to me, and I pass it on to the honourable the leader of the Government, that the United States have, if I may be permitted to say so, shown a great deal more business capacity in their measures intended to provide for war conditions than Canada has shown. In the United States, as I understand, in dealing with their Civil Service, instead of increasing salaries 30 per cent, or whatever amount is deemed necessary, they give bonuses to the civil employees in order to meet the exceptional condition of things, though I presume they also somewhat increase the salaries. Those bonuses are recognized as being only temporary, as they will cease when the abnormal cost of living has passed away after the war. No doubt the Government have been impressed by the fact that there are a good many of our civil servants who, even after this beneficent Act has passed, will still find it rather hard to maintain their families, and I suggest that the Government might consider a policy of giving bonuses pro tem in such cases, as is being done in the United States.

The section was agreed to.

On section 4—increase of $100 authorized in certain cases where salary less than $1,000:

Hon. Sir JAMES LOUGHEED: This section gives authority to the Governor in Council to enlarge the annual increase from $50 to $100 to that class of civil servant in receipt of less than $1,000 per annum.

Hon. Mr. POWER: I notice that this beneficent clause covers only the case of clerks in the Third Division of the Inside Service.

Hon. Sir JAMES LOUGHEED: Yes; this Bill does not deal with the Outside Service at all.

Hon. Mr. POWER: But, as far as I can judge from what I have seen of them, it costs the members of the Outside Service in cities like Toronto, Montreal, Halifax, and St. John quite as much to live, and they are as a class just as deserving as the members of the Inside Service who live in Ottawa. I understand that when this measure was going through the other House the Minister of Finance made a sort of promise that the cases of the outside servants would be considered later, and I hope that the Govern-

ment will consider their cases with a strong inclination to the side of mercy.

The section was agreed to.

On section 5—salaries less than new minimum to be increased to such minimum:

Hon. Sir JAMES LOUGHEED: That is simply giving effect to the former sections.

Hon. Mr. BEAUBIEN: Do I understand that the increase of $50 per annum given to the third class and $100 to the first and second classes is on account of difference in the cost of living? If that is the case, would it not be equitable to give $100 to a man on a low salary as well as to one who receives a higher salary? It will surely cost $100 more for the man who receives $1,000 to live, and surely it is harder for him to economize on that salary than it would be for a man receiving $1,500 or $1,600.

Hon. Sir JAMES LOUGHEED: I may say that we are dealing with a particular class—those chiefly in the Second and Third Divisions, the lower-paid classes of public servants. But section 4 permits of giving an increase annually of $100 instead of $50. Section 37 is repealed; that section makes provision for an annual increase of only $50, though under exceptional circumstances $100 might be given. But this Bill enlarges the authority of a department to increase the official pay by $100 instead of $50.

The section was agreed to.

The Bill was reported.

COMPANIES ACT AMENDMENT BILL

FIRST READING.

Bill Q2, an Act to amend the Companies Act.—Hon. Sir James Lougheed.

DIVORCE BILL.

FIRST READING.

Bill R2, an Act for the relief of John Newton Salter.—Hon. Mr. Taylor.

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

THE SENATE.

Thursday, June 21, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

A VOTE ON CONSCRIPTION.

INQUIRY.

Hon. P. A. CHOQUETTE rose to call the attention of the Government to the following extract from an article published in the Montreal Star of the 5th June, instant:

Too Much Secrecy At Ottawa.

And by that same token if there is ever to be a vote on our war policy, it should be an open vote. The ballot has its uses in protecting the labouring man from his employer and the poor man from the rich, but it should not be prostituted into a shield for cowardice, moral or physical. Any man who goes up to vote either to conscript his fellow citizen or to desert his other fellow citizen already under German fire should do so like a man, under the eyes of the youth he intends to conscript or the father and brother of the other youth he intends to desert.

And to inquire if the Government intends to do anything in that direction.

He said: In the remarks which I made yesterday on this question I stated that the article referred to was not of great importance in the province of Quebec. It will have no effect there. If a vote is to be taken in Quebec we are willing to have it either open or secret. We are not afraid to say openly what we say privately in expressing our views on this important question.

But, honourable gentlemen, the Montreal Star, in which this article appeared, must have been in a position to know that in certain provinces of this Dominion an open vote on conscription would be much better for the measure than a secret vote. Without discussing which method should be adopted, I desire to draw the attention of the Government to some articles published in newspapers in the province of Ontario, to show what are the prevailing sentiments there, and to show especially why the Montreal Star has published this article calling the Government's attention to the mode of taking a vote on this question. It is known that when the national registration cards were sent out thousands of young men, especially in Ontario, took the road to the United States, whereas in the province of Quebec no one left his home and went away, but all remained and did their duty. In confirmation of that fact I will refer you to the following article which appeared in the Star of the 1st of February last:

More Leaving for United States.

Sarnia, Ont., Feb. 1.—The January report from the Port Huron immigration office shows the number of applicants for admission to the United States on the increase. There were 1,231 applicants, and a large number of those seeking admission were Canadians of military

age. There were fifty-two rejections. There were 1,300 in transit and 105 admitted on certificates from Canadian ocean ports.

Then there appeared in Jack Canuck of the 10th of February last a despatch from Hamilton, which reads:

Devil Rule—Hamilton Shirkers Hiking to U.S.

Hamilton.—It is openly alleged that Hamiltonians for military service are running away to President Wilson's bailiwick. One day recently no less than four put their military possessions in their pockets and skipped out. A prominent citizen who knew the men informed Lieut.-Col. R. A. Robertson of the fact, and supplied the Chief Recruiting Officer with the names and addresses of the "runners away." Other local military men are unanimous in stating that it is time the Canadian military and immigration authorities took up the matter and stopped this exodus.

The Toronto World about the same time stated that a number of rich young men had escaped from England to the United States with their money and their cowardice. It said:

We must give some credit to the man who stays in his own country and helps it to bear the burden, even if he is too weak and vacillating to enlist.

In Jack Canuck of February 10, this article appeared:

The Slackers' Retreat.

"Regarding the alleged endeavour of military eligibles to cross into the United States to avoid filling in the registration cards," says a Toronto daily, "Lieut.-Col. Brock, local director, states that he lacks the power to prevent men eligible for the army from leaving the country." We like that phrase, "alleged endeavour." Have the Toronto daily newspapers any doubt that thousands and thousands of our young men eligible for military duty are fleeing from the country to escape "doing their bit" along with their fellows? Do they deny the accuracy of the immigration returns from the United States? The fact is that the daily newspapers are reluctant to admit the truth, the deplorable truth. Immigration figures show that for every two men who have enlisted in the Canadian army, one military eligible has vamoosed into the United States, there to remain until all danger of his being packed overseas is past. How long is the Dominion Government going to patronize this sort of thing? The inaction of the Government would give one the impression that they were aiding and abetting the flight of these young slackers from duty. A temporary arrangement should be entered into with the United States at once which would have the effect of prohibiting men of military age leaving Canada without a passport.

The Toronto News, about the 8th of January last, stated that more than 2,000 persons had crossed the frontier in 15 days to go to the United States.

Hon. Mr. CLORAN: Is that a Tory organ?

Hon. Mr. CHOQUETTE.

Hon. Mr. CHOQUETTE: I am quoting from Tory organs. In the Ottawa Evening Journal we find a letter dated the 1st of May, signed "A Canadian whose three sons have volunteered," and stating:

It is a shame that we should sacrifice our best and bravest and let the unpatriotic slack, shirk and even scoff. The other day I was in Toronto, and walking up Yonge street, near King street, I was behind two extremely dandified, smart-looking young men. One said to the other: "These guys of soldiers seem to be everywhere." "Yes," responded the other, "the boobs are all over."

I am an old man, nearly at the scriptural limit, but you can imagine my feelings. Last night I was at the Regent Theatre, watching pictures that everybody should see and remain neutral if he or she care. Behind me sat half a dozen well-dressed, healthy young men. They not only ignored the direct appeals of the soldiers, but they exulted over escaping the caps that were collecting contributions, and jeered at the "coons," as one of them exclaimed, who were going up in response to the passionate and eloquent appeal of Captain Robins, of the 207th. Do you wonder that I favour conscription?

Another incident. Sitting in a car, also in Toronto, I overheard the conversation of a sergeant in uniform and an elderly man, who were sitting opposite each other. The soldier said: "I am from Ottawa, and it's a disgrace the way the young men of that city are shirking. There are hundreds, yes, thousands and more, in the Government service doing work that girls could do, who should be in uniform." "I don't doubt it," was the reply. It is almost the same here in Ontario. The Government appeals to business houses and banks to let the young men go; why don't they set the example? When the soldiers come back they will have to make room for them, or there will be protests from all parts of the land. Our first and paramount duty is to win the war."

I have read these articles to show that there is some reason for the Montreal Star saying that, in Ontario especially, if there is to be a vote on conscription it should be an open vote. It is time that we knew where courage and cowardice are to be found—whether in Ontario or in Quebec. When the national registration cards were issued, who signed them? Who told the people to sign them? The clergy of Quebec told the people to sign the cards. There was no need of conscription there; nobody left his farm to go to the United States. If conscription is to be put into force we in Quebec are prepared to obey the law. We are not trying to escape to the United States, as men are doing in Toronto and elsewhere, where, according to one of these gentlemen, they are laughing at the soldiers.

There is more than this. In Toronto not only are young men going to the United States, but aliens are being kept in the fac-

tories. I read in the Montreal Gazette of the 12th April last, under the heading, "Mayor Church's Reform"—I think he is a good Tory too—the following:

Toronto, April 11.—Mayor Church will present a motion at the next council meeting asking the city to memorialize the Government to disfranchise all aliens in Canada not resident in the country for 25 years. He will also move a resolution to ask the Dominion Government to order munition manufacturers to discharge all alien enemies employed. In some cases aliens are in foremen's positions. In one Toronto munition works 98 per cent are said to be aliens.

So in this loyal city of Toronto not only are the young men going to the United States, but the best places in the factories—foremen, and so on—are given to aliens—and 98 per cent of the employees are aliens. This is what Mayor Church says himself—that not only are the young men going away and shirking their duty, but the people are employing the enemies of this country in munition factories to prepare bullets—

An Hon. SENATOR: Profiteers.

Hon. Mr. CLORAN: Drive it home.

Hon. Mr. CHOQUETTE: It is most extraordinary.

Further, we find in the report of the Auditor General that $26,571 has been spent in advertising for recruits to the end of March. Where has the money been spent? $18,566 has been spent in Ontario and $3,996 in Quebec—over five times as much money spent in Ontario as in Quebec, to call men back from the United States to enlist.

Hon. Mr. CLORAN: Drive it home.

Hon. Mr. CHOQUETTE: In Quebec we do not want any money spent for recruiting; we will go willingly when the time comes. It is a shame that yellow journals should be allowed to slander us in Quebec by accusing us of not answering the call to duty. Well, Sir, there is the fact: not only has this patriotic province of Ontario been shirking its duty, but the Government has been obliged to spend five times as much money there in order to get soldiers as it has spent in Quebec.

Now, it is stated in a report laid before Parliament that only 14,100 French Canadians have enlisted. I deny that absolutely. I say—and my statement is borne out by statistics which have been made privately—that over 25,000 French Canadians have enlisted; and on this question I will make a proposition to the Government, if my honourable friend the leader of the Government will give me his attention for a moment.

Hon. Mr. CLORAN: He cannot.

Hon. Mr. CHOQUETTE: I will wait.

Hon. Mr. CLORAN: He is turning a deaf ear to the truth.

Hon. Mr. CHOQUETTE: I am going to make a proposition. It has been stated in a report laid before Parliament that only 14,100 French Canadians have enlisted. I make this proposition to the Government: If the Minister of Militia will give us access to the records in his department, I with some friends will undertake to tabulate by nationality the numbers of men who have enlisted; and I will do this without a cent of expense to the Government. Surely the Government is not willing to leave the people of this Dominion under the impression that Quebec has not done its duty. If only 14,100 French Canadians have enlisted I still maintain that we have done our duty; but let us have access to the militia records and if within ten days I do not prove that over 25,000 Canadians have enlisted, I shall be willing to say that I have been entirely mistaken, and to withdraw all that I have said on this subject, and apologize to the Government.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: Let the Government take up the challenge.

Hon. Mr. CHOQUETTE: There is only one other point to which I wish to refer in regard to the accusation that we French Canadians have not done our duty. I have before me a record of the casualties taken from the Montreal Gazette, which is generally reliable in this respect, because it gets its information from the Government. Let me recite the names of some of those who have been killed or wounded. First of all, I take this morning's Gazette. It says:

333 Canadians in two casualty lists yesterday. Ten Montrealers included, of whom two are killed and one died of wounds.

Take the names. I find six French names: MacKay, Clairmont, Major, Pillage, Emard, Daoust. There are six French Canadians in a list of ten casualties. I go further. In the Montreal Gazette of this date you will find the heading: "Killed Year after first wounding—Private E. Daoust Enlisted in Overseas Units when in Win-

nipeg on Holiday." So it will be seen that French Canadians are enlisting in every part of the Dominion. Sir, what is the conclusion to be come to? It is either that the French Canadian soldiers are in great numbers or that the Imperial authorities, under the advice of the Ottawa authorities, have put them in the front ranks to protect those behind them. This is the only conclusion that we can come to—either that they are in large numbers or that they have been put in the most dangerous places to protect those who are hiding their skins behind them, as they are doing in Toronto and other places.

Take the Gazette of the 16th of March, in which we find the following:

Cordial Welcome to Wounded Men.—Forty-six Montrealers arrived from Quebec by special C.P.R. train.

Half of them were French Canadians. Out of 46 wounded soldiers there were 23 French Canadians.

Take the Gazette of the 25th of June last, which says:

Nineteen Montrealers were included in three casualty lists.

In these lists there were 9 French Canadians, the names of whom are given, namely: Boisseau, Laviolette, Dufour, O. Desjardins, P. Desjardins, Beauchamp, Leduc, and Duchesne. I may add that there are many names which, though English or Scotch, belong to men who are in fact French Canadians, and very often not able to speak English; for instance, McNicol, Blackburn, Warren, Brown, Burroughs, and Robertson. One man named Brown some time ago in Quebec was refused permission to serve as an English juryman because he could not speak English. Another man named Burroughs, in Montmagny, could not speak English at all. Yet soldiers having such names as these are put down as English. Again I ask, what is the natural conclusion? I leave the question to the public until my challenge to the Government is accepted.

Again, we read in the Gazette of the 16th of May last:

Sixteen Montrealers in 314 casualties issued yesterday.

Among these are sixteen Montrealers. Eight are French names—Pelletier, Normand, Duquette, Lalonde, Chicoine, Casgrain, Desrosiers, Blouin—eight out of sixteen. Does this not prove that the French Canadians are in the great number, or that they are taken and afterwards put in front of the English soldiers and killed in larger proportion?

I wish to make this point as strong as possible. Take the Gazette of the 16th of June, which says:

Seventeen Montrealers in 469 casualties for the week end.

There are eight French Canadians in the list: Latour, Verge, Nadon, Major, Soucy, Sylvestre, Salvail, and Archer.

And that is not all. It is very easy to change a French name to English. I know a man named Colin who becomes Collins. Take the name Clement, which is made Clements on adding an "s." Take Martin —that is a good French-Canadian name—and we find it in every list put in English as Martin. Is this fair? Is it just? Is it doing justice to one of the best, greatest, and most loyal of the provinces of this Dominion, the province of Quebec?

I repeat, let us have a chance to look at the records of the Militia Department, and we will show what the true position is as to the number and nationality of those who have enlisted in Quebec, Ontario, and elsewhere.

I refer again, Sir, to the Gazette of the 18th of June, in which we read:

Cordial Reception to Invalided Men. Twenty Montrealers in party which arrived on Saturday night. Many saw long service.

Nine of these men were French Canadians, and one name in the list is Collins. We all know that that is a French name; so, instead of there being nine French Canadians, there are ten in this list of twenty casualties.

Then I refer to the Star of the 13th of the present month, which contains a picture of a father and five sons. It is called, "A Patriotic French Family," of the name of Cyr, of Thedford Mines. The father and five sons have all gone to the war. Where can you find two or three soldiers from one Ontario family? These men are at the front; they are not slackers. When danger is present you will always find a French Canadian ready to face it. We do not go on the platform, on the hustings, into the churches, to boast of our loyalty; but when duty is put before us, we face it calmly, as every honest man must do.

Now, Sir, I do not wish to impose upon the House, but I was anxious to get these points placed properly before it. I have done so, not to get compliments for my compatriots, but to get justice; and if I have called attention to this article in the Star, it is not because I attach any special importance to that paper. We know what the

Star is. Sir Hugh Graham has made a great deal of money with his paper by following every party, every government, performing on every tight rope, and dancing to the music of every violin. We all know that. It seems to me that when he changed his name from Hugh Graham to Lord Athelston it might have been more appropriate to call himself Lord Ragtime.

I shall probably again address this honourable House when the Conscription Bill comes before it; but I have on this occasion placed this matter plainly before you because it is time that this country was made aware of the truth in regard to the enlistment of French Canadians and the slackers of Ontario. I will now await the answer of the Government to my question and my challenge.

Hon. Sir JAMES LOUGHEED: I would say that that is a hypothetical question, and is consequently out of order.

Hon. Mr. CLORAN: There may be two or three points of order before we get through. I heartily and completely concur in the remarks made by the honourable Senator from Grandville (Hon. Mr. Choquette).

The Hon. the SPEAKER: Excuse me—

Hon. Mr. CLORAN: There is no point of order raised, Mr. Speaker, and you have no right to correct me.

The Hon. the SPEAKER: There is a point of order raised.

Hon. Sir JAMES LOUGHEED: I may say that the question has been answered by the representative of the Government in this House, and, having been answered, it cannot be discussed.

Hon. Mr. CLORAN: It is both a motion and an inquiry.

Hon. Sir MACKENZIE BOWELL: Order.

The Hon. the SPEAKER: Order.

Hon. Mr. CLORAN: I can keep order just as well as you can.

Hon. Sir MACKENZIE BOWELL: It is a pity you did not.

Hon. Mr. CLORAN: There is a motion before the House.

The Hon. the SPEAKER: There is no motion.

Hon. Mr. CLORAN: All I have to say is this, that I do not want to implement what my honourable friend has said; but this is an indication of what the Government is prepared to do when it gets an actual majority in this House.

Hon. Mr. POWER: I do not like to see a bad precedent made. I am sorry the honourable gentleman from Grandville should have spoken perhaps a little more vehemently than was necessary, but I wish to call the attention of the Chair to rule 39:

> No debate is in order on a mere inquiry; but explanatory remarks may be made by the senator making the inquiry, and by the minister or other senator answering the same. Observations upon any such answer are not allowed.

That is perfectly correct.

Hon. Sir MACKENZIE BOWELL: Now read rule 21 in connection with that.

Hon. Mr. POWER: I am speaking to the question of order. If this were a mere question, the point of order taken by the honourable leader of the Government would have been properly taken; but rule 40 says:

> When it is intended to make a statement or raise a discussion on asking a question, the senator having such intention, as part of the notice under Rule 21, gives notice that he will call attention to the matter inquired into.

Now, we have had discussions running over several days on similar notices, and I do not wish to see the practice of the House set aside.

Hon. Sir JAMES LOUGHEED: Will my honourable friend the senior member for Halifax (Hon. Mr. Power) say that, once a representative of the Government has given an answer to a question, that answer can be discussed?

Hon. Mr. CLORAN: Certainly it could be discussed.

Hon. Sir JAMES LOUGHEED: I have not asked the honourable senator. Will my honourable friend from Halifax say that?

Hon. Mr. POWER: Well,—

Hon. Sir JAMES LOUGHEED: Yes or no.

Hon. Mr. POWER: Something depends on circumstances. There has been no debate. The honourable gentleman from Victoria (Hon. Mr. Cloran) rose to take part in the discussion, and then the leader of the Government gave his answer.

Hon Sir JAMES LOUGHEED: I answered before.

Hon. Mr. POWER: I do not think the mere fact that an answer is given in that way prevents a debate.

The Hon. the SPEAKER: I asked the honourable leader of the Government if he would answer the inquiry of the honourable member for Grandville, and after the reply is made by the minister I do not believe that a discussion is in order.

Hon. Mr. CLORAN: The Speaker is mistaken; I state so plainly. I rose before the honourable leader of the Government gave his answer.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: I am in order; people who cry "Order, order'" are out of order.

The Hon. the SPEAKER: Order.

Hon. Mr. CLORAN: I will respect the Chair, but I will not respect the people opposite me who cry "Order."

Hon. Sir MACKENZIE BOWELL: Order.

Hon. Mr. CLORAN: That is a voice from the tomb; I don't like that.

CUSTOMS CLAIMS ON PROVINCES.

MOTION.

Hon. Mr. WATSON moved:

That an Order of the Senate do issue for a copy of all papers and correspondence between the Minister of Customs and a member of the Executive Council of any province with regard to claims made by the Minister of Customs for the payment of customs duties by the Government of that province.

He said: I would like to get that correspondence before Bill 67 is considered by the Senate.

The motion was agreed to.

PROPOSED ADJOURNMENT OF THE SENATE.

Before the Orders of the Day:

Hon. Sir JAMES LOUGHEED: I should like to give notice of a motion for to-morrow that when the Senate adjourns on that day it do stand adjourned until Monday, July 9, at eight p.m.

Hon. Mr. CLORAN: Will not the House of Commons be dissolved before then?

Hon. Sir JAMES LOUGHEED: Well, then we will not have to come back, I suppose, until we are summoned again.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. CLORAN: I would like to point out that the Senate is a permanent body, and the House of Commons may go up in a volcano of smoke in the next few days: so I do not think it wise for the Government to adjourn a permanent institution of Parliament.

PRIVATE BILLS.

THIRD READINGS.

Bill S, an Act respecting The Canada Preferred Insurance Company.—Hon. Mr. Bostock.

Bill J2, an Act respecting The Western Canada Accident and Guarantee Company —Hon. Mr. Laird.

RAILWAY EMPLOYEES WAGES BILL.

THIRD READING.

Hon. Mr. WATSON moved the third reading of Bill D, an Act concerning the payment of salaries or wages of employees of railway companies.

Hon. GIDEON D. ROBERTSON: In compliance with the notice given yesterday, I beg leave to move:

That the Bill be not now read a third time, but that it be amended as follows:

Strike out Clause 2 as recommended by the Standing Committee on Railways, Telegraphs, and Harbours, and substitute the following:

"2. This Act shall come into force on October 1, 1917."

The reason for this motion is that I feel that the Bill as it reads is not sufficiently definite to meet all requirements, and that some definite date should be set down upon which the measure would come into effect. Passing a measure of this sort without fixing a definite date on which it will be effective would be something like making a New Year's resolution effective some time in the future. Seriously, honourable gentlemen, the necessity for early action on this Bill will be apparent, I think, when I state that at the present time it takes $2.40 to purchase goods or foods that could be bought for $1.37 when the war broke out. That must be convincing to all of us as a demonstration of the need of the labouring man earning small wages to receive payment of those wages as promptly as possible. There is also on foot in many towns at the present time a movement on the part of merchants to require all purchasers to pay cash instead of giving credit, as they have done heretofore. This makes it doubly necessary that this measure of relief should be granted. We do not desire to ask anything unfair or unreasonable on behalf of

these men, nor expect the railway companies to do anything that is not reasonable on their part. I feel that they should have some time to prepare for the change, and I think that the date named gives them ample time for that purpose. I am not particularly anxious that the 1st of October should be the fixed date, but I named it because that was the date unanimously agreed upon by the Special Committee of the House of Commons that was dealing with the revision of the Railway Act. The particular purpose of the motion is that some definite date be named.

Hon. Mr. NICHOLLS: In common, no doubt, with other honourable gentlemen, I received a circular letter from the Brotherhood of Railway Employees asking my support to the principle of this Bill. I was very pleased indeed to tell their representative, the honourable member from Welland (Hon. Mr. Robertson), that I was entirely in accord with the principle of the Bill, because I think it fair that railway employees should receive their salaries or wages twice a month instead of monthly. After having approved of the principle of the Bill I had also been spoken to by representatives of the railways, who told me that they had decided to approve of the principle of this Bill, but they added that it would work a great hardship to bring the Bill into operation now, or at any time prior to our knowing what the after-war conditions are going to be. They pointed out that their coal bill will be this year some $18,000,000 in excess of that of last year. The country is crying out that the railways have not an adequate equipment; yet they are paying from 50 to 80 per cent more for cars and every other kind of equipment they require than formerly. I think the honourable mover of this amendment will agree with me that nearly every class of railway employee has received a considerable increase of salary since the commencement of the war. On the other hand, the railways, or at least some of them, have come to the Government and stated that unless the Railway Commission will grant an increase in freight rates they will be unable to make both ends meet; that everything they have to purchase has increased enormously in price, while the rates they get for carrying either freight or passengers have remained at what they were before the war. I want to say, not in antagonism to the principle of the Bill, or with any feeling adverse to labour, that fair play is bonnie play, and that there are always two sides to a question. The railway men have for years tried to get the principle of this Bill admitted, and this year it has been admitted by the railway companies and has been concurred in by the Railway Committee of this honourable House. The difference of opinion is as to when it should become operative. I think that in all fairness it should not be allowed to become operative until conditions after the war become known, or until such time as the Railway Commission will concede an increase in freight rates.

Hon. Mr. McSWEENEY: Is it not provided in the Railway Bill which has just passed the House of Commons Committee that October shall be the time when the bimonthly pay shall commence? I think so.

Hon. Mr. NICHOLLS: I may say that I did not take any part in the debate on the question whether this Bill was in order or not. I understood that a Government Bill containing such a provision was to come before this House. However, this House has approved of this Bill coming before us by itself, and therefore I consider this to be the proper time to debate the question. The principle of the Bill appears to be a fair one; but on the other hand we know that the railways, or some of them, are before the Government for assistance to enable them to keep open, or else they will go into the hands of a receiver.

Hon. Mr. McSWEENEY: No doubt.

Hon. Mr. NICHOLLS: For the reasons I have given, I am of opinion that it is not wise to fix any specific date at this juncture. On the other hand, I understand that the committee have recommended that the change be brought into force by proclamation of the Governor in Council. If the lower House has approved of the principle of the Bill, and has entrusted it to the responsible minister to have it carried through, surely he is sufficiently in sympathy with the Bill which has been brought forward under his own auspices to see that the proclamation is carried into effect at the right time.

Hon. H. J. CLORAN: "It's a long lane that has no turning." Thirty-five years ago, which is probably before many of you were born, I advocated in the editorial columns of a metropolitan daily and weekly this very same measure; and that is why I say, "It's a long lane that has no turning." At the end of thirty-five years I find myself in the Senate of Canada, called upon by, I

will not say the same men, but their descendants, to approve of the enactment of this measure of justice and right to the ordinary railroad workers. It is a long time to look back upon. For years and years my pen was at their service. For years and years that pen was spurned by the railroad companies and by those in power —the governments of the day.

Hon. Mr. POWER: They didn't know who was writing.

Hon. Mr. CLORAN: But they know to-day who is talking, and the talking comes from the writing. I heartily endorse the motion made by my honourable friend on the other side (Hon. Mr. Robertson), that this measure go into effect as soon as possible. He has set a date, the 1st of October. That gives the companies the half of June, the whole of July, the whole of August, and the whole of September to get ready to pay their men semi-monthly instead of monthly. Now, what more time than three months and a half does a business man or a company want to regulate their affairs so as to change the date of payment of their employees? Do they want 35 years more, when I shall be dead and gone and my son will probably be here advocating the same cause? Oh, honourable gentlemen, life is too short to trifle with the rights demanded by the workingmen of this country. We have trifled with them for the past 50 years in this Canada of ours, and the day has come when the workingman must be listened to, must be heeded, and his demand for right and justice and self-preservation must be respected, in spite of the powers and influences that come into the Senate. That is the stand that I take. I heard an honourable gentleman say yesterday that we were all business men: we had graduated from the work of a coal heaver up to the position of a coal baron; we had graduated from being a counter-hopper up to the position of a merchant of dry goods; we had graduated from a shantyman up to a lumber king; and so on. Oh, gentlemen, I tell you it is unfortunate for the people and for the race that the men who have graduated from the ranks of labour and have attained to the pinnacle of finance, in Canada or elsewhere, forget their obligations to the fellows they have left behind, in the trenches, in the dugouts, in the water, in the fields, in the forests, in the mines, in the cotton factories. It is regrettable that that fact must be admitted. It is a misfortune that the wealthy forget their beginnings, and live only to enjoy the wealth accumulated, instead of spreading it abroad for the benefit of the race. That is the misfortune of men who come into the House. I have known them; they have come and they have gone—men worth millions and millions, who never spent a cent during their life—well, I will admit that they may have spent something, but nothing in comparison with the wealth accumulated. There is the foundation of the cry of the workingmen, that the rich man has accumulated millions and millions, not by the sweat of his own brow—oh, no!—not by the sweat of his own arms—oh, no!—but by the sweat of the brow of the labourer in his factory, in his lumber mill, in his mine. And these millionaires, having accumulated wealth, not by their own effort, but by the effort of slaves, sit in their offices and gloat over their wealth, and by chance very often, too often, are given honours in public office, in this Senate, in the House of Commons, or elsewhere. Honourable gentlemen, the time is coming when the united force of the workingmen will prevail over capitalist wealth, gotten unjustly and against the welfare of the people. No man on earth owning a million dollars or over ever earned that money. I say that deliberately and positively. No man on earth, from his birth to his death, has ever earned, honestly and fairly, without oppression of his workingmen, a million dollars. And how many men there are worth anywhere from a million to ten, fifteen or one hundred millions. I say to this country —not to this Senate, not to deaf ears—I say to the country, and I hold out to the workingmen of this country this pledge, that that state of affairs cannot last forever, any more than could the injunction of the railroad companies of thirty-five years ago against the workingmen that they should be paid only once a month, that it was too much bother, too much expense to the company, to pay them twice a month. The day will come when the railway companies will have to pay their employees once a week, because to-day the grocer, the baker, the milkman, and the other suppliers of food demand the payment of their bills on Saturday—at the end of the week. I do not blame them; they are justified, because the wholesalers demand from the retailers immediate payment for these goods. The railroad companies condescend—no, they do not condescend—they have been forced by public opinion, by the needs of the working classes—not to grant, for we are compelling them, but to accept this demand made on behalf of the working people. Why do the working people ask for bi-

monthly payment? You gentlemen who have graduated from the ranks and have become millionaires ought to remember the old days—whether the time elapsed since then is long or short makes no difference—you ought to remember the old days, when the bills came in from the grocer, and the butcher, and the baker—and especially the plumber (did you ever get a plumber's bill?) and the painter, and the others. When the wife sat in a chair crying and the poor man came home from his work, what was the scene? "I cannot pay the bills," she says. "Dear," he says, "no, you cannot pay the bills because I am not paid for my work. I have been working from 6 o'clock in the morning until 7 to-night, and I have not got my pay, and how can you pay the bills if the company doesn't pay me?" That is the story of many and many a household, many and many a poor mother with children at her knee. Is that not a pitiful scene? Does that not appeal to the hard-hearted millionaires throughout the country? How can you resist an appeal of that kind? How can any Government stand behind capitalists who are crushing the workingmen, depriving them of all delight in life, by the force of wealth—by the force of money for election purposes? There is the history, not only of the Conservative party, but even of the Liberal party. All parties are alike in this country. They cater to wealth to secure election. That to my mind is the only reason why sensible men oppose the demands of labour for right and justice. I say to my fellow countrymen, keep your eye and keep your hand on your legislatures. They are few in number; you are the majority; and in all democratic countries the democracy should rule. You labour men outside these walls are the majority in this country. Keep your eye on the legislatures, keep your hand on them, even if they be immortal, like this eternally-composed Senate. Some members go, some come, but the Senate goes on forever.

Hon. Mr. NICHOLLS: Some Senators.

Hon. Mr. CLORAN: You men in the trenches of labour, you men in the firing line of life, have your families and children to maintain. See that legislators, not only in this House, but also in the House of Commons, are not subject or submissive to the influence of capital, which tries to take from you all the blood it can without killing you outright. That is the appeal I make to my fellow men outside the walls of this Senate, and I know it will be heeded. And let the statesmen beware, for the day is coming when the workingman's voice—not the wishes or interests of the millionaire—shall be the law of the land. Now, honourable gentlemen, I have said enough—

Some hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: I have said too much for the few here, who represent very little; but I have said enough for my fellow countrymen to know that at least they have in H. J. Cloran a friend who stands by them now and forever.

Hon. Mr. CASGRAIN: The amendment proposed has been the subject of considerable discussion, and it is a great satisfaction to me to know that the principle of this Bill has been accepted. It may be within the recollection of some members of this honourable House that a few years ago I brought up a similar Bill. At that time it might have passed but for the fact that the session ended sooner than we had expected. However, I am entirely in sympathy with this Bill and hope it will become law. I do not think the proposed measure would be a hardship on the railways at all. I think the railways will realize after a very few months that the wages will go much farther if payment is made twice a month than if made only once. The committee has had the advantage of hearing both sides on this question, and I think that after a committee has reported it has been rather unusual, during all the time I have been a member of this honourable House, to make further amendments without sending the Bill back to the committee, and giving the same parties the opportunity of being heard again. It is contrary to the rules of the House to state what took place in the committee; but I think that a discussion of this kind should take place in committee, where the parties would be represented; and I would suggest to the mover that in the interest of his own Bill it should be referred back to the committee. It is known that the Minister of Railways and the Government wanted the Bill amended in a certain way, and we know that in this country the Minister of Railways and the Government have, for the time being at any rate, the power to have legislation passed. The railway companies have admitted before the committtee that they have no objection to this Bill. There is only the question of having this amendment approved by the committee, and I believe that if the honourable gentleman (Hon. Mr. Robertson) de-

sires as much as I do that this measure shall pass, he will amend his motion to ask simply that the Bill be referred back to the committee. No time will be lost by that, because the date has been fixed for October 1, and the Bill will be presented here a long time before that. The committee can fix a date agreeable to everybody. The railway companies will in all probability accept the date mentioned, or it could be advanced thirty days if that were necessary in the interests of all concerned.

Hon. Mr. CLORAN: Will the honourable gentleman permit me to ask him a question?

Hon. Mr. CASGRAIN: I have the floor. I gave the honourable gentleman the floor first, and I will not give him the floor now. I could wax almost as eloquent as some others in telling how important it is for the workingman to get his pay. But I believe that in the interest of the Bill itself it would be well to send it back so that the amendment may be discussed in committee. As far as I am concerned, I will do everything possible to have the proposed amendment take effect provided we can get the consent of the Government, but by flying in the face of the Government we would simply cause the Bill to be sidetracked. There are no more days for private Bills in the other House, and unless the Government is willing the Bill cannot go through.

I believe that the honourable gentleman sincerely wants the Bill to go through. If so, in my opinion, the best way for him to accomplish that is to amend the motion and have the Bill sent back to the committee.

Hon. W. B. ROSS: I do not see what is to be gained by referring this Bill back to the committee. From the point of view of the railroads, there can be no question but that of bookkeeping, and any one who knows what is now going on in this country knows that it is very important to the men to be paid oftener than once a month. I for one would like to see them paid once a week, because I know that workmen in small towns throughout this country cannot get goods out of the stores without paying cash. If they were paid once a week they could buy their week's supplies. I was told by one workman, even before things had become as critical as they are, that it was worth 20 per cent to him to get his wages every Saturday morning, so that his wife, his children, or he himself could go to the stores and buy for cash. To-day increased value of wages is not the only thing to be considered; in many cases the fortnightly payment of wages is going to be important for the men unless you want to drive them into the hands of three-ball men to get credit. The small wage-earner cannot get along under the monthly payment system. I do not see what there is to argue about, and I would like to see a vote taken on this question now.

Hon. Mr. POWER: There is a good deal of force in what was said by the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain), and permit me to say that I thought there was a good deal more force in the speech made by the honourable gentleman from Toronto (Hon. Mr. Nicholls). I cannot at all agree with the honourable gentleman from De Lanaudière in thinking that there is any reason whatever for sending this measure back to the committee. This is not the first time this measure has been before the House; it has been here at least once, I think twice.

Hon. Mr. McSWEENEY: Three times.

Hon. Mr. POWER: Two or three times at all events. There was a full meeting of the committee, and members who are not on the committee are familiar with this question, and there is nothing to be gained by the measure being sent back to the committee. At first I was rather disposed to think that the recommendation made by the committee with respect to the time when the Bill should go into force was judicious; but, on thinking it over, and after listening to what has been said, I have come to a different conclusion. While the railways are having a pretty serious time just now, still I do not think the directors and managers of the railway companies are suffering as much as the men who are getting their wages only once a month. As pointed out by the honourable gentleman from Middleton (Hon. Mr. Ross), the fortnightly payment of wages in reality means much to the men; it is equivalent to an addition to the wages which are now paid monthly. While serving on the committee, I was under the impression that the honourable gentleman who represented the employees was quite willing that some date other than the first of October might be fixed for putting this legislation into effect. I gather from what he said a few moments ago that he has no very serious objection to making that date the 1st of January. As the honourable gentleman from Toronto (Hon. Mr. Nicholls) pointed out, I think the railways are suffering a

good deal, and perhaps there is much to be said in favour of giving them a slight extension of time before bringing the Act into operation. But the honourable gentleman from Toronto dropped one remark which confirmed my opinion that it would not be safe to leave the matter open. The honourable gentleman spoke as though the Government would probably not think it well to put this Act into operation until after the close of the war. Now, honourable gentlemen, we do not know when the war will end, and we do not know whether this benevolent Government will be in power then or not; therefore the proposal of the honourable gentleman from Toronto, if carried out, might mean an indefinite postponement of what everybody admits is a step in the right direction. I gathered from the professional gentlemen who represented the companies before the committee that they did not seriously object to the system of bi-monthly payment, and if the honourable gentleman from Welland (Hon. Mr. Robertson) will agree to substitute the "1st of January, 1918," for the "1st of October, 1917," he probably will get an almost unanimous vote of the House.

Hon. Mr. BOYER: I listened with a great deal of interest to the remarks of my honourable friend from Toronto (Hon. Mr. Nicholls), but I must say that his argument failed to convince me. He told us that the railway men had got an increase in pay. Well, if the companies can afford to give their men an increase under the present critical conditions, what is to prevent them paying them fortnightly? We are told that the railway companies have applied to the Railway Board for authority to increase freight rates. If that increase is granted and the Bill remains in suspense, have we any assurance that the railroads will avail themselves of this expression of opinion and give the men their pay fortnightly? I must confess that I have doubts. Our honourable friend from Victoria (Hon. Mr. Cloran) told us that we were only thirty-five years of age. Well, suppose we are. I remember the days when all the large corporations paid their dividends every six months. What is the modern tendency? It is to pay dividends quarterly. When this change was made there was not a protest against it; on the contrary, a shout of joy went up from all the shareholders. It was a convenience to everybody. When you see such large corporations as the Canadian Pacific Railway Company, and the United States Steel Corporation, with a capital of $1,800,000,000, paying their dividends every three months, there must be something in it. I remember when in the city of Montreal we paid our gas bills every three months. The Company gradually changed their policy and required the bills to be paid monthly. At first there was a protest; we were accustomed to the old system; but the Company, as the reason for the change, said that the monthly payment of cash was a great convenience to them, helping them to finance, and asked the consumers to conform to it, which they did, and to-day everything works smoothly. Now, what is the position of a man who gets his wages once a month? He has to go to his landlord and say: "I have had sickness in my family, I have the rent to pay, I have the grocer to pay, I have the water bill to pay; will you be kind enough to allow me a little delay?" If the men received their wages once a fortnight, it would help them, and, after all, no one knows what they want better than they do themselves.

Hon. Mr. CHOQUETTE: Those of us who are not now in a position to vote on this question never will be. In the committee I proposed fixing the 1st of January as the date when the Bill should go into force. This proposal was defeated by only one vote. From a conversation which I had with the promoter of the Bill, I think he would not object to the 1st of January being set as the date for the Bill to go into force. We must fix a day; it is better for all concerned. If my honourable friend will accept the change to the 1st of January, no doubt the Bill will go through.

Hon. Mr. CROSBY: I rise with some diffidence to speak in this Chamber, but, in view of the importance of the Bill, I could not see a vote taken without first speaking on the question. I am thoroughly in accord with the amendment proposing that the Bill should go into force on the 1st of October. If I had my way it would take effect at once. The honourable gentleman who has just taken his seat (Hon. Mr. Boyer) spoke of a large corporation by way of illustration. They did not complain of having to employ additional help in their offices when they changed the time of payment of gas bills from every three months to every month. I am sure that the railway companies and any other corporations in Canada can easily pay the additional help required in order to pay the wages of their employees fortnightly instead of

monthly. Why should we delay this matter any longer? I think the 1st of October gives them ample time, and that they should be agreeable to the change after the notice given by the honourable gentleman (Hon. Mr. Casgrain) who raised this question, I understand, a year ago.

Hon. Mr. CASGRAIN: Many years ago.

Hon. Mr. CROSBY: And the honourable gentleman from Victoria (Hon. Mr. Cloran) says that he has been at it for thirty-five years. Surely the people, if they can read him as well as they could hear him, ought to be convinced by this time that it is all right. I see no reason why we should hesitate about putting this legislation into effect at once, or at least on the 1st of October. This gives ample time for all corporations —I speak particularly of railways, but I include all corporations which pay their men only once a month—to make the change. I agree with the honourable gentleman from Victoria (Hon. Mr. Cloran) in every particular but one. I do not agree with him when he says that he is the only friend of the workingman in this Chamber.

Hon. Mr. CLORAN: Of thirty-five years' standing.

Hon. Mr. CROSBY: I do not know that I can go quite that far myself; but I am here for the purpose of seeing that justice is done to everybody, and I can assure this House that when justice is done to the workingman everyone should be satisfied, and everyone will be satisfied. It appears to me that the only way to do justice in this case is to put this Act into force in accordance with the amendment brought in. I agree that this Bill should not be sent back to the committee. I think that now is the time to act, and, so far as I am concerned, I propose to vote that it shall go into force not later than the 1st of October. I think that would do no injustice to anybody, while injustice would be done to the workingman by putting the matter off.

Hon. Mr. ROBERTSON: I do not wish to take up the time of the House unnecessarily, but I wish to say that I appreciate, and I know the railway men of Canada will appreciate deeply, the sympathetic consideration which has been shown in this matter both in the committee and in this House. I find that there is a desire on the part of all concerned, including the railway companies to get together, and, while I still feel that October 1 is not an unreasonable date, if there is no objection I shall be glad to adopt the suggestion of the senior member for Halifax (Hon. Mr. Power) and change the date to January 1.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. WATSON: I feel pretty well satisfied that this will be the solution of this difficulty. As chairman of the committee which has reported this Bill, after hearing the expressions of opinion given in the House, I would not like to insist upon a vote being taken. For the information of the House, I may say that the opinion of the committee was very evenly divided, there being only a majority of one in favour of this Bill being put into force by proclamation of the Governor in Council. I think this is the fourth time that a Bill of this nature has been brought up since I have been a member of this House. The last time one of the representatives of the railway men, Mr. Harvey Ball, was opposed to the Bill. He was in favour of the monthly payment of wages. Consequently the members of the House being guided by all the evidence, some of them voted against the Bill. In Canada probably the highest class of mechanic is in the employ of the railways, and I think that class is improving as time goes on. Some kinds of labour will not benefit much by this change; but others, the lower-priced men, will benefit to a great extent. A few years ago the railway companies objected to the adoption of this principle on the ground of expense, because they paid in cash by means of pay cars. I understand that the employees are now paid by cheque; consequently there is no particular reason why payment should not be made twice a month. I may say that in adopting this measure we are incidentally aiding the revenue of the country, because the stamps on the cheques will run into quite a large sum. If it is agreeable to the House, I think I am safe in saying on behalf of the committee that I will accept the amendment proposing the 1st of January. I would not like to see the House divided on this question. I was very pleased to hear the remarks of the mover of this Bill with reference to the heads of departments who appeared before the committee. I think this is the first time that we have found the employers and the employees so agreeable on this question. There is another consideration which should guide us more or less: I understand that the Committee of the House of Commons on the amendment of the general Railway Act has adopted the principle contained in this Bill. Therefore I will agree to accept the amendment.

The amendment, with the date changed to the 1st January, 1918, was agreed to.

The Bill was read the third time and passed.

CHINESE IMMIGRATION ACT AMENDMENT BILL.

THIRD READING.

Bill 42, an Act to amend the Chinese Immigration Act.—Hon. Sir James Lougheed.

CIVIL SERVICE AMENDMENT BILL.

THIRD READING.

Bill 68, an Act to amend the Civil Service Act.—Hon. Sir James Lougheed.

BUSINESS PROFITS WAR TAX AMENDMENT BILL.

THIRD READING.

Hon. Sir JAMES LOUGHEED moved the third reading of Bill 57, an Act to amend The Business Profits War Tax Act, 1916.

He said: I was asked by my honourable friend the leader of the opposite side of the House for information which I have very great pleasure in giving him.

In the first place, I was asked what amount would be realized under the first year's taxation imposed by this Bill. I understand that it will be approximately between $14,000,000 and $15,000,000. I understand that nearly $13,000,000 has been collected already. It is estimated that the tax on the second year's profits will approximate about $20,000,000. With the amendments which we are now considering, increasing the tax, it is quite possible that the amount realized from it will approximate $40,000,000.

My honourable friend also asked me as to the personnel of the Board of Referees. I am informed by the Department of Finance that it has not been necessary up to the present time to appoint that board; consequently it has not been done.

My honourable friend the other day stated that he understood that the taxes for the accounting period of one year were charged to the expenses of the succeeding year. I controverted that, saying that I did not think it was the case. I find on inquiry that my honourable friend was correct—that, owing to the Act having been made retroactive, the payment of the tax could not be anticipated by the different companies affected; consequently it had to be charged up to the expenses of the following year.

With these explanations I would move the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time, and passed.

DIVORCE BILLS.

SECOND READING.

Bill O2, an Act for the relief of Rozilla Lamb.—Hon. Mr. Robertson.

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

THE SENATE.

Friday, June 22, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

CONTRACTS FOR COAST STEAMERS.

INQUIRY.

Hon. Mr. BOSTOCK inquired:

1. Has the Government let a contract or contracts for two steamers to be built either in Victoria or Vancouver, to be used in trade between the Atlantic and Pacific coasts?
2. What class of ship do the tenders call for?
3. What will be the total cost of each ship completed?

Hon. Sir JAMES LOUGHEED:

1. Yes.
2. Wooden auxiliary sailing ships of about 2,500 tons each.
3. Approximately $230,000 each.

ADJOURNMENT OF THE SENATE.

MOTION.

Hon. Sir JAMES LOUGHEED moved:

That, when the Senate adjourns to-day, it do stand adjourned until Monday, the 9th July next, at Eight o'clock in the evening.

Hon. Mr. BOSTOCK: The honourable the leader of the Government has not given us any information as to the condition of legislation in the other House at the present time. I understand that in another place it is proposed shortly to hold morning and Saturday sittings. Whether that is an indication that the work of the Session is being brought to a close or not I am not in a position to say; probably the leader of the Government can give us some information on that point. I understand that there is some legislation coming down which will require careful consideration and considerable discussion by honourable

gentlemen. It would be a great misfortune if this legislation were brought before this Chamber in the dying hours of the session, and we were forced to consider it without having sufficient time to deliberate upon it, as we should do in the interests of the country and with due consideration for the dignity of this Chamber. Unfortunately on other occasions we have had to complain of the manner in which important legislation has been brought to this Chamber in the dying hours of the session, when it was not possible to give it the consideration it deserved and which the country had a right to expect. There is, I think, on the file of Bills in this House at the present time Bill 67, which deals with the Customs Act. It is a Bill which may cause a good deal of discussion. Then, there are one or two committees dealing with questions of interest and importance. I fear that they may not proceed with their work during the adjournment, owing to the desire of certain honourable gentlemen to go away. I draw the attention of the honourable leader of the Government to these matters in the hope that we may have sufficient time to give proper consideration to them when they come up.

Hon. Sir JAMES LOUGHEED: My honourable friend's remarks sound very familiar. When I occupied the position which my honourable friend now occupies I used annually to indulge in similar expressions; indeed, they are a kind of hardy perennial. However, my honourable friend is only doing his duty. He speaks of morning and Saturday sittings being an indication that the end of the Session is approaching; but I would not venture that prediction. They indicate rather that the Government is desirous of giving the Commons more time for the transaction of public business. I have mentioned to the Prime Minister that our Order Paper was practically cleared up, and that the disposition of the Senate was to adjourn for a couple of weeks, and I do not anticipate that any public business will be ready for us before we resume. The Conscription Bill is now under consideration, and by the time it has passed the second reading and the committee and other stages we shall probably have resumed our work in this Chamber. The only other Bill of importance that is before the Commons is the consolidation of the Railway Act. That, I believe, has just left the committee, and will soon be before the House, when the Committee of the Whole will deal with it. Honourable gentlemen can understand that it will take some time to dispose of a Bill of that nature. I know of nothing else of importance that could come before the Senate before the expiration of a fortnight. We have been holding over the Customs Bill pending the bringing down of certain information which my honourable friend from Portage la Prairie (Hon. Mr. Watson) has asked for. It is a very brief Bill and should be disposed of in a very short time. It is simply a declaration of what the law has been since Confederation. A judicial interpretation of it may afterwards be necessary. I think therefore the public business will not suffer if we adjourn.

Hon. Mr. POWER: As justification of the proposed long adjournment the leader of the Government tells us that in the past we have had similar adjournments which the Opposition has sometimes opposed. When he was the leader of the Opposition he made it a point to speak, I presume in a more or less perfunctory way, against such adjournments. I think the honourable gentleman will have some difficulty in discovering a precedent for the present action. Of late years we have adopted the practice of having long adjournments in the early part of the session, before important business has come before the Senate, and when business has not been anticipated within a short time; but the circumstances are different in this case. We are, I hope, at any rate within a month of the end of the Session, and the honourable gentleman proposes to devote more than half of that time to an adjournment. I do not think that is a businesslike proposition, or one which should commend itself to the members of this House as business men. I quite concur in what has been said by the honourable the leader of the Opposition; and I say further that we should have some regard for the reputation of this House. There appears to be a feeling prevalent amongst people outside that the Senate just meets and then adjourns, and that what it does is hardly appreciable and of no value. I do not think that we should do anything to encourage that feeling. By adjourning at this time we are doing what is calculated to lower the Senate in the estimation of the public. It seems to me that it will be time enough to adjourn, if prorogation is not close at hand, when the business before the Senate has been completed and there is nothing coming up from the committees. I submit to honourable gentlemen that if, instead of

meeting on the 9th of July, we meet on Wednesday, the 4th of July, at, say, three o'clock in the afternoon, we shall have a reasonable amount of rest and shall not be leaving ourselves open to criticism. There is another thing which must also be borne in mind: when we meet on Monday, gentlemen who live at any distance have three alternatives—either to be late, to come here on Saturday, or to travel on Sunday; and the members being, as a rule, religious men, do not wish to travel on Sunday. Consequently I think that when we have a long adjournment Wednesday is the proper day to resume. I speak without any personal feeling in this matter, because I am not proposing to go home.

Hon. Mr. WATSON: A number of honourable gentlemen who left this afternoon asked me to suggest to the honourable leader of this House that in making his motion he should change the date of the meeting to Tuesday. I shall not express my own views in regard to this matter at all.

Hon. Sir JAMES LOUGHEED: In view of the remarks of my honourable friend from Halifax (Hon. Mr. Power) I do not see how we can extend the time to Tuesday.

Hon. Mr. McSWEENEY: I think you had better make it the 12th of July. That would suit a good many of us.

Hon. Sir JAMES LOUGHEED: Well, we want to be here for the celebration. You will have two days here to prepare for it.

The motion was agreed to.

IRREGULAR QUESTIONS.

Before the Orders of the Day:

Hon. Mr. CLORAN: I desire to draw the attention of the House to a lack or lapse in the Orders of the Day. I understand that a senator yesterday gave notice of two questions, very important and very interesting to the general public. On reading over the Orders of the Day, I find that the two questions have been suppressed; there is not one word about them. Where the power of suppression lies is a question that I should like to have answered—that the people of this country would like to have answered. Who has the power to suppress free speech, or to refuse to give to the representatives of the people information respecting questions of administration. Honourable gentlemen, it is stated in the House of Commons, in the press, and throughout the country that we are engaged in the present war in order that democracy may prevail over autocracy and the suppression of human rights; but here in this Senate we find the most outrageous suppression of the right of demanding from the Government information to which the country is entitled. Has the Government undertaken to suppress those questions, or what power in this Senate has suppressed them? Is it the Clerk at the Table?

Hon. Mr. CROSBY: I do not desire to interfere with the honourable gentleman who is addressing the House, but I would like to ask if he is in order.

Hon. Mr. CLORAN: Do not be so sharp. I am perfectly in order. This is before the Orders of the Day, and I am rising to the highest question of privilege affecting the representatives of the people.

The Hon. the SPEAKER: Order. I believe that the honourable gentleman ought to confine his remarks to asking an explanation from the proper authorities as to why his inquiries were not printed. Then he may make a motion if he so desires.

Hon. Mr. CLORAN: Well, that is what I am endeavouring to do; I am trying to the best of my ability to get an explanation.

The Hon. the SPEAKER: But you have not the right to make a speech.

Hon. Mr. CLORAN: I am not making a speech. I am asking for information. Was it His Honour the Speaker who suppressed these questions? Was it the leader of the Government? Who was it?

The Hon. the SPEAKER: If the honourable gentleman will wait a moment, I will tell him.

Hon. Mr. CLORAN: That is the information I want.

The Hon. the SPEAKER: Honourable gentlemen, after the honourable gentleman for Victoria (Hon. Mr. Cloran) gave notice of his inquiries yesterday, and I heard the reading of those inquiries, one of the clerks at the Table called my attention to this fact—

Hon. Mr. CLORAN: One of the clerks!

The Hon. the SPEAKER: that an inquiry should not contain any statements of fact. The object of an inquiry should be to ascertain if something can be done, but not to provide the House with facts. I advised the clerk to see the honourable member for Victoria and request him to correct

the inquiries. I was later informed that the honourable gentleman had refused to correct them.

Hon. Mr. CLORAN: That is a strange admission, that the highest authority in this House takes his inspiration from a servant of the House—a very strange admission.

The Hon. the SPEAKER: We read in Bourinot's Parliamentary Procedure, Fourth Edition, page 313:

The Canadian practice is identical with that of the English Commons... No argumentative matter shall be introduced, and if such matter appears it is always struck out by the clerks at the Table, by the order of the Speaker. It is the duty of the clerk to point out any irregularity to the Speaker, as in the case of notices of motion, and if the latter is of the same opinion he will order the clerk to communicate with the member, so that he may have an opportunity of amending his notice.

That is what has been done. In May's Parliamentary Practice, Twelfth Edition, page 223:

The purpose of a question is to obtain information, and not to supply it to the House. A question may not contain statements of facts, unless they be necessary to make the question intelligible, and can be authenticated; nor should a question contain arguments, expressions of opinion, inferences, or imputations. The expression of an opinion or the solution of an abstract legal case, or of a hypothetical proposition, cannot be sought for by a question.

Denison's and Brand's Decisions, 1857-1884, page 255:

A question relative to matters outside the House, and bearing upon any matter before the House, cannot be put.

Also on page 262:

The Speaker has the power to direct that the language of a question be changed, if it seems to him unbecoming.

I find also in Peel's Decisions, House of Commons, 1884-1895—

Hon. Mr. CLORAN: I do not dispute any of those authorities.

The Hon. the SPEAKER: I have no objection at all to the inquiries appearing on the Order Paper provided they are made in proper form.

Hon. Mr. CLORAN: If His Honour the Speaker will point it out to me, I will immediately correct any word or phrase or clause in the questions. I have said I do not object to the authorities cited by the honourable the Speaker, for the very good reason that I know and respect the rules. I do not state any facts; I am simply asking for information:

Is the Government aware that its recruiting officers are kidnapping school boys and inducing them to enlist for overseas military service on behalf of the Allies in the present war?

That is simply asking for information.

The Hon. the SPEAKER: The second question, paragraph 3, reads:

If so, why not utilize their powers and their services in this secondary capacity?

That is offering advice to the authorities, which the honourable gentleman has not the right to do in an inquiry. In paragraph 2 of the first question the honourable gentleman states:

As an illustration and example, is the Government aware that its recruiting officer, Roy Anderson—

and so forth. In that he is stating a fact, which he has not the right to do.

Hon. Mr. CLORAN: How can I get an answer to the question as to whether the fact is true or not if I do not state the fact that a certain officer is doing a certain thing?

The Hon. the SPEAKER: Order. The honourable gentleman has no right to discuss the matter.

Hon. Mr. CLORAN: I am not discussing it; I am going to accept your correction, and I will move that the words "as an illustration and example" be struck out, and that in the second question, "If so, why not utilize their powers and their services in this secondary capacity," be struck out.

The Hon. the SPEAKER: I would ask the honourable gentleman to take these inquiries and make the necessary corrections.

REPORTED WRECK OF THE CRUISER RAINBOW.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I should like to call the attention of the honourable the leader of the Government to an item in the Daily Colonist of Victoria, B.C., of 12th June, 1917. It reads as follows:

Local shipping men were much amazed to read the following news item in The Sunday Seattle Times under the heading, "Former Cruiser Strikes on Reef." The steamship Eva Marie referred to is in reality a small wooden freighter owned by Capt. V. Jacobsen, of Victoria. She was at one time called the Rainbow and was recently wrecked. Of course the naval authorities and a few others know where the

Canadian cruiser Rainbow is, but they won't tell. The Times says:

"Advices received from British Columbia last night report that the steamship Eva Marie, owned by the Canadian Sulphite Company of Vancouver and formerly well known as the Canadian cruiser Rainbow, ran ashore yesterday on Helmcken Island, thirty miles north of Seymour Narrows. It is feared that she is a total loss, though the engines and boilers may be salved.

"The vessel was bound to Vancouver from a salmon cannery in Northern British Columbia with a full cargo. All hands were saved. According to the details received, the Eva Marie "jumped" a reef, being carried over an outer row of rocks by gigantic sea. No other details were received.

"As the gunboat Rainbow, the vessel figured promptly the first year of the war in operations on the Pacific Ocean. At one time the little vessel's officers believed they had been overhauled by the German cruiser Leipzig, and they cleared their ship for action, intending to fight to the finish against fearful odds. The other vessel, however, turned out to be a merchantman."

Hon. Sir JAMES LOUGHEED: I may say that this is the first intimation I have had of anything of the kind.

CONSERVATION OF CANADIAN TRADE.

PROPOSED COMMITTEE.

The Senate resumed from June 13 consideration of the motion of Hon. Mr. Nicholls:

That, in the opinion of this Honourable House, it is expedient to appoint a Committee to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed; and that the said Committee be composed of the Honourable Messieurs Beaubien, Edwards, McLennan, Dandurand, Gillmor and the Mover.

Hon. W. C. EDWARDS: I rise on this occasion with the greatest possible diffidence to address this honourable House, because, first, I have no pretensions as a public speaker and attempt to speak only when I feel compelled to do so; and, secondly, because I am suffering from a trouble which makes it very desirable that I should avoid exercising myself physically or mentally. But the subject that I am going to endeavour to deal with is, in my opinion, the most important that has ever been before the people of Canada, and I am sorry that it is not to be dealt with by a more capable man than myself.

The honourable gentleman (Hon. Mr. Nicholls) who introduced the question to the House made it possible to deal with a great variety of subjects affecting Canada; so much so that I have enough material to enable one more capable than myself to lecture upon them for the next year. I want, however, before proceeding further, to congratulate both the mover and the seconder of the resolution, who are new members, on the very favourable way in which they put the question before this honourable House. I am not at all surprised at the mover, one of the largest and most successful manufacturers in Canada, bringing the question before the Senate and the people of the country, because he knows quite well the difficulties which Canada must sustain during the continuance of this war and after it is over.

He referred briefly to one very important question, namely, that of the enormous annual borrowing of money from abroad before the outbreak of the war, the expenditure of which in this country of course stimulated enormously, though to a great extent artificially everything pertaining to Canada. The honourable gentleman knows that such borrowing will be impossible after the war is over; that Canada, at least for several years to come, will have to live on the production of her natural resources. I am therefore not at all surprised that this matter engages his attention, for it is quite possible that, with many others, he believes that after the war is over Canada may develop a large export trade in manufactures, which I do not think is possible for this country. I would be glad to think it were otherwise, but I do not.

The seconder of the resolution referred to a matter which is very vital to Canada and presents one of the greatest difficulties under which this country suffers, namely, the fact of her sparse population scattered over a vast area of territory, making very expensive our transportation and everything dependent upon it. I will elaborate my views upon this point later on, and will proceed for the moment to another subject.

All the countries engaged in this unfortunate war must be exercised, just as Canada is, as to these problems. The great republic to the south of us has been very much concerned. I have read the writings of a number of the prominent men of that country upon the subject. One class or school of thought makes the statement that they should prepare themselves for the immense export trade in manufactured goods which will be possible for them after the war is over. Another school of thought advocates raising their tariff to prevent their being flooded with the cheap products of European countries. But anyone who is at all a student of economics understands quite well that if that country wants to

manufacture cheaply for export to foreign countries it must lower its tariff. My honourable friend (Hon. Mr. Nicholls) smiles, but when he has studied this subject to the extent that I have he will come to other conclusions than those which he now entertains.

What evidence have we that Canada is very much exercised over this matter? To start with, we have the speeches of our Minister of Trade and Commerce (Sir George E. Foster) not only in Canada, but in Great Britain and France—and, if I were possessed of the large imagination of that honourable gentleman, and also of his genius for invention, I could thrill Canada from the centre to the outskirts.

We have also a Foreign Trade Commission, which toured Great Britain and Europe a few months ago, no doubt studying the question of trade. I followed those gentlemen somewhat, reading their speeches, and I noticed that the Chairman of that Commission made the statement at Edinburgh that this country, during the present century, would attain a population of 100,000,000 people. He also, I am afraid, is possessed of a very large imagination, for later on I think I shall show the impossibility of Canada ever attaining such a population.

Hon. Mr. McSWEENEY: Who made that statement?

Hon. Mr. EDWARDS: Mr. Woods, of Toronto.

Then, we have the Economic and Industrial Commission, headed by the esteemed and respected leader of the Government in this House (Hon. Sir James Lougheed). I may say at once that I have great confidence in any business matter in which our honourable friend engages. I do not know how free a hand he has, but, if he is given as free a hand as he should have and is backed by the Government of the day as he ought to be, I would expect very great results from his commission.

Next, we have the committee of this House headed by my honourable friend from de Salaberry (Hon. Mr. Béique). This is a committee of rambling scope, covering a great deal of ground, but the result may be beneficial to Canada. It also is concerned with this question of export trade and many other matters. The honourable gentleman is a very able man, and what he undertakes he will certainly carry out if at all possible.

But that is not all. We have the Advisory Council on Industrial Research, headed by a retired professor of Toronto University, a very eminent scientist, who, I suppose, is going to deal with the question scientifically and educate Canada as to what this country may do in the production of articles which require scientific research and application. As to the success of that council I am not prepared to speak. Personally, I would have more faith in the industrial activity of Canada well directed on agricultural and other lines.

In addition to all these, the Canadian Pacific Railway Company is making a very searching inquiry into the resources and possibilities of Canada. I would expect that company to go into the matter very seriously, for there is no institution more closely identified with the life and activities of this country. At the head of this inquiry is a gentleman from Boston, Mr. Arthur Little, one of the most capable scientists on the continent of America, so far as industrial research and development are concerned. I have had considerable conversation with one of the gentlemen engaged in that inquiry, and I say frankly that I expect some good results from it.

Finally, we come to the motion of my honourable friend from Toronto (Hon. Mr. Nicholls) for a committee of this House to inquire into what may be done, in so far as Canada's export trade is concerned, after the war is over. He is an able business man, one of the foremost of the manufacturing and financial men in Canada; and, while I may point out greater difficulties than occur to him, I want him to understand distinctly that I am not opposing him, and that nothing I shall say will be in opposition to his motion, with which I heartily concur. But I am going to try to deal honestly with Canada, her climatic conditions, her geographical situation, her resources and possibilities; and, while I am sure that what I am about to say will not be popular in this Chamber and will appeal to very few men in Canada at present, there is a time coming, a few years hence, when what I say to-day will be thought of more seriously. In addressing this House as I am now doing, I am taking a great risk, for the reason that I have already given, but I am doing it because I feel that it is incumbent upon me—that it is a duty which I owe to my country.

I want it understood further that there is absolutely nothing political in my speech. I speak for no political party. I am one of those who believe that to-day there should be no division of political

parties; that we should have but one aim, and that is to do our part, under the unfortunate conditions which at present exist and the unfortunate conditions which are certain to follow this unhappy war. I may again, in a few days, address this honourable House to say, though I may be wrong, that I do not agree with all that is suggested with reference to the war. I believe that Canada should do what she can—that it is the duty of all Canadians who love their country and who have confidence in it to do their part. Perhaps, after I have done, honourable gentlemen will say that I have no confidence in my country; but that will not be correct. I have confidence in Canada to the extent of her possibilities; but I have carefully studied our conditions, and I think I know our disabilities.

I have said that I am not going to talk politics, but I cannot help discussing certain principles. Without Great Britain this war would have ended long ago—of this there is no question. I claim that Great Britain, though troubled as she must be, can continue this war indefinitely, notwithstanding the enormous amount of money that she is daily spending upon it, and notwithstanding the great aid she is rendering her Allies; and that is possible wholly and solely because of her trade policy. But, not only in Canada but also in the other colonies of the Empire, as well as in Great Britain, there is a school of thought which advocates that after the war is over we should adopt a policy of high tariffs and exclusion of trade with other countries, in this way sowing the seed for another war. I dissent entirely from that view, being opposed to any preferential arrangement being made after the war is over. I think nothing could be more suicidal to Great Britain and her Allies than to enter into any such arrangement. It is the trade policy of Great Britain that has made her great and powerful and able to continue this war. What are the conditions? England is spending over $30,000,000 a day, and yet is as rich to-day as she was when the war began. With the income from her foreign loans, with her shipping and her commerce, which never were greater than to-day, she is earning the cost of the war. That is an astonishing statement, of which I am not the author; it is the statement of a great statistician in England, and is, I believe, a true statement. In making this statement I do not pretend to say that Great Britain will be as rich when the war is ended as she would be had there been no war. She will be poorer than she would have been just to the extent of the cost to her of the war, and the general impoverishment of the world will be extreme. Of that there is no doubt, for, if a large portion of the population of the world is diverted from industrial production and commerce to the destruction of wealth, there can be no other result. In contrast to Great Britain, there are a great many who admire what Germany has accomplished so far as industrial and scientific development is concerned. Germany unquestionably is one of the great countries of the world. What she has performed in recent years is wonderful. But what is the cause of this war? I have read many books as to the cause, but personally I have no doubt as to the cause. Tariffs, protective tariffs, are the cause of this war. Germany had reached a position consequent upon the protection which she had given to her industries which made it necessary to her that she should make the stroke.

Hon. Mr. LYNCH-STAUNTON: Will the honourable gentleman tell us why she attacked free-trade England if tariffs were the cause of the war?

Hon. Mr. EDWARDS: I would ask my honourable friend to study economics, as I know he has never done. Germany did not attack England. She was driven to this war because of her economic condition. She had a war with France about forty years ago. It lasted a comparatively short time, and she got an enormous indemnity from France. Germany thought she would be able to repeat the dose, but in this instance she has failed, because she had not only France to deal with but also Great Britain. No greater crime has ever been inflicted on mankind than protective tariffs. Do away with protective tariffs and remove potentates from their thrones and you will have no more such wars. We may study the prevention of war to the end of time, and yet war will continue just as long as those two evils are inflicted upon mankind.

Now, so far as Canada is concerned, we all certainly desire the development of our country, agriculturally, industrially—in every way possible. We desire to increase our export trade in manufactures if that can be accomplished; but later on I shall show that up to date Canada has been practically unable to export manufactured goods, and Canada cannot increase her export trade in manufactured goods to any appreciable extent so long as it is a pro-

tective country. The United States up to ten years ago—and I invite honourable gentlemen to examine the trade returns—paid her foreign indebtedness almost wholly in raw material. Within a few years, after her industries had become too large for her own requirements, she began an effort to export manufactured goods, and she has succeeded to some considerable extent; and as she increases her exportation of manufactured goods she advances towards free trade, and the time is not far distant when that country will be the greatest free-trade country in the world.

Now I am coming to a subject on which I shall not have sympathy in this Chamber and shall have comparatively few supporters in Canada. There are some men in Canada who have thought as much as I have on the climatic conditions of Canada, her geographical construction, and her possibilities. You will be somewhat astonished, honourable gentlemen, at the statement I am about to make. I know of no other public man in Canada who would make such a statement. Not since Confederation has any public man made such a statement, but the reverse. On all our public platforms, in all our legislative halls, the statement has been continually made that Canada is a country abounding in variety of natural resources which are of enormous value and inexhaustible. In my opinion this attitude has been more or less misleading and hurtful to Canada, giving her people an exaggerated idea as to her possibilities. Not only has Canada the disabilities due to her climatic condition and her geographical conformation, but she is not a country possessed of numerous natural resources. I make the statement advisedly, and I think I know what I am talking about, and before many years have passed my statement will be found to be true. One of my friends, in talking to me before I arose to address this honourable House, said, "Edwards, don't be pessimistic." "Well, my friend," I said, "I will not be pessimistic, but I am going to tell the truth." Canada, as I have stated, is not a country of a great variety of natural resources. She has just four, namely: agriculture, lumber, mining, and fishing; and a fifth might be added, namely, our water-powers. Occupying the northern portion of the North American continent we are naturally rich in water-powers.

Taking the first of the resources that I have named, while it is my frank opinion that our possibilities are greatly overestimated, yet it must be admitted that we have a country of very considerable agricultural possibilities. At the same time it is considered to-day by gentlemen much better acquainted with the conditions of our western provinces than I am that no considerable amount of actual wealth has been made in producing wheat—that the cost of raising a bushel of wheat is about sixty cents, and the average price, prior to war conditions, was about the same. If the best possible results are to be attained in Canada in her agricultural industry a change in our tariff conditions is absolutely essential, for I think it must be generally agreed that, after all, agriculture is the mainstay of Canada.

Coming to the next industry which I have named, that of lumber, I think it will be agreed that with this I am somewhat familiar. I do not hesitate to make the statement that every province in the Dominion of Canada far overestimates its resources in this respect. There are many in Canada who even to-day believe that our timber resources are inexhaustible and that it is only a question of time when the United States will be exhausted of lumber and will have to turn to Canada for a supply. This idea, I assure you, is absolutely incorrect. The United States has as great a supply of lumber relatively to her wants as Canada has. The total quantity of standing timber in Canada would not supply the wants of the United States for more than eight years. Canada was once a comparatively rich country in this resource, but bush fires and unwise administration of our timber resources on the part of the various provinces have brought about the unfortunate result I have named.

In pulpwood we are considerably stronger than in timber for lumber manufacturing—of this there is no question; but, if our pulpwood resources are no better administered than our lumber resources have been in former years, they too will become exhausted much more rapidly than is at present anticipated.

I would ask honourable gentlemen who travel through this country from Halifax to Ottawa, or farther west, just to observe as they pass over the various streams the logs that are being sawn to-day; for I assure you, honourable gentlemen, that the logs being sawn to-day in most of the mills in eastern Canada are such as were left in the woods twenty-five years ago, and I do warn the various provinces of this Dominion that, if we do not take care of our resources in this respect, the lumber trade

of Canada, except west of the Rockies, will in a comparatively short time be a thing of the past. A stage was reached several years ago in the lumber industry, making it the continuous aim and object of every lumberman to conserve his timber resources; but they have not been supported by the administrators of the various provinces. Considerable portions of country are each year being sold for settlement where the object is not settlement but to obtain cheap lumber, on the part of illicit settlers and a certain class of lumbermen. To give evidence of this I could show to any one who would accompany me, say fifty miles from this city, in one single district from fifty to sixty farms once occupied by pretended settlers, but now, as all the timber is cut off these farms are all abandoned. This condition of affairs, I assure honourable gentlemen, has been most serious in so far as the timber resources of eastern Canada are concerned.

In making the statements I do relative to our timber resources I do not want to pretend that we have not still timber resources of very considerable value, but I do contend that they are not nearly of the value which the average Canadian believes. With regard to the destruction of these resources, I quite admit that the provinces are not all equally guilty. In so far as fire protection is concerned, the provinces of Quebec and British Columbia have made the greatest strides in improvement in recent years.

As to our mines also, I believe that a very great misconception exists. Because we have a very large country and because the greater portion of our northern country is rock it is generally believed that we are enormously rich in minerals. While I admit the possibility that valuable mines may yet be discovered, I contend that so far as our mineral resources are now known the general public of Canada greatly overestimates our wealth in this respect. In asbestos and nickel Canada is comparatively supreme; but, after all, these are not of sufficient importance to warrant us in believing that we are immensely rich in mineral resources. We have more or less gold; but, as is well known, the production of gold is not wealth-producing, for generally it costs about two dollars to produce one dollar's worth of gold. We have some silver mines that are at present very considerable producers, but no one will pretend that so far as is at present known Canada is possessed of inexhaustible deposits of this metal. In copper we are fairly well off. At the same time, while we have some smelters in Canada, we have not yet produced a sufficiency of copper to justify the erection of one refinery. This statement I do not make of my own personal knowledge; but I make it as the result of an inquiry made by a commission of which I am a member at the present time for the Dominion Government. Lead and zinc exist in British Columbia to some extent and can be produced to-day at a profit, because of war conditions, but in normal times cannot be produced profitably.

As is very well known, the greatest mineral wealth-producing resources of any country are coal and iron. Our coal is most unfortunately situated, being at the extreme east and the extreme west of our country; and, while I regret to say it, I say it with an authority which I know cannot be denied, that no iron mine has ever yet been discovered in the Dominion of Canada that is on its own basis a commercial possibility. Even with war prices that at present prevail, there are only two iron mines in Canada operating, namely, the Helen mine and another mine north of Lake Superior. The Helen mine, I understand, is pretty well exhausted; but in any case neither of these mines produces a quality of iron of commercial use without the admixture of iron from abroad.

The fisheries of Canada are of some value, producing in the neighbourhood of thirty million dollars a year. On this resource I have very little to say, as it is the one of our resources on which I have the least information.

Now I come to the last of our natural resources, and it is the resource which, under natural conditions, would, next to agriculture, be the most valuable in Canada, namely, that of our water-powers, mentioned by the honourable member from Montarville (Hon. Mr. Beaubien) in seconding the resolution to which I am speaking. It is stated that Canada possesses forty per cent of the water-power of the world and that the province of Quebec possesses seventy-five per cent of the forty per cent. But our water-powers are not being utilized to any appreciable extent and will not be utilized so long as existing tariff conditions continue.

Unless Canada is liberated from the unnatural condition which exists, I must frankly say that I do not see much hope for our country; for, while I admit that this is perhaps one of the dearest countries

in the world to live in and produce in, yet the vigour and virility of the people of a northern country will overcome very considerable difficulties if only they are given freedom and the enjoyment of the results of their labour.

Now, to illustrate the handicap under which Canada suffers, may I be permitted to give an example? It is that of one of the largest manufacturers in Canada. It would be unfair to mention his name or his product. In a comparatively recent conversation with him I asked him this question: "Should the commodity manufactured by you be manufactured in Canada?" He said: "No, certainly not." I said: "How do you reconcile such a statement with your position at the head of this large enterprise?" He said: "I did not create the business; I found it here; I grew up in it; I am managing it; but the manufacture in which I am engaged should not exist in Canada." I said: "May I ask you to explain?" He said: "It is very simple. To build large factories in Canada such as those which I am administering costs at least forty per cent more than their construction would cost in the United States." He said: "I have to build stronger; I have to build warmer. But that is not all: when I have constructed the plants, I have to heat them with imported coal—on which I pay duty—at greater cost per month and for more months in the year than would be the case in the United States. And there are many other disabilities which I could mention." I then asked him: "With your knowledge of conditions, if you were choosing a location for business, would you come to Canada?" He said: "No, I would go to the United States, where there are far greater possibilities for industrial development than there are in Canada."

I do not like to touch on specific cases, but I am going to speak of one, namely, agricultural implements. They are produced in Canada at very much greater cost than they are produced in the United States. I know this as a matter of fact, for the information is from an absolutely reliable source. Of manufactured articles agricultural implements are among our largest exports to foreign countries. It would be impossible to export them but for the drawback of duty on the raw material which goes into their manufacture. Every article which goes into their construction is imported. And is it any advantage to the farmers of Canada to pay that penalty? I do not like to make the statement, but I make it advisedly, that the manufacturing industries of Canada outside of those in which our natural resources are involved have never produced one dollar of wealth to Canada, but have been a great detriment to our wealth-producing resources. I knew that I would make my honourable friend (Hon. Mr. Nicholls) smile.

Neither do I enjoy making comparisons showing the great advantages of another country over Canada; but it is undeniable that our country—which is, after all, composed of but a narrow fringe of successfully inhabitable country, averaging, I think, not over seventy-five miles in depth from coast to coast, this fact making our transportation problem a most difficult and expensive one—borders on perhaps the richest country in the world in its great variety and wealth of natural resources, its geographical construction, and its variety of climate, giving it enormous advantages over Canada. Without troubling the House to enumerate the very numerous natural resources of the United States, I will just here mention three products of that country of very considerable volume which Canada cannot at all successfully produce. Taking, first, cotton, which Canada cannot grow, the value of the product last year was over a billion dollars—almost as much as the entire agricultural production of Canada. Then, taking corn, which we cannot grow at all successfully except in two counties of Canada, last year's production amounted to $2,295,000,000, almost equal to the entire agricultural and industrial production of Canada in the same year. Another product, namely, the hog; the value of that product in the United States last year was one billion dollars. While we do produce to a limited extent the bacon hog, fed on clover and peas, we cannot produce the hog grown in the United States, because we do not grow the corn necessary for feed, and because our climatic conditions do not make it possible. These are a few of the many articles which we cannot produce in this country and which are successfully produced in the United States. In fact, I personally do not know of one product which Canada can produce as cheaply as the United States except possibly pulp and cement.

I want now to review briefly, if I may, the development of the North American continent from the beginning, but more particularly since say the middle of the last century. Canada and the United States started together. The United States is spoken of as being older than Canada, but it is not one day older than Canada.

That country's development has been enormous. Canada's has not been relative, and there must be a reason for the very great disparity in this respect. Some claim that immigrants went more willingly to the United States because that country was supposedly a freer country than Canada. That may be true, but I do not think it is the case at all. There are others who claim that, prior to the days of railways, the rivers of the United States, rising in the interior of the most valuable portion of that country and running to the south, and being open winter as well as summer, offered greater advantages than existed in Canada, where our rivers are frozen over from five to six months each year. There may be something in this contention, but it is by no means the main reason. The more rapid development of that country is due to climatic and geographical conditions and the natural general advantage which that country has over Canada in the variety and richness of its resources.

Prior to the Reciprocity Treaty, which was in effect for ten years and was abrogated in 1866, Canada had a struggling existence; so much so that many of the young men growing up in Canada emigrated to the United States and helped largely in the development of that country. At the same time there was great unrest in Canada and a very strong feeling in favour of annexation.

With the advent of reciprocity and the consequent improved condition in Canada the annexation feeling disappeared. With the abrogation of that treaty, however, our large borrowing began for the construction of the Intercolonial railway, and soon after it was completed the construction of the Canadian Pacific railway began. This large expenditure of money necessarily created artificial development, and for a period after the completion of that road stagnation again was manifest—so much so that in 1895 the road which my honourable friend (Hon. Mr. Lynch-Staunton) lauded to the skies yesterday suffered very serious difficulty, and I think it very doubtful if that road would have a successful existence to-day but for the advent of one man to the administration of the affairs of Canada, namely, the Hon. Clifford Sifton, who certainly was one of the strongest administrators of the Interior Department, if not indeed the very strongest, that Canada has ever had. The enormous development which Canada made from 1896 to 1914 was due, to the largest possible extent, to his very strong and vigorous immigration policy. During that period the influx of settlers to Canada, particularly to the western provinces, was unprecedentedly large—so large as to cause an abnormal development of everything in Canada, industrial and otherwise. But, while that period had its beneficial results, there was also created a condition from which, from my standpoint, Canada suffers very seriously to-day, namely, the demand, and the unceasing demand, for the construction of railways. In fact, I think it may be well said that for a very considerable period of time Canada was drunk with her supposed prosperity. I do not blame the Government of that day or the present Government, specially, for what I consider the overbuilding of railways far beyond the present necessities or the immediate prospective necessities of Canada, because, as I have already said, the people of Canada were drunk with supposed prosperity and did not believe that railways could be built fast enough to keep up with the growing development of the country, and its transportation requirements. To my mind, the response on the part of the Governments of Canada to the demands of the people in this respect is the cause of one of the greatest difficulties which Canada now encounters, and which she will have to contend with in the future. Just think of the effect upon a country with a small population such as Canada had, not exceeding say seven millions, of borrowing for many years at the rate of $300,000,000 a year. Add to this the large amount of money brought in annually by the great influx of population from 1896 to 1914, the expenditure of which in the country caused an enormous amount of artificial development and, under our system of protection, created manufacturing and industrial activity far beyond the requirements of Canada, and which could not and would not have existed but for that unnatural expenditure. It was a period in Canada when an unthinking populace believed that at last Canada had come to her own and that thereafter her development was to be equal to that of the United States.

With the large cessation of railway building in 1913 a period of adjustment became apparent, and in 1914 it grew more manifest, becoming very acute with the declaration of war in August of that year. The general belief was that Canada was in for a period of depression for at least the length of the war and perhaps for a considerable period afterwards. It was not then realized that Canada would have from Great Britain

and other countries a great demand for munition requirements and abnormal prices for its agricultural and other products. Under these conditions Canada is enjoying what some people, and a good many people, call prosperity. But from my standpoint it is really the most serious artificial period which Canada has ever experienced. With the stoppage of the abnormal demand when peace is declared, we shall certainly reach a period of serious readjustment, and I am not at all surprised that my honourable friend (Hon. Mr. Nicholls) is greatly interested in what may be done to offset, so far as may be possible, these conditions; hence his proposed resolution. With him I am strongly desirous of doing everything that can be done to that end, but I am, perhaps, not as sanguine as he is as to the good results which may be accomplished. I am sure he agrees with me that with the stoppage of the war there will be an immediate crisis, which will continue for the period of readjustment and until the natural channels of commerce consequent on the return of peace are restored. I am sure that he also agrees with me that no one now living can tell just what the ramifications of trade and commerce will be, or the extent thereof, during the period of restoration. It is very difficult, indeed, to say to-day what demand there will be for Canadian products during that period. If there is a fair demand for what Canada can supply we may enjoy some prosperity; but that sooner or later not only Canada but the whole industrial and commercial world will suffer a long period of depression and distress because of the present terrible war I have no doubt. The difficulties that I apprehend in so far as Canada is concerned are that our farmers, who are our basic wealth producers, will have serious competition from the cheap production in cereals of Russia and other countries, naturally lessening the home demand, and the great difficulty which we shall suffer, for the reasons that I have already given, in so far as the exporting of our manufactured goods is concerned. Our public indebtedness, Dominion, provincial, municipal, and otherwise, for our small population, is very large, our interest liability being to-day in the neighbourhood of $500,000 a day, or say about $180,000,000 a year, which debt and liability will, of course, be enormously increased by the war. And I think that it will be at once conceded on all sides that hereafter for several years it will be impossible for Canada to borrow to any appreciable extent abroad. She will have to exist on the production of her natural resources, and, if she cannot export manufactured goods to any appreciable extent, as I have already stated I believe she cannot, then her manufacturing must be limited to such requirements as the production of her natural resources necessitates. Under these conditions, I am frank to say that I fear the results for many of our industries, which have been built up, as I have already described, under artificial conditions.

I think it will be admitted on all sides that the greatest saving condition would be a considerable and continued influx of desirable immigrants, and there are those who to-day are happy in the belief that such will occur; but I am frank to say that I cannot see how it is possible. It is my opinion that for a term of years the demand for labour of all kinds, in France, Belgium, Serbia, Poland, and the other devastated countries, will be far greater than it possibly can be in Canada. If my premises are correct, how can it be argued otherwise than that Canada has before her as difficult, if not a more difficult, problem to solve than any of the countries engaged in the present war?

Now, honourable gentlemen, if you will carefully observe the figures which I shall give you, I think you will see the great difficulty under which the wealth-producers of Canada have laboured and are labouring at the present time. The total value of our agricultural products in the year 1913 was $808,000,000; in 1914, $889,000,000. In 1915 there was a large increase, owing to enhanced values consequent upon the war, the total value in that year being $1,019,000,000; and in 1916 it was $1,081,000,000. The values of our fisheries during the same years were as follows: in 1913, $33,389,000; in 1914, $33,207,000; in 1915, $31,264,000; in 1916, $35,800,000. The whole mineral production in 1913 was $145,000,000; in 1914, $128,000,000; in 1915, $137,000,000, and in 1916, $177,000,000. This production includes coal, brick, clay, cement—in fact, everything that is taken out of the earth. The great increase in 1916 was of course consequent upon the war. I have not the figures of the total value of our forest production for 1916; but in 1912 it was $121,000,000; in 1913, $111,000,000; in 1914, $106,000,000; and in 1915, $102,000,000. These figures do not include firewood, valued annually at about $50,000,000.

The point which I desire to make is this, that the money value of the products I have named, which are those of our natural resources, is exceeded by that of our man-

ufactured products. I have not the figures of our manufactured products for all the corresponding years; but in 1911 their total value was $1,165,000,000, and in 1915 $1,400,000,000. As I have not the figures of our manufactured goods for 1916, we shall have to take the year 1915 to make the comparison. In that year the value of our agricultural, mining, fishing and lumber products amounted to $1,290,000,000, while that of our manufactured products was $1,400,000,000, or $110,000,000 more than the value of what I claim is the source of Canada's wealth production. Now, honourable gentlemen, to me this is a most extraordinary and terrible condition of things. What does it show? It shows exactly what I have described, namely, that the artificial conditions which existed during that considerable period of borrowing abroad created in Canada a large development of manufacturing and commercial business which cannot exist after the unfortunate war is over.

Hon. Mr. NICHOLLS: May I ask the honourable gentleman if he is aware of the fact that in the United States to-day 70 per cent of the population is urban, and 30 per cent agricultural—in other words, that 30,000,000 people are feeding 70,000,000, and that, if the population goes on increasing at the same rate, in a little more than a decade they will have to come to Canada, with her surplus products, to get food? If we develop our boundless areas at the same rate as we have done in the past—

Hon. Mr. EDWARDS: The honourable gentleman is making my argument. In a few moments I will show that the United States is in very much the same position as Canada. The manufacturing development of Canada is far in excess of our requirements, and we cannot export, as I will show later. I ask my honourable friend, what are we going to do with our manufactured products? Who is going to buy them? These artificial conditions have created exactly the situation which my honourable friend has shown, namely, that this country, which is primarily an agricultural country, has severed the people from the land and centralized the population in the large cities—a condition which this country cannot maintain.

The United States is in a better position than Canada with regard to exportation, because they can produce much more cheaply than we can. Canada cannot export manufactured goods to any appreciable extent. This is a very serious question, and I invite honourable gentlemen to study it. I will give you some figures with relation to the exports of Canada which are astounding. In 1912 Canada exported to the value of $290,000,000. Of this amount $264,000,000 consisted of farm products and $25,000,000 of manufactured goods. In 1913 our exports were worth $355,000,000. Of these exports $324,000,000 were the products of the farm, and they include paper and pulp, amounting to five or ten millions a year, while the value of manufactured goods exported was only $30,000,000. In 1914 we exported products worth $431,000,000, $394,000,000 being the products of our natural resources and only $37,000,000 manufactured goods. In 1915 the effect of the munition orders began to appear, and of our exports, valued at $408,000,000, $348,000,000 were the products of the farm and $59,000,000 were manufactured goods, which included a considerable quantity of war munitions. In 1916 we exported $734,000,000 worth of materials, of which $524,000,000 was the products of the farm and $210,000,000 manufactured goods. Every one must agree that that is an unnatural condition, and one which cannot continue.

My purpose is to show, and I think I have shown very clearly, that the industrial system of Canada is thoroughly and completely out of joint, and that the restoration of equilibrium will necessitate a tremendous shake-up in the industrial life of Canada. While I support my honourable friend (Hon Mr. Nicholls) and will do everything I can to help him and his committee, it is candidly my opinion that, with all deference to the committees and commissions which have been appointed, two able and independent commissions should be appointed, namely: one to inquire into and determine how many of the several thousand miles of railway which Canada has built and which Canada does not now require, and, I think, never will require, should be abandoned and consequently cease to be a charge on Canada for maintenance; and the other to examine into the possibilities and cost of production in Canada relative to other countries, the cost of transportation in Canada relative to other countries—in fact, the whole situation in so far as Canada is concerned as a producing and exporting country. If this is done, I think the conclusion which I have announced in this House will be reached, namely, that it is absolutely impossible for Canada to be a protective coun-

try and at the same time a country exporting manufactured goods. I think it will be found that, with the exception of the two products which I have named, pulp and cement, there is not a single article which can be produced or manufactured as cheaply in Canada as in the United States. I think it will be found, further, that the best means, in so far as manufacturing is concerned, for making it possible for us in Canada to compete, or nearly compete, is by the development of our water-powers; but, as I have already stated, this enormously valuable asset must rest in abeyance just so long as our tariff conditions are what they are; and in the best interests of Canada everything should be done that can legitimately be done to promote the development and production of our natural resources. It occurs to me that if the same energy were put forth for the improvement of our agricultural conditions, it would be much more profitable than an attempt to develop the production and exportation of manufactured goods under the unfortunate conditions that exist. I think it would be found that under improved conditions the area that we are now cultivating might be made to produce twenty, thirty, even forty per cent more per annum than is now done; and nothing should be permitted to exist in Canada which acts as an embargo, upon the farmer, the lumberman, the miner, and the fisherman.

Honourable gentlemen, I am not going to detain this House much longer. I repeat that a great misconception has existed as to the possibilities of Canada. But there are two incidents which, in my humble opinion, may be the outcome of this unfortunate war, and if they occur they will be highly beneficial, not only to Canada but to the whole world, namely, prohibition and disarmament. I am not speaking of prohibition in any moral sense, but purely from the economic standpoint. If prohibition and disarmament result from this terrible war, it will be, after all, a cheap war for Canada and the world. A great many people who do not study economics believe that the existence of militarism in Europe creates an increased demand for our products. Such is not the case. If the men engaged in armies and armaments were engaged in useful production instead of work for destruction, the purchasing power of the countries involved would be enormously enhanced, and our trade with those countries would be far greater than it is to-day.

Hon. Mr. EDWARDS.

Finally, honourable gentlemen, rest assured that it is by no means my desire to belittle Canada. It is the country of my birth, the country in which I have lived, in which all my interests are, the country which above all others I desire to see prosper. My object is not to belittle Canada, but to arouse the people of Canada to a study of the natural conditions of their country—its advantages and possibilities, but also its disabilities. Far too much has been said about our wonderful advantages, without, on the part of those making the statements, any study whatever as to our general conditions. When I make the statement, as I have often done, that Canada is but the Scotland of America, I do not belittle Canada, because if Canada produces the history and the men that Scotland has produced she will prove herself to be, after all, one of the greatest countries in the world, small as she is. But the difference between Scotland and Canada is this: Scotland is not shut off by artificial conditions from the rest of Great Britain, but enjoys free intercourse for all her products, with all the advantages that accrue therefrom, while Canada is shut off from the rest of the North American continent by artificial barriers which are destructive of her very best interests.

I have previously made the statement that prior to the Reciprocity Treaty, which went into force in 1854 and was abrogated in 1866, great unrest prevailed in Canada, and annexation to the United States was strongly advocated. The artificial conditions under which we have lived since that period have, as I have said, caused Canadians to believe that nothing but prosperity is before us. Honourable gentlemen, I ask you to examine the situation, and I ask how, under the conditions in which we must now live for many years to come, dependent upon the production of our natural resources, it will be possible for Canada to prosper without not only reciprocity in natural products but absolutely unrestricted reciprocity between Canada and the United States. If this does not come about, I am much afraid that you will hear again the cry which none of us desire to hear, namely, that of annexation to the United States. While I am a strong believer in reciprocity, I as a Canadian absolutely disbelieve in any such thing as annexation. It is true that from that great country we draw our inspiration in everything but government; but our system of constitutional government is one that all Canadians prize, and that I for one do not

want to see ever disappear from Canada. But it is not natural, it never was intended by the Almighty, that this portion of the North American continent should be shut off from that portion of the continent to the south of us; and, so far as our trade is concerned, in my humble opinion nothing but unrestricted reciprocity will save Canada from two things, namely, the destruction of our best interests and the loss of our national independence.

Honourable gentlemen, I have done. I thank you very much for listening to me. I was prepared to say a great deal more, but I will not detain you further at this time.

On motion of Hon. Mr. McCall, the debate was adjourned.

PRIVATE BILLS.

THIRD READINGS.

Bill 48, an Act respecting The British Columbia and White River Railway Company.—Hon. Mr. Bostock.

Bill M 2, an Act to incorporate The Manitoba and Ontario Railway Company, the title to be the English Valley and Hudson Bay Railway Company.—Hon. Mr. Smith.

Bill Q, an Act respecting The Vancouver Life Insurance Company.—Hon. Mr. Bostock.

SECOND READING.

Bill P 2, an Act to incorporate The North American Accident Insurance Company.—Hon. Mr. Nicholls.

Hon. Mr. NICHOLLS: I am advised that this Bill has been brought in at the suggestion of the Insurance Department, which is co-operating in obtaining the incorporation of the company.

DIVORCE BILLS.

THIRD READING.

Bill O 2, an Act for the relief of Rozilla Lamb.—Hon. Mr. Robertson.

SECOND READING.

Bill R 2, An Act for the relief of John N. Salter.—Hon. Mr. Pope.

The Senate adjourned until Monday, July 9, at eight o'clock in the evening.

THE SENATE.

Monday, July 9, 1917.

The Senate met at Eight o'clock, p.m., the Speaker in the Chair.

Prayers and routine proceedings.

ALLEGED ENLISTMENT OF MINOR.

INQUIRY.

Hon. H. J. CLORAN inquired:

Has the attention of the military authorities been directed to the alleged action of Recruiting Officer Roy Anderson in recruiting Gordon St. Armand, of 398 Nepean Street, Ottawa, a boy 16 years of age, and if so, will the authorities discharge him and return him to his parents?

He said: I desire to relieve the honourable leader of the Government of the necessity of answering this question. The question has already been answered de facto by the minor, Gordon St. Armand, having been returned to his home. In asking permission to withdraw this question, I may state that the recruiting officer who was supposed to be implicated in what I call the kidnapping of a child and sending him to Petawawa military camp without the knowledge or consent of his parents has disclaimed all responsibility, and has written me an official letter, enclosing a certificate from the boy. He states that all he did in this matter was to fill out the attestation papers when the boy came into the recruiting office, and then to hand them over to the Military Medical Board; that apart from this he had nothing to do with the matter. This puts a new complexion upon the conduct of the recruiting base here in Ottawa, and I think it is only fair to the officer to have his statement put on record. It is a plain and unvarnished statement of facts, and I would ask that it be placed on the records of this House, just as were the accusations made against him three weeks ago, when the matter was first brought up. The statement says—I am not quoting it verbatim, but am speaking from memory—that the boy entered the recruiting office and Sergeant Anderson took his name and his alleged age of 18. Thereupon the sergeant filled out the attestation papers. When that was done he handed the boy over to the Medical Board, who found him fit for overseas service. According to what the officer says, the Medical Board took no steps to ascertain the boy's age, and took no trouble to ascertain that this minor was suffering from nervous and mental shock,

which he incurred two years ago in what was almost a fatal automobile accident, an automobile running over him. The Medical Board is therefore responsible for the disappearance of this child for some days without the knowledge or consent of his parents.

My work in this case has been accomplished. This child has been returned to his broken-hearted parents. That was a work of charity, which I have done. I do not know the boy, have never seen him, but I know the parents are glad to have him back. Now, the next point is this, that the Medical Board neither established his age nor investigated his physical or mental condition. I will have no quarrel with that board. I have nothing to do with them. Let the proper authorities look after them.

An act of justice has been done to the family, and I wish now to rectify an act of injustice done to the recruiting officer. The document which I am placing on the record ought to be taken as the word of an honest and faithful soldier of the King. I have nothing to add to it; it explains all the facts. The lesson to be drawn from all this, honourable gentlemen, is that our recruiting officers, and especially our military medical authorities, should be absolutely certain before putting men through as fit to go to the front. They should make no attempt to put into the firing line boys under age, or men who are of age but physically unfit. God knows, the soldiers at the front who are physically fit have enough to do to look after themselves; but in a drive, in a march, or in a trench it takes four of them to carry each man who is physically unfit. There are positions in which men unfit for the firing line can render invaluable service, as I stated in one of my questions, which statement I notice has been omitted. They can render service as orderlies, stretcher-bearers, cooks, kitchen men, and so on, but they ought not to be declared fit for active service on the firing line. The letter from Sergeant Anderson reads as follows:

Petawawa Camp, Ont., July 5, 1917.

From Sergeant Roy Anderson, 72nd (Queen's) Battery, C.F.A., C.E.F.

To Senator Cloran,

House of Commons, Ottawa, Ont.

Dear Sir,—In the Senate Chamber, Thursday, June 21st, you gave notice that on Wednesday you would inquire of the Government certain questions regarding the enlistment of Gordon St. Armand in the 72nd (Queen's) Battery, C.F.A., C.E.F. In your notice you stated that Roy Anderson, recruiting for the 72nd (Queen's) Battery, enticed this boy to enlist, and compared the enlisting of this boy with the Cruger girl case in New York.

I am taking the liberty to inform you of the true facts of the case. I think you will find upon investigation that this case has been wrongly stated to you. The writer of this is the person who is accused of enticing this boy into the army, and I would be greatly obliged if you could see your way clear to investigate this matter more fully, and I am quite confident that after considering the evidence at hand you will be convinced that an injustice has been done me. The facts of the case are as follows:

"Gordon St. Armand came into the Base Recruiting Office, where I was recruiting for the 72nd (Queen's) Battery, and expressed a desire to join this unit. I filled out his attestation papers and had him examined by the Medical Board. This Medical Board passed him as physically fit for overseas service. He left the following day for Petawawa to report to the Officer Commanding. He gave his age as 18 years of age, and, as I was not in a position to judge whether he was or not, never having seen the boy before, it was then the place of the Medical Board to discover whether he was of age or not. Previous to the boy coming into the office I had never seen him and had never approached him in any way with regard to enlisting. The father came in a few days later and explained to me that the boy was under age, and, as I was leaving shortly for Petawawa, I asked him to furnish me with a birth certificate to that effect. This he did, and upon arrival at Headquarters here I submitted this certificate to the Officer Commanding thus fulfilling my promise to the boy's father. The matter then, of course, rested with the military authorities."

I am enclosing herewith certificate signed by the boy, in which he bears out my statement.

Trusting that you will have the kindness to look into this matter and satisfy yourself that I did nothing wrong. It is of vital importance to me, as this has gained considerable circulation in Ottawa, which is my home town.

I have the honour to be, sir,

Your obedient servant,

(Signed) Roy Anderson, Sergeant,
72nd (Queen's) Battery, C.F.A., C.E.F.

To whom it may concern:

This is to certify that I, Gordon St. Armand, enlisted in the 72nd (Queen's) Battery, C.F.A., C.E.F., of my own free will, and that Sergeant Roy Anderson did not, at any time, entice me to enlist in this unit.

(Signed) Gordon St. Armand.

Petawawa Camp, Ont., June 29, 1917.

Hon. Mr. POWER: The question is dropped.

Hon. Mr. CLORAN: Well, the question is answered by the letter.

RECRUITS REJECTED, DISCHARGED, OR DESERTED.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. How many officers and men of the Canadian Expeditionary Force have been classed as unfit for military service?

2. Have the military authorities given consideration to the possibility of utilizing the services of these men in a secondary capacity?

3. Do those who have been classed as unfit continue to draw military pay?

4. How many have deserted from the various units between 1st October, 1914, and 1st June, 1917?

5. How many have been discharged from the various units since 1st October, 1914?

Hon. Sir JAMES LOUGHEED: I would ask my honourable friend to change this inquiry into a motion for a return. It will require considerable research, and under the circumstances it will be necessary to put the answers in the form of a return.

Hon. Mr. CLORAN: I have no objection whatever to accepting the suggestion of the leader of the Government.

Hon. Mr. POWER: That is a very important question.

Hon. Mr. CLORAN: I know the question is important, and I feel that the honourable leader of the Government is unable to answer immediately; but, if I accept his suggestion and move for an order for these papers, we may get them when the war is over. I desire to have the information before the conscription debate begins in this honourable House, as it is quite essential to that debate. It is not a matter of curiosity or inquisitiveness on my part, but these are questions relating to facts upon which the people of the country are entitled to receive the earliest possible information.

Hon. Sir JAMES LOUGHEED: We will get it as early as possible.

Hon. Mr. CLORAN: I mean within two or three days.

Hon. Sir JAMES LOUGHEED: Well, I will not promise that.

Hon. Mr. CLORAN: For when would you promise it, then?

Hon. Sir JAMES LOUGHEED: All I can say to my honourable friend is that I shall ask the Militia Department to prepare this information as quickly as possible. Honourable gentlemen will observe that the inquiry calls for very widespread information and will probably involve the preparation of a voluminous document. It certainly cannot be dealt with by way of a question.

Hon. Mr. CLORAN: All these facts and figures should be collated in the department now. The department ought to be able to furnish them immediately. How many have deserted? That information is on record in the department, or, if it is not on record in the department, then the department is at fault; and the people want to know if the department is at fault. Then, I ask another question. How many men have volunteered since the beginning of the war and been rejected? These figures are collated and on record. There are 450,000 on the pay-roll of the Militia Department to-day, not counting the officials in the department at Ottawa, or at Montreal, or at other centres. Of that we are absolutely certain; we are paying for them. I am informed also that 125,000 good Canadians volunteered their services to the Empire, but were refused. Why? Because they were physically unfit. The 450,000 and the 125,000 make a total of 575,000. Then, how many Canadian citizens have gone overseas as reservists and have joined the armies of the Allies—Russians, Italians, Poles, Serbians, French and English? These figures must be on file in the department. Why not give the official figures to the country? It would not take two hours to do it. Those are the facts and figures I want. They are on file, or if they are not on file, then the Militia Department is more rotten, more decrepit, and more inefficient than we ever thought—that is all I have to say. I will let the question stand until the Government returns the figures.

The inquiry was allowed to stand.

CANADIAN EXPEDITIONARY FORCE

ALLEGED DISAPPEARANCE OF MEN.

Hon. L. G. POWER arose to call attention to the mysterious disappearance of more than sixty thousand members of the Canadian Expeditionary Force and to ask the leader of the Government whether or not it is the intention of the Government to cause diligent search to be made for the missing men before putting the proposed Conscription Act into operation.

He said: When I gave notice of this motion I was under the impression that it was thoroughly well founded; but upon further inquiry I find that perhaps to a certain extent I have been under a misapprehension. I did think it would be rather interesting to go into some historical comparisons between this case and some other famous cases; but, inasmuch as the foundation upon which I proposed to erect my structure has been to a very consider-

able extent undermined, I shall ask the House to allow me to drop this motion. In order that the House may not be in entire ignorance of the reasons for what I have done, I shall read a few lines from a statement made by the Minister of Militia on the 6th of this month, as follows:

A question has been raised by the hon. member for Edmonton (Mr. Oliver), and also by other honourable gentlemen, as to the discrepancy between the number of enlistments in Canada and the number of men who have gone overseas and the number of men who are still in Canada. There is a discrepancy. Up to the 31st of May, 1917, 64,552 of these men can be accounted for, which would leave 10,910, with respect to whom an investigation is being made.

I do not propose to quote the rest of the minister's remarks, but shall quote just one short paragraph:

They were discharged for various reasons; some men are not fit to become soldiers owing to mental and other reasons. Up to that date some 33,867 men, after they had enlisted, were found to be medically unfit.

I think that is a matter which calls for attention. The minister then says that there are some 13,000 deserters and some 10,000 odd men who cannot be accounted for. I do not think the discrepancy has been accounted for in the most satisfactory way; but in a sense it has been accounted for; therefore, with the permission of the House, I ask that this motion be dropped.

The motion was dropped.

APPROPRIATION BILL—$40,172,951.33.

FIRST READING.

Bill 108, an Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1918.—Hon. Sir James Lougheed.

PRIVATE BILL.

FIRST READING.

Bill 32, an Act to incorporate the Cascade Scenic Railway Company.—Hon. Mr. Watson.

PRIVATE BILL.

THIRD READING.

Bill R2, an Act for the relief of John N. Salter.—Hon. Mr. Pope.

COMPANIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill Q2, an Act to amend the Companies Act.

Hon. Mr. POWER.

He said: Honourable gentlemen will doubtless recall that during the present session the honourable the senior member for Halifax (Hon. Mr. Power) introduced a Bill to amend the Companies Act, which in due course was sent to the Committee on Banking and Commerce. To some extent that Bill was in harmony with the views held by the Under-Secretary of State as to amendments that should be made to the present Act. However, after consideration by the committee, and after hearing the Under-Secretary of State, it was suggested that a Bill that would meet the views of the Government should be brought down and should practically supersede the one introduced by my honourable friend from Halifax. I think this Bill to a very large extent met his views, and consequently it has been prepared at the instance of the Government. It received its first reading before the last adjournment of the Senate, and I am now moving the second reading with a view to having it sent to the Committee on Banking and Commerce for consideration; and, with the two Bills before it, that committee may determine what is most desirable to do with either or both of them. The probability is that the committee will report upon the desirability of the first Bill being withdrawn, and the adoption of the measure which I now hold in my hand. I do not think it is necessary to explain it, as my honourable friend upon the second reading of his Bill explained the main changes which were being made in the Act. I may say, however, that this Bill embodies provision for the incorporation of patriotic societies, and their control and regulation by the Government, so as to dispense with the necessity of such organizations making application to Parliament for special legislation.

Hon. Mr. BOSTOCK: The honourable the leader of the Government has not given us any precise reasons for this Bill. I thought that he would probably have explained more fully what the objects of the Bill really are. I have not had very much time to look through this Bill, but apparently a great many clauses are being added to the Companies Act, and a number of questions are being dealt with which will require very careful consideration in committee. As I read the Bill it cuts many clauses out of the present Act and introduces a number which are practically taken from the British Companies Act. I notice a clause adopted from the British Companies

Act with regard to prospectuses; but the British Act has a clause dealing with a company which does not issue a prospectus at all. As far as I understand it, there is no provision of that kind in this Bill, and it looks to me as if a company by omitting to issue a prospectus could take itself out of the jurisdiction of this Act. I just mention this point in order to direct the attention of the Committee on Banking and Commerce to it when the Bill comes before them. There are several other matters dealt with in the Bill, but I do not purpose taking up the time of the House now in dealing with them. We shall probably have opportunity to discuss them before the Banking and Commerce Committee.

Hon. Mr. DANDURAND: Does the Bill cover substantially the proposed amendments which were distributed to the members of the committee?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. POWER: This Bill is substantially the one which I had the honour of introducing with the amendments and changes before the committee. The truth is that the Bill was not in any sense my own; I introduced it to oblige the honourable gentleman from Rothesay (Hon. Lieut.-Colonel Domville), who was going away. I am very glad to have been the humble instrument in setting at work the machinery which is going to produce a Bill which I think will be particularly useful, and which I think has been needed for very many years.

The motion was agreed to, and the Bill was read the second time.

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

THE SENATE.

Tuesday, July 10, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

AMES-HOLDEN COMPANY BOOT CONTRACT.

INQUIRY.

Hon. Mr. WATSON inquired of the Government:

1. Has any contract been given to the Ames-Holden Company for the supplying of boots to the Government since the first of August, 1914?

2. If so, what are the dates of the contracts and the total amount in each case?

3. How much money has been paid to the Ames-Holden Company?

4. On what dates has it been paid, and how much has been paid on each occasion?

Hon. Sir JAMES LOUGHEED: Will my honourable friend permit this to be changed to an order for a return instead of an inquiry? The information he asks for is of a rather voluminous character.

Hon. Mr. WATSON: All right.

The inquiry was agreed to as an order for a return.

RELIGIOUS DENOMINATIONS OF OVERSEAS FORCES.

INQUIRY.

On the notice being called:

By the Honourable Mr. Farrell:

Inquiry of the Government:

1. Has a record been kept of the religious preferences of the men enlisted for overseas service?

2. If such a record has been kept has it been tabulated?

3. And if so, what are the numbers given of each denomination?

4. Have the numbers been published or given to the press or to any person?

Hon. Sir JAMES LOUGHEED: In the absence of the honourable gentleman from Liverpool (Hon. Mr. Farrell), I would ask the House to permit the same thing to be done in this case. The information asked for will be better given in the form of a return. If the House consents I will have a return brought down.

Hon. Mr. CLORAN: I would like to know if this is going to be the permanent policy of the Government, that when a member asks for information he cannot get it without an order for a return. This Parliament has only a few months to live—I hope it will live no longer anyhow—and the Government is now coming down at the tail end of its parliamentary existence with the suggestion that all questions be put in the form of motions for returns. That, I understand, was quite acceptable at the beginning of the Parliament, but it is not now, when the Government is in extremis, when it is dying for want of bread. I do not think it is fair to the country, and I protest against this policy.

Hon. Mr. POWERS: Stand.

Hon. Mr. CLORAN: The question stands.

Hon. Sir JAMES LOUGHEED: I may say to honourable gentlemen that I do not propose answering this question as an in-

quiry, and if the honourable gentleman who asks the question is not satisfied to move for a return, the question will not be answered as an inquiry.

Hon. Mr. CLORAN: On what grounds?

Hon. Sir JAMES LOUGHEED: My honourable friend has no right to cross-examine me. If an inquiry is made, I will exercise my judgment as to whether it is to be answered or otherwise.

Hon. Mr. CLORAN: Then we shall know where the Government stands. Kaiserism is coming in.

Hon. Sir JAMES LOUGHEED: It may be needed to some extent.

Hon. Mr. CLORAN: The invasion of the country has commenced.

Hon. Mr. BOSTOCK: I suggest to my honourable friend that, as the honourable gentleman who put this motion on the Order Paper is not here, it might be allowed to stand.

Hon. Sir JAMES LOUGHEED: I do not object to that, but it seems to me that in his interest the information should be brought down.

Some Hon. SENATORS: Stand.

Hon. Mr. POWER: With the understanding that when the honourable gentleman returns he can change the notice without coming before the House.

Hon. Sir JAMES LOUGHEED: Certainly.

The inquiry stands.

RECRUITS REJECTED, DISCHARGED, OR DESERTED.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. How many officers and men of the Canadian Expeditionary Force have been classed as unfit for military service?
2. Have the Military Authorities given consideration to the possibility of utilizing the services of these men in a secondary capacity?
3. Do those who have been classed as unfit continue to draw military pay?
4. How many have deserted from the various units between 1st October, 1914, and 1st June, 1917?
5. How many have been discharged from the various units since 1st October, 1914?

He said: I gave the Government two days.

Hon. Sir JAMES LOUGHEED: If my honourable friend does not agree to change this to an order for a return, I do not propose to answer the question.

Hon. Mr. CLORAN: Then the question will remain on the Order Paper until Parliament expires.

Hon. Sir JAMES LOUGHEED: You will not get the information then.

Hon. Mr. CLORAN: I will not get it anyway. The question will stand. If the Government is going to take Parliament by the throat, it must suffer the consequences.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: There is no disorder in that.

The inquiry stands.

AN EXHIBITION TRAIN IN FRANCE.

MOTION.

Hon. C. P. BEAUBIEN rose to move the following resolution:

That this House urge upon the Government the desirability of forthwith preparing and carrying out at the first propitious moment the project of advertising Canadian products in France by means of an exhibition train of sample goods, for the purpose of obtaining for the producer, the manufacturer, and the wage earner of this country a larger share of the French market, more especially at the cessation of hostilities, when Canadian trade and industry will be in greater need of stimulation and will be more likely to obtain it through the enormous and pressing needs created in France by the war.

He said: Honourable gentlemen, in rising to propose this motion I want to make a very earnest appeal for your patience and forbearance. If I have an excuse for addressing you at any length, it is my deep conviction that the subject which I am bringing to your attention is of the greatest importance to the country at large. In the month of April of last year Sir George Foster announced to the House of Commons his determination of creating a Trade Commission with the object of going to Great Britain, to France, and to Italy to inquire as to the possibility of increasing the trade of Canada with those countries after the war. The minister requested me to accompany the commission to France and I did so. I know that the privilege extended to me on that occasion was due to the fact that I belonged to the Senate of Canada, and I thought that perhaps honourable gentlemen of this House would not find it amiss if I submitted to them the experience which I gathered on the way and the conclusion to which I came.

I would like, honourable gentlemen, briefly to state what kind of a reception was given in France to the representatives of Canada. Although you are all aware that France is par excellence the land of generosity, I know you would have been deeply moved by the warm welcome extended to the Canadian commissioners by the population of France, not only in the large cities, but even in the country and in the little by-passes in the mountains. In the populous centres thousands gathered to greet them. This was not at all due to the personality of the gentlemen who composed the commission, although I can say, not being a member of the commission myself, that they were competent and able business men. No, it was not that; it was the fact that Canada was represented in the persons of these gentlemen.

I well remember one day, Sir, in the Jurah, when climbing the mountains, we arrived at a place where, from a little house—a mere log-house here—an old man —for there are none but old men left back of the trenches in France—came down with two little children and threw flowers at us, shouting: "Vive le Canada!" That very day at a banquet a member of the commission expressed, I think, very nicely and very accurately, the sentiments implied in that heartfelt welcome from the mountain folk. He said: "Gentlemen, we from Canada know perfectly that these flowers were not intended for us, but that the hand which threw them to the representatives of Canada really meant that they should be laid on the tombs of the Canadian soldiers who have given up their lives for the common cause and will forever sleep in the soil of France."

Let me tell you of another incident which indicates still more clearly the profound gratitude that now exists, and will for a very long time live in France for Canada. We were received at Evian les Bains, one of the great thermal stations of France. Mr. Barillot, a very remarkable and delightful Frenchman, who is at the head of this enormous thermal institution, received the Canadians, as they were welcomed everywhere throughout France, in a princely manner. Really the hearts and arms of the French people were wide open to your representatives. A telegram expressing appreciation and gratitude for such kind hospitality was sent to Mr. Barillot; it quoted Bornier's old verse: "that every man of heart has two countries, his own and France." Mr. Barillot flashed back his answer in the following words: "If it is true that every man of heart has two countries, his own and France, henceforth let it be known that every Canadian has two homes, his own and mine." I wondered how far that sentiment, so admirably expressed, would be applied. A few months after my return I met a Canadian who had just arrived from Bordeaux. There he had met a compatriot, Captain Jean Descarries, a physician attached to the Laval Hospital. Captain Descarries and two others were inspecting the different hospitals in France to obtain the best and most modern ideas for the establishment and organization of their own military hospital. Captain Descarries recounted a visit these three officers made to Evian and their experience in Mr. Barillot's magnificent Royal Hotel. They had been in the hotel barely a quarter of an hour when Mr. Barillot called upon them, assured himself that they were from Canada, and immediately caused the best rooms to be placed at their disposal, in this, perhaps the best and most expensive hotel in France. For three days they were treated like right royal princes, and then, growing anxious lest their bills might become longer than their purses, they determined to leave, much to their regret, and asked for their accounts. The answer to their query came from Mr. Barillot; it was: "Every Canadian has two homes, his own and mine."

The Canadian mission were received everywhere in France with a kindness and cordiality beyond all expression. This reception came not only from the President of the republic, the ministers of the French Government, the generals and high officers, the senators and members of Parliament, but also from the numerous cities visited by the commission, the Chambers of Commerce, the important industrial establishments, and the population itself. The commissioners were particularly the guests of the two big railways of France, the Paris-Lyon-Méditerrannée, and the Paris-Orleans, which provided with the greatest solicitude for their transportation and comfort through most of the French territory outside of the war zone and the invaded area. To all these statesmen, cities, and to these corporations, Chambers of Commerce, great companies and their heads and directors, to these eminent men, and, in fact, to the nation of France, the people of Canada should be deeply indebted. Above all, they should be grateful to the ever active, farsighted and patriotic member of the French Parliament, Mr. Maurice D'Amour, who conceived the idea of a Canadian trade mission,

who admirably prepared the itinerary of the mission in France, and devoted himself so generously to its success. If there existed a time when better economic relations could be established between Canada and France, that time is the present one. Throughout the journey of the commission through France the tenor of the speeches was the same: "Henceforth," the French people said, "we shall receive no goods either from Germany or Austria; when the war is over and we shall piously remove the bodies of our dead heroes from the battlefields to our little churchyard cemeteries, do you think we shall consent to barter with our barbarian enemies? Never! We shall have nothing in common with them. And you Canadians, who have come forward so generously to our help and have given us soldiers unsurpassed in the world, tell us, will you replace on the empty shelves of our stores the rejected goods of Germany and Austria? Will you, in turn, accept our merchandise in lieu of the enemy's products? Will you do it? Will you shake hands over it?" We said we would, and I came back to Canada with the conviction that words like those on such an occasion meant something: they implied an earnest endeavour to fulfil this patriotic purpose, and since my return from France I have striven and shall continue to strive to bring that result about.

I am aware that the words I have quoted were prompted by a sentiment burning fiercely in the soul of France, but I believe that sentiment will henceforth play a large part in the business of the world as well as in its international relations. After all, is not commerce based on confidence? And can we have confidence in the people whom we have fought since the beginning of the war? Are you willing to make them rich and powerful? That is what trade with them will accomplish. If they become rich and powerful, how are they going to use their power and wealth? If you want to know what the history of the future may be, read the history of the past; it is fresh, and it is written in letters of blood.

So much for the question of sentiment. Now, what is the business aspect? I ask for your indulgence as a layman in matters of business; yet there are some things so apparent that the eyes cannot but see them. France exports manufactured articles not one of which, I think, comes into competition with our own. Canada exports mostly raw products, which, of course, come very little, if at all, into competition with the productions of France. Can we not find means of bartering together? Strange as it may seem, honourable gentlemen, we were prior to the war exporting to France, with her population very little under that of Great Britain, less than two per cent of what we exported to Great Britain. We exported to Great Britain in 1914, in normal times, $211,000,000, and to France barely $3,800,000, though the populations of the two countries are about the same. Why? Why had we not a larger and fairer share of the French market? The reason can be stated in a few words: because our goods are not known in France. Honourable gentlemen, that may seem to you astonishing, but it is absolutely true.

I am glad to say that I received this very morning the report of the Canadian Trade Commission. I did not expect it, but it came in good time to support what I am about to affirm. A few days ago I stated that our wheat and our oats were practically unknown in France, as was also our lumber. No one, it seemed to me, should be unaware that in our beautiful fields we raise the best wheat in the world; but that is the case in France. No one should be unaware that we produce 300,000,000 bushels of oats a year, but that is the case in France. It seemed to me that no man could think of Canada without her beautiful forests, from which we export $40,000,000 worth of lumber a year. It seems passing strange that the people of France should not at any rate know of our beautiful pine of Eastern Canada, or of the British Columbia pine or fir; but they do not. In France I have seen with my own eyes near Bordeaux a sign stating: "We sell North American lumber." North American lumber! And just as the Frenchman who buys a large quantity of wheat will send scores of buyers all over the world, but will only now and then ask his agent in the United States to make an occasional visit to Canada, so the man in France who deals in lumber will never ask for Canadian lumber, but for Scandinavian lumber, or American lumber, etc. The French merchant, prior to the war, hardly knew that we had wheat, or oats, or lumber. If you will bear with me for a few moments I will read from the report of the Canadian Trade Commission in order to sustain my contention in this respect. I am quoting from page 81:

> To-day France is ready and glad to buy wheat from Canada. Unusually large shipments have been made, due principally to the

war and to the fact that ocean freight rates from other countries have been increased. These imports have given France an opportunity to see the very fine qualities produced in our country. French purchasers have been satisfied with our wheat, and have come to regard Canadian Government inspection as the best possible guarantee of high grade grain. Dominion inspected wheat has commanded higher prices than that which has been inspected at sea-board. . . .

In all the countries visited the Commission heard warm commendation of Canadian flour. This leads to the conclusion that if French millers could be induced to take advantage of the popularity now secured for our grain, and specialize on Canadian wheat, and advertise the product in a distinctive way, great gain would result.

As to the oats, the report says:

With the exception of oats, France's imports from Canada of other grains than wheat are relatively small. In oats Canada has an opportunity, as the quality of oats received from other countries has not been good. French buyers are ceasing to buy as once many of them did—irrespective of the weight per bushel. Canada's fine qualities of oats should have a good reception, as weight for weight they have greater food value than our oats.

As to timber, I will quote simply one paragraph from the same report:

Our exportation has been carried on almost exclusively through England. On the English market our British Columbia wood is robbed of its national character. It is lost in the midst of the products of other countries and is sent to France under names that in no way indicate its origin. At times even dealers sell it as wood from "the North." Our forest products have an undeniable value, and it is essential that their value be known in France and attributed to Canada, in order that our merchants and the countries at large may reap the benefit.

In order to secure a place in the French market, Canadian producers must first of all make Canadian products known. To attain this end, there is but one practical and efficacious way, namely, to show them to possible purchasers. Printed matter, advertisements and lectures by commercial agents will never convince the French people of the value of our merchandise. They must see it, feel it and be convinced for themselves.

This report goes on to say that very little effort in this respect has been made by Canadian timber merchants in past years, while, on the other hand, German traders and English agents have gone into the market, have measured the wood according to the French metric system, have put in prices in French specie, and have given the weight of lumber exactly as is done in France.

Now, honourable gentlemen, just one word as to the different products which it seems we could sell in large quantities in France.

Our pulpwood is unknown there. When touring through the Isère, at Grenoble, the president of the Chamber of Commerce in his speech said to us: "Gentlemen, do you know, we are manufacturing every year 200,000 tons of paper which prior to the war was entirely made from German or Austrian or Scandinavian pulp? We hear for the first time that you can export pulp to us. Will you send it over to us in large quantities? We will have no more German or Austrian pulp." France imports yearly 512,000 tons of pulp, and until lately we did not export one pound of pulp to France. Can we not use that opportunity? Oh, I know there are difficulties: I know that I shall be told: "There is great difficulty in transportation; mechanical pulp contains a great deal of water, for which freight must be paid: it is hard for us to compete." It is true; I am perfectly willing to admit that; but, tell me, can you extend your trade over the world without an effort? You cannot do it. But this difficulty has been met. In the province of Quebec we have the Chicoutimi Pulp Company, of which Mr. Dubuc is the president and manager. He has had the spirit to cope with and the ability to solve this difficulty, and his company now exports to France annually 40,000 tons, consigned to Mr. Jean Dupuis, proprietor of one of the most important publications in France, Le Petit Parisien, and to Mr. Jean Darblay, one of the largest manufacturers of paper in the world. Apart from that, I understand that 50,000 tons of pulp a year are being exported from Chicoutimi to England. What has been done by Mr. Dubuc can be done by others. Why not?

As to apples, France imports 110,000 barrels a year. Do you think they get any from Canada? Not at all. They get them from Germany, from Austria, from Italy, from Spain, from Belgium. Is there a better apple in the world than the McIntosh Red, or the Fameuse? I do not believe there is; I have not heard of any. There may be other varieties of Canadian apples of equally good quality, but I know of no country in the world that can compete with Canada in apples. You will perhaps tell me that there are difficulties. Yes, there are difficulties, I know; but, mind you, we shall have to face those difficulties, whether we wish to do so or not, when this war is over. We shall have to face competition from other nations, unless we want to be hemmed in within the borders of our own country; and if we have to face those difficulties and solve them, why not set to work now? As for apples, an attempt was made last year—during the war. The province of Quebec exported a certain quantity of apples, McIntosh Red and Fameuse, and

sold them on the Parisian market, I understand, with a fair measure of success for a first attempt.

We can develop a large trade in canned meats. In 1913 France imported 42,000 metric quintals of canned meats. A metric quintal is 220 pounds. That is a fairly large amount. From Canada in 1913 not one pound was imported into France. In 1914, $29,000 worth were imported; in 1915, $633,000 worth. Our canned meats have, by force of necessity, been introduced and advertised, and are now being used extensively in France. Why not keep a hold on the advantages that the war has given us in that respect?

Our fish exports have increased largely. Of canned salmon we exported, in 1913, 594,000 pounds; in 1916, 3,905,000 pounds. Our fisheries also are a great source upon which we can draw. Why not make an effort? Let us advertise our goods in France and see that the market which adverse circumstances have opened is kept by us.

There is also in France a large demand for boneless fish, cured fish, and smoked fish —a market of which, I believe, we have not at all availed ourselves of to the present time.

As to minerals, I could not help smiling when I heard that every pound of asbestos imported into France came from Germany. "Why," I said to the French people, "do you know that 85 per cent of the world's total production of asbestos comes from my own province, the province of Quebec? Eighty-five per cent of the total production of the world! And not a pound do you get from us! How is it? And, do you know, we have ascertained that the Germans came here and bought practically all the asbestos that we had for export—corralled, so to speak, the whole amount exported, and then retailed it to France, Italy, and other countries of Europe.

As to nickel, it is the same sad story. It was not known in France, prior to the war, that 85 per cent of the total production of the world came from Canada; and, except what they obtained from their own colonies, the French people imported all their nickel from Germany, who in turn bought it from us.

Of other metals and minerals, we have antimony, magnesium, magnesite, of which we have a very high grade in Canada, and of which France also imports large quantities from Greece, Hungary, and India. We have mica, which we can but do not export. We have tungsten and cobalt, for which there are very large outlets in France.

Hon. Mr. BEAUBIEN.

But, honourable gentlemen, those are the ordinary advantages which the French market offered in times of peace. Are there others? There are opportunities created by the war, and these are great indeed. You are all aware that the Treaty of Frankfort, made as a consequence of the defeat of France in 1870, gave Germany the benefit of the lowest rate of duty on all imports into France. This, coupled with the enormous indemnity France had to pay to Germany, gave Germany a tremendous advantage in the French market, which she has used very largely and very profitably. After the war, this treaty, thank goodness, will be abrogated. After the war, German goods and Austrian goods, and the goods of other enemy countries, will be missing from the shelves of France. Those shelves will be empty and must be refilled. There will be the reconstruction of an enormous area of French territory. As I said to this honourable House a few days ago, at least 3,500 municipalities will have to be completely raised and must be completely rebuilt, equipped, and furnished. There is another opportunity, an immense opportunity, which we shall have: it is the replacement of every pound of rail and of every piece of machinery in France, which is running now, and has been running since the beginning of the war, twenty-four hours in the day. That has all to go to the scrap-heap; nothing of it will be left; and France, with all her territory re-conquered, cannot at the best furnish more than 20 per cent of her new and pressing requirements. Where will she get the rest? I am well aware that we in Canada, with our small population, labour under certain disadvantages — disadvantages which have been laid bare to us with almost cruel frankness by the honourable member from Ottawa (Hon. Mr. Edwards). I know that we cannot expect to have the largest share of that market; but it is not necessary that we should. Let us have our fair share of it, and it will keep the wheels of industry going at the very time when it will be most necessary for every man in this country—not only the man with capital invested in large industries or manufactories. That man has my sympathy, but my sympathy goes out particularly to the workingman who has nothing to draw upon, and who will, when the glad bells of peace are ringing, hear the command to drop his tools and walk out. That man must find work, and if we do not find him work that is profitable for the country, we shall have to find work

for him just the same. Honourable gentlemen, that man is not going to die of hunger. He will not allow this Government or any other government to permit conditions under which he would die of hunger. We must find work for him, and, if we do not find constructive work, we shall have to find work that will cost the country an enormous amount of money and return nothing. But in order to get that work we must prepare now. Later will be too late.

I have here a quotation from the report made by the American Trade Commission. The Americans are wide-awake, and, as you know, are very keen and quick to seize opportunity as it goes by. They follow the old Roman adage that opportunity has hair in front, but is completely bald behind, and if you do not grasp it when it comes, your effort is useless when it has passed. Well, as soon as the Canadian Trade Commission set foot in France, an American Trade Commission was organized, and on the very day that your representatives sailed for their own country France received a very large and important group of highly-qualified industrial and commercial gentlemen representing the Stars and Stripes, who followed practically in our footsteps in every portion of France visited by us.

The report of that American Trade Commission states clearly what the needs of France will be after the war. I will read from it but one short extract:

According to the statement of Mr. Ringelmann, who has been the head of the Experimental Department of Farm Machinery for twenty years, about 17,200 tractors, 125,000 ploughs, 10,000 threshers, and a large number of harrows, cultivators, and other implements will be needed immediately upon the conclusion of the war, and more later. Under normal conditions France is capable of supplying a large part of her own agricultural implements and machinery, but under war conditions every effort is directed to turning out war supplies, and for some time after the war much will have to be imported.

I would like to quote also from a report made by an old member of this House, the Hon. Philippe Roy, Commissioner General for Canada in France, and I cannot do so without telling you what excellent work he is doing there. The late Government was indeed fortunate in selecting Mr. Roy for the position he occupies. I will give you just one fact to show the value of the man. When the troops of France were retreating towards Paris, and the population was pouring out of the gates of every city, the women and children being carried on little carts with whatever they could save of their furniture, when the poor people of France were fleeing hither and thither, when the streets of Paris were becoming more and more empty every day, when the French Government had to leave, when the representatives of the different foreign countries, including even the British Ambassador, had gone, one man stayed in Paris and took his chance with the Huns. That man was a Canadian. That man was Philippe Roy—I take off my hat to him. Philippe Roy has endeared himself to the hearts of Frenchmen because he has a broad, open mind, a sincere heart, and devotes himself unsparingly to the welfare of his country. The eminent services that Mr. Roy has rendered to Canada will be known later, and I hope will be justly appreciated. This is what Mr. Roy said in his report to the Department of Trade and Commerce for the year 1916:

The remarkable development of Canadian exports to France as shown by the report of Trade and Navigation Return of the Customs Department for the fiscal year ending March 31st, 1915, in spite of the steady rise in freight rates and scarcity of transportation facilities, clearly shows the trade possibilities between the two countries. It is true, quite a proportion of the Canadian exports to France is due to the effects of war conditions upon the industrial activity and general productive power of France, but it appears likely that for several years following the end of hostilities, excellent opportunities will offer for the export of such Canadian staples as lumber, cereals, flour, frozen meat, cattle, hams, canned goods, and other foodstuffs, cotton goods, and various special iron and steel products.

He goes on to say that during the year 1915 a great many orders had been given to the large metallurgical corporations. Indeed, we all know, for instance, that a large number of steel cars have been ordered from Canada and have been furnished by our Canadian companies. Then he refers to inquiries that have been made:

Many inquiries have reached the office during the year with regard to steel rails, structural iron and steel, sheets, tubes, and other metallurgical products. When the enemy is driven out of the invaded regions of France and Belgium, it seems likely that the representatives of Canadian manufacturers, who are on the ground keeping in touch with the trade, will have excellent chances of securing good business for their principals. An ever increasing number of inquiries were received from fresh sources during the year bearing on such articles as news-print, wood pulp, paper, wrapping paper, mineral products, tin, nickel, lead, zinc, asbestos, mica, copper and brass, and products of same, chemicals, canned and dried meat extracts, tallow, fats, dried vegetables, butter, cheese, flax, hay, straw, rubber goods, woolens, leather, belting and leather goods, agricultural implements, machine tools, electrical and steam machinery, electrical household appliances, enamelled tin, and ironware.

And these inquiries have continued generally in the year 1916, and have perhaps even increased.

I have heard some people say: "Opportunities certainly existed prior to the war, and these opportunities have been largely increased by the war, but will it be prudent for us to deal with France after the war? What about her financial responsibility? Is France not bled white in money as well as in blood?" Honourable gentlemen, an American exporter is a pretty shrewd man; he will not take the same chances in exportation that an Englishman will. The report made by the American Trade Commission shows clearly that the American exporter is extremely conservative. He will export only certain lines. Preferably he establishes manufactories—for instance, that of agricultural implements—in the country where the exportation seems profitable to him. What do these shrewd men of business think of the credit of France after the war? This is what the above report says:

> We believe there are few countries in which it is safer to grant credit, or make advances, or make loans, than France, in spite of the war and all that the war has meant. The French are an exceedingly rich and thrifty nation, careful in money matters, and little given to the speculative activity that prevails in our own country. Their practices, often so different from ours, are different because of their greater conservation, their greater thrift, and their hesitation in taking unusual risks. In spite of savings banks and the great national investments in foreign loans, the French people as a whole still hoard large sums of money.

Another objection made to me is this: Supposing we do trade with France, supposing we find there an opening for our goods, supposing her credit is good, and we can take a chance, what about return freights? No two countries can trade together unless there is exportation on both sides. Well, honourable gentlemen, I know that the goods we import from France are expensive goods and are not bulky, whereas the goods that we shall export to France are not expensive and are bulky, and I am fully aware that the hulls that will start out full may return without being completely loaded. There are two possible answers to this question. One is the answer made by the Americans, and the Atlantic is no wider for us than it is for them, and the hulls that will come back to us will be no emptier than those that will come back to them. What did the American Trade Commission find? They found a great many articles which the United States could import from France. This is what they say:

> The present prohibitive freight rates on American coal are due not only to lack of ships, but also to the fact that it is difficult to obtain suitable return freight from France; for French exports consist principally of fine goods of high value and small bulk. It was suggested that perhaps the following building materials and ores might supply the return freight needed:
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> Alpha.—(Not to be confused with alfalfa). This is a low growing palm-like plant, which is found in Algiers in large quatities. It is convertible into pulp suitable for the manufacture of the highest quality of paper. The material can be had the whole year around. The annual production is now about 117,000 tons, most of which goes to England. A great deal more could be secured for American consumption, and the matter is well worthy of further study. Shipment is made via the port of Oran, and the cost is 70f. per ton—f.o.b. Oran. The freight from Oran to England was quoted at 12s per ton, but under present conditions, freight are subject to great fluctuation.
>
> Bauxite.—This is an aluminum ore, named after Les Beaux. It is found in the department of Bouches-du-Rhône, which produced (1912) 6,500 tons per year; in l'Héreault, 46,000 tons per year; in Var, 203,000 per year—a total of 255,500 tons. Large quatities could be mined in Southern France.
>
> Pyrite.—From Algiers.
>
> Tiles.—For roof, floor, and wall covering. The supply would be considerable, the availability depending upon freight and tariff conditions.
>
> Bricks.—The remarks as to tiles apply.
>
> Marble.—Since the outbreak of the war it has been found, however, that practically every marble heretofore imported by the United States can be duplicated by American quarries.
>
> Roofing Slate.—Dependent upon freight and tariff conditions.
>
> Caen and other Building Stone.—It is asserted, however, that a building material, almost identical, can be obtained from Texas more cheaply than this material could be imported.
>
> It is not impossible that, as available shipping becomes greater and correspondingly cheaper, it may become profitable to ship American coal to France, even in the absence of bulky return freight, as long as the war lasts, and perhaps afterwards.

I may add that the Minister of Commerce in France, M. Clementel, when the objection as to return freights was put to him, simply answered: "If we have not got the return freights required, we can always give a subsidy." In these words I find the second answer to this last objection.

Now, honourable gentlemen, I think I can claim to have shown, at all events in some slight degree, that it is well worth inquiring into the desirability of extending our trade with France. How can we do it? Again I repeat, by making our goods known. I will quote from the Canadian Gazette, published in London, on May 17, 1917:

Why Not a Canadian Fair?

What we should like to see would be an exhibition in London of Canadian products, manufactured as well as natural. The exhibition might afterwards be sent in turn to France, Italy and Russia. Of course, the question of transport would stand in the way of such an exhibition at present. But the preliminaries might be got through now, so that directly transportation becomes possible the fair could be held. The Export Association of Canada might be entrusted with the organization and all preliminary arrangements made forthwith. British buyers need a practical demonstration of what Canada can produce. No doubt buyers on the continent are equally ignorant of Canadian goods. How can we expect foreign buyers to give orders to Canadian manufacturers if they do not know what to order?

Therefore, honourable gentlemen, we must make our goods known in France. Well, at present especially, that is rather a difficult problem. With the desire of contributing, even in a very slight degree, to the solution of this difficulty and thereby of giving a practical result to the work of the Canadian Trade Commission. I made bold to submit to the French Government a plan for the purpose of advertising our goods in France, and French goods in Canada. I realize that it is useless to attempt to establish ordinary exhibitions in France. The difficulty in procuring materials, labour, and the large amount of money required—all that and much more—would render such a proposition impracticable. I know that; but it seems to me that a means of advertising these goods in a striking and economical manner should be found, and could be found. It occurred to me that two trains of sample goods might be equipped, one with Canadian goods to circulate in France, and the other with French goods to circulate in Canada. This project was submitted to and gracefully received by Mr. Clementel and later accepted by the French Government.

It seemed to me that the second step lay in obtaining the co-operation of the French railways. Well did I know the difficulties under which they were labouring; well did I know that the objection would be raised: "We are doing all we can; we can do nothing more." The four great railways of France were approached and were asked not only whether they would approve of the project, but whether they would contribute to it generously. After all, honourable gentlemen, every article that comes from France to Canada or goes from Canada to France, before yielding a profit to the manufacturer, pays freight and therefore a profit to the railway company transporting it. The railway companies get profit on the goods whether coming or going. It was shown to the railway companies that, if the manufacturers of France and Canada could make an effort to send their goods outside of their country in order to obtain one profit, surely the railway companies could make an effort to obtain profit on both the outgoing and the incoming article. The railway companies, I am glad to say, acquiesced immediately, and generously agreed to give free transportation to the proposed Canadian sample train. La Compagnie Générale Transatlantique has, with equal if not greater liberality, agreed to give free transportation to the Canadian as well as to the French samples, both going and returning. I cannot but refer to the very eminent and patriotic men who direct these large transportation companies, and more especially to the Minister of Trade and Commerce, Mr. Clémentel. Their clear vision and prompt action have moved me with admiration, and their kind reception with deep gratitude.

After being approved by the French Government, the railways, and the French liners, the project has been endorsed by practically all the Chambers of Commerce of France, and by l'Association d'Expansion Economique, which is composed of the presidents of all the Chambers of Commerce of France, and also by the very important association called France-Amérique, having at its head, as you know, M. Hanotaux, an ex-minister and a writer of world-wide renown.

The papers of France, of which I will give you rapidly a list, have written articles commenting favourably on the project: le Phare de la Loire, la Dépêche Dauphinoise, la Paris-Télégramme, le Petit Courrier, le Petit Bleu, la Liberté, le Journal de Rouen, le Mémorial d'Aix, le Soir de Paris, le Droit du Peuple, le Radio, le Vigie Marocaine, and la France.

The project has also been approved here, not only by a very large number of influential business men, but also by the railway companies, who have gladly agreed to give free transportation. I may say that it has the sympathetic support of the Minister of Trade and Commerce. On the 7th of February last Sir George Foster expressed himself as follows in the House of Commons:

My own view was that this was an excellent idea, one that would be very beneficial if it could be carried out. But there was then, as there still is, some doubt in my mind as to whether this is the opportune time. . . . The question arises in my mind, and it sticks there yet, as to whether it will be possible

under these conditions for the French people to favour the taking away from necessary transport of any portion of the effective power of the railway system. That I think must be settled first of all; and I am now in communication with Senator Beaubien, who, I know, has had this matter brought to his attention, to know whether or not he considers it possible that it can be done now, or whether it would be better at a more favourable and opportune time. That is where the matter stands. I have great sympathy with the idea, and would like to see it carried out at the most opportune time, when we are best assured of good results.

As a result of this pronouncement of the Minister of Trade and Commerce, a despatch was sent to the Hon. Philippe Roy, who communicated with M. Clémentel, the Minister of Trade and Commerce in France. The answer from M. Clémentel was this: "Prepare immediately your samples and send them to Bordeaux, and at the first propitious time these samples will be taken all through France."

In Hansard of the same date, February 7, honourable gentlemen who are interested in consulting it will find sympathetic remarks by the Hon. Mr. Lemieux on this project.

Now, honourable gentlemen, I will conclude by quoting an opinion expressed by the Canadian Manufacturers Association. I think very few bodies are better qualified to express an opinion on this subject. The Canadian Manufacturers Association is composed of industrial interests from all parts of Canada, east and west, of all sorts and conditions. They have given this matter a great deal of attention. Delegations from Toronto and Montreal have at different times met the Minister of Trade and Commerce and the Prime Minister, and strongly advocated the carrying out of this project. They have expressed their view in an illuminating memorandum, from which I will, with your kind permission, read a few extracts. This memorandum was prepared by Mr. Murray, the secretary of the association, and whatever may be the value of the project itself, the reading of these extracts will show clearly the great value of the man who wrote them:

Under the circumstances, I have thought it well to lay our views before you in writing, partly because I fear that my hurried verbal explanations failed to do our proposition justice, and partly because I am anxious that your colleagues should all understand clearly just what it is we recommend and why we recommend it.

First and foremost, we are impressed with the desirability of making this project a truly national advertisement, one that will do Canada credit and of which Canadians can be proud. Our military achievements in France have given the French people a very high opinion of us, have caused them to look upon us as a nation of great determination and resourcefulness. They have had proof of the fact that we excel in the arts of war; they are prepared to believe that we may be equally proficient in the arts of peace. The eagerness of their Government and of their great railway corporations to further the objects of our proposed exhibit in every possible way is a clear indication that they expect it will be an event of international importance, and that they are looking forward with pleasure to being participants in an undertaking that will inaugurate an era of closer trade relationships.

In the face of such a situation, to do anything less than our best would be ungracious and unwise,—ungracious because it would be a poor compliment to a warm-hearted but sensitive host, and unwise because it would be neglecting an opportunity for trade promotion such as may never be offered to us again.

Just in this connection I am prompted to offer the opinion that when the war of destruction is over and the war of construction begins, when the organized forces of the great nations focus their attention on the problem of economic recovery, there will be nothing but defeat for the smaller nation that places its reliance purely on defensive operations. Competition will force a pace that will leave no middle ground between success and failure. Success will be the reward of the nations that wage well planned and determined offensives; failure will be the fate of those that neglect to do so. Canada will issue from the struggle triumphant only according as she organizes for national team-work and shows aggressiveness and resourcefulness in profiting by her opportunities.

Recognizing as I am sure you do the obligations of your Government to the wage earners of this country, and to the soldiers who will return to us, all of whom may be called upon to face dark days unless vigorous efforts are put forth to ensure their welfare, I know you will be desirous of aiding every legitimate endeavour that promises to be a means of providing remunerative employment.

We look upon the proposal to put a Canadian exhibition on tour through France, and afterwards perhaps through other countries, as a form of national advertising from which splendid results for our working people may be expected, providing it is carried out at the proper time and in the proper manner. . . .

Without elaborating our proposition in greater detail, I think I have said enough to make it clear that an exhibition carried out on these lines would be of immensely more value to Canada from the standpoint of results, than one carried out on the more modest lines we first discussed.

I may say here, honourable gentlemen, that the first proposition was to send to France an exhibit of those products only which were sure to sell in France. The Canadian Manufacturers Association have thought it wise to enlarge it, making it a true miniature representation of all that Canada can produce—raw materials as well as manufactured goods. The memorandum continues:

It cannot be done cheaply, but we believe it can be done at a price that will look small when measured alongside the trade it will ultimately bring. There are a number of firms in Canada to-day that are spending upwards of $100,000 a year in advertising their products to the consumers of this Country. If they have demonstrated that such an expense for advertising can be justified by the results it brings them, surely it should not be out of the question for us as a nation to spend a similar amount in promoting trade with a country that is already bound to us by the ties of common sacrifice, and that will shortly be in the market for enormous quantities of goods of a kind we can supply her. Canada has more than once spent an equal, if not a larger amount on exhibition which did not hold out nearly as much hope of direct results, and at times, too, when she did not need the results as badly as she will need them when this war is over.

Honourable gentlemen, the method proposed is new in France. On this continent it has been tried with good results; but in France, apart from the sympathy that naturally goes out to Canada, there will be in favour of this project the great attraction of novelty. Let me tell you one thing, honourable gentlemen—that when this train, preceded by the Canadian flag, goes through every city in France, large or small, and when the crowds, by thousands and hundreds of thousands, gather to look at it, the eyes of the world, now riveted on France, will be focussed on that train. Hundreds of papers published in France, and circulating the world over, will tell the universe what Canada can produce and export, and how Canadian samples are received in France. I really believe that this is par excellence the occasion to advertise our goods in France, and I sincerely hope that, with the help—let me say the great help—and the sympathy and support of this honourable House, the Government will see its way clear to carry this project into effect; and, if it is done, it is my opinion, and the opinion of eminent business men who have examined the project, not one of whom has been unfavourable to it, that its results will be immensely profitable and will come at a time when we shall most require them. Why could we not specialize now in certain products that will be absolutely required by France after the war, and why could we not now prepare our numerous industries, at present engaged in the making of shells and other war materials, so that when peace comes we may have the wheels of industry going and may keep the wolf from the door of the workingmen, who, in times of peace as well as in times of war, have the right to turn not merely to the Government but to the Parliament of this country for the protection of their interests?

Hon. JOHN S. McLENNAN: I have much pleasure, honourable gentlemen, in seconding this motion; but I think the House will feel that there is no necessity for me to add anything to the eloquent and thorough statement which our honourable colleague has just made. It covers the ground perfectly. It has been expressed with extraordinary clearness, and, I think, embodies and recommends to the attention of this House and that of the Government a project which is concrete, which is practicable, and which will produce good results.

Hon. FREDERIC NICHOLLS: Honourable gentlemen, I have listened with a great deal of pleasure and interest to the eloquent and instructive address of the honourable gentleman for Montarville (Hon. Mr. Beaubien). I may say that I am heartily in accord with his suggestion; but it has occurred to me that possibly the mere exhibition train might not accomplish all the results that are expected unless incidental matters were dealt with concurrently; I mean such questions as those dealing with banking and credits and also providing for proper sales representatives. The honourable gentleman has, in a manner, stolen a good deal of my thunder; but he has spoken with so much eloquence—greater eloquence than I could hope to emulate—that I am sure his remarks will be remembered when the debate on my motion continues. I am heartily in accord with this proposition, and probably it would be wise to let it go to the Government as a separate motion. At the same time, I am convinced that such an effort would not be effective, or as effective as it would otherwise be, unless it were accompanied by such other efforts as would make the commercial enterprise a success. I would leave the question whether or not it should go before the Government as a separate motion entirely to the honourable gentleman from Montarville, because I think the project itself is a most excellent one. Personally, as a business man, I feel that the matter must be dealt with ultimately in conjunction with other matters of equal importance, in the way of credit and banking arrangements.

Hon. RAOUL DANDURAND: Honourable gentlemen, I suggested last year that the Government should send to Europe

commercial agents to survey the ground and report. The Government, which was pressed on all sides, acted wisely in sending the commission which the honourable gentleman has mentioned. That commission was composed of business men of note, and we have to-day their report, which is quite interesting. I read the report hurriedly in order to see if there were not in it some things which would not be supported by this body of gentlemen, but I found that they were all of my own way of thinking.

One conclusion which they have come to is that Canada should advertise its goods. I am glad that it fell to the lot of an honourable member of this House to accompany them as the mouthpiece of Canada, being able to express his thoughts in both English and French, and to come back and lay before this country a practical scheme for carrying out what this body of business men suggested, but without outlining the method. I draw the attention of honourable gentlemen to the fact that the often-decried profession called "the Bar" has been able to produce one member of that commission who has brought back a very practical method of advertising Canadian goods in France. For the last fifty years we as a country have advertised our goods by means of exhibitions. Up to 1900 we did so in a very humble way. We subscribed money to the British Treasury for the right to appear in some of the annexes under the title of British colonies. In 1900 we decided to strike out for ourselves, and in Paris, in front of the Trocadéro, in one of the most important of the international exhibitions that have taken place during the last thirty years, we put up our pavilion and showed our own goods in an autonomous way under our own roof and our own colors. From that date it was decided that we should have a department, I think under the Minister of Agriculture, which would take care of our exhibits throughout the world. It has been my lot to attend half-a-dozen of those exhibitions in Europe since 1900, and I must give praise where it is due. From exhibition to exhibition and from year to year our staff has been able to make a display that has been not only a credit to Canada but an example to the world. There has hardly been an exhibition throughout Europe which I have attended during the last seventeen years in which the name Canada was not on the lips of every tourist and sightseer who attended it. I have seen tourists promenading through the different stores and pavilions in tens of thousands carrying in their hands the literature which announced and described the natural products and the industrial productions of Canada.

What has been the result of our participation in these exhibitions in Europe? I would like very much to have the opinion of men whose business it has been to follow the effects of those exhibitions. My own impression is that Canada has obtained from them a general advertisement as an agricultural country. One must not close his eyes to the fact that 95 per cent of the people in attendance at those exhibitions are tourists and sightseers, and the other 5 per cent are business men who examine the goods of the divers countries to see how they compare with their own goods, and to find out how they can meet the competition. Occasionally there may be purchasers, but it seems to me that all those exhibitions of Canadian goods throughout the world have not done away with the necessity of the manufacturers seeking personal contact with their customers. Manufacturers who have felt the need of invading foreign markets have been obliged to come in more direct contact with the purchasing public. Large corporations have done so by establishing agencies abroad. This is a costly method, and only the few can afford the expense.

The honourable gentleman from Montarville (Hon. Mr. Beaubien) suggests that we now apply in the foreign markets the same methods as govern domestic commerce. We all know that for a number of years manufacturers and wholesalers have sold their goods throughout the land by means of commercial travellers, who carry their samples from town to town, from the Atlantic to the Pacific. The honourable gentleman suggests that the Federal Government intervene and furnish the Canadian manufacturers and producers with an opportunity of bringing their goods direct to the purchaser, from town to town and from village to village, in France. Let the samples be carefully chosen, and let the train contain primarily what we expect the French purchaser will absorb; let every group of articles exhibited be in charge of an agent who will be able to explain it to the French public, and we shall then have brought our goods into direct contact with the purchasers within the four corners of France. It seems to me that if in the domestic market it has been found necessary to bring to the door of the consumer the articles that we produce, it

is a hundred times more important that it should be done in a foreign market, because when we reach the foreigner we must dispel his fears and suspicions.

What are the difficulties to be encountered? They are very numerous. There is, first, the question of language; there is the difference in money; there is the rate of exchange; there is the difference in weights and measures; there is the question of customs duties; and there is the question, which is most important, of the value of the goods for customs entry, that of freight, and insurance. There is the possibility of damage in transit; there is the delivery of the goods, or delay in delivery, the question of payment, and the banking arrangements. All these questions arise in the mind of the would-be purchaser when he is offered an article that comes from a foreign land. These matters have to be adjusted before he will decide to place an order three thousand miles away. The ground can only be broken by that personal contact which will enable the seller to brush aside all these difficulties. As I have said, the individual could go about or send his agents to foreign lands; but we can see what an army of agents this would necessitate if the individual producers in Canada sent agents to France as they are now sent to Winnipeg or British Columbia. The cost would be enormous, and it would be left to the few to exhibit their goods.

It is needless to dilate upon the advantage of extending our trade relations. As my honourable friend has said, there are to-day 300,000 men making munitions who will have to do something else when the war is over; there are 300,000 men coming back. Let us assume that there are half a million men to be provided for when the war ceases. It seems to me that now is the time to obtain new markets abroad, because the needs of Europe are apparent, as well as the needs of an increased industrial production in Canada. In France we have advantages over the United States at the present time. We have obtained through two treaties—the first negotiated in 1893 by Sir Charles Tupper, and the second in 1907 by the Hon. Mr. Fielding and Hon. Mr. Brodeur—a constantly increasing list of things that can be exchanged between the two countries on the minimum tariff list. The enemy powers will be further handicapped because there will be, not only the general tariff, but very likely a surtax, against their goods. I do not express that as a wish, but simply as a state of things which may exist. There will be a great determination on the part of the French people to see that none of their purchases come from the other side of the Rhine. If by helping such a scheme as is now proposed to us the Government opens the way to the Canadian Manufacturers Association to make a proper display in France, I hope that the association will study the list of things which Germany and Austria furnished to France prior to 1914, in order to make the necessary effort to replace those goods with Canadian goods. As my honourable friend has stated, his suggestion is not new in Canada, but it is new in Europe. It will be very successful, and for advertising purposes its effect will extend much beyond the frontiers of France, and I am convinced that we in Canada shall derive considerable benefit from it. On our side, we shall have to make an effort to replace with French goods the things which we used to buy from Germany; I refer, of course, to articles that we do not produce ourselves.

I have on many occasions crossed the Atlantic, from Canada to Liverpool, or from New York to Havre, in the company of Canadian agents who were making their annual trip to Leipzig—sometimes they went two or three times a year—to place orders for German goods. I sincerely hope that these annual trips to Leipzig have ceased for a long time to come, and that our commercial agents who represent the wholesale and departmental houses will look to Lyons and Bordeaux for the filling of their orders. Last year France decided to try to replace the exhibit of samples held in Leipzig by the Foires d'Echantillons—two exhibitions—one held in the spring at Lyons and the other in September at Bordeaux, where our agents will have an opportunity to see samples of all the goods which they otherwise would have to travel all through France to purchase. I find in the report of the Special Trade Commission distributed to us to-day a chapter which speaks of these Lyons and Bordeaux fairs:

The advantages to exhibitors suggested by those having experience are:

(1) The exhibitor is enabled to meet buyers from all over France and from neighbouring countries without having to undergo great travelling expenses and without waste of time.

(2) An excellent opportunity is offered of getting in a short time an insight into the business methods of the people whom the exhibitor meets and he is also enabled to get information about the goods offered by his competitors.

(3) The exhibitor is placed in the favourable position of having the buyer "come to him" instead of having to approach the buyer.

The plan suggested by the resolution on the Order Paper will afford an opportunity of supplementing these fairs by direct visits from town to town and from city to city throughout the whole of France. Much of the trade between France and Canada has been done through commission agents situated in New York and in London. They have taken their commission; it has increased the cost and has been an impediment in the way of a freer exchange. Now we shall have the advantage, if we can succeed in placing our orders in France, of helping to diminish the cost of our own goods by creating a return trade and diminishing the cost of transportation on both sides.

I had some misgivings when this scheme was propounded to me, as to the proper display which could be made of our goods in such a small compass as a freight car. The system to be adopted has been explained to me more in detail. I will not go into it. According to a suggestion made by the representative of the Manufacturers Association, cars should be built specially for the purpose of exhibiting our goods; they should be built of Canadian wood, in our own shops, and the Manufacturers Association suggests that after the train has gone through France, it be made a gift to the French Government. Whether this suggestion be accepted or not, if the train is specially adapted for exhibition purposes, made up with cars having sides which can be opened as the train comes into the station. I have no doubt that a splendid display can be made, to the very great advantage of Canada and Canadian goods, especially when I remember the ability displayed by our exhibition staff, headed by Col. Hutcheson.

In closing, I would suggest that an old idea, which has often been mooted—the idea of opening a sample room in Paris in which to exhibit Canadian goods—should be taken up again, and that these sample goods, after they have been shown all over France, should be placed in a central sample room in Paris for permanent exhibition.

I must congratulate my honourable friend (Hon. Mr. Beaubien) upon his splendid idea of developing the proposed scheme, and upon the activity and energy he has displayed in approaching so many of the public bodies of France, such as the chambers of commerce and the railway companies, in order to obtain their co-operation. Before taking my seat I must join with him in stating that I have had occasion personally to notice the good and patriotic work done by the Hon. Philippe Roy, who, hailing from Edmonton, formerly had a seat in this Chamber, and that we are very fortunate in having chosen him as the representative of Canada in Paris.

Hon. A. B. CROSBY: Honourable gentlemen, I rise, not for the purpose of making a speech on the subject which is before us, for I am not prepared to do that, but for the purpose of congratulating the honourable gentleman who introduced this resolution (Hon. Mr. Beaubien) upon the very eloquent, able, and logical manner in which he has put the proposal before the Senate. With regard to what has been said by the honourable gentleman who has just taken his seat (Hon. Mr. Dandurand) as to exchange, insurance, and other matters of that kind, I desire to say that these are all covered. When our goods go into France we go for exchange to the London market, which governs everything that goes across the Atlantic. That has been the case in the past and will be the case in the future. We are going to seek in France a place which will be held no more by our enemies. After this war there will be no German goods and no Austrian goods in France. The goods must come from somewhere, and we are going to send our goods to France. It is not a new market. It is an old market; but, as has been stated by my honourable friend (Hon. Mr. Beaubien), France had to open her market to Germany, and was dominated by the Germans to a very large extent. I say that condition is ended, and ended permanently, and we may enter that market without any interference from Germany, though we may have to meet competition from the country to the south of us and perhaps from competitors in Europe. We now have the opportunity of our lives, an opportunity more favourable than was ever open to us before. As has been well said by the honourable gentleman who has just taken his seat (Hon. Mr. Dandurand), the Dominion of Canada has tried to make arrangements with France. The late Sir Charles Tupper was, I think, particularly anxious to do so, as was also the late Government, represented by Mr. Fielding and Mr. Brodeur. Everybody knew that France afforded an excellent market in which to do business. As my honourable friend has well said, the French are a people to be trusted, and they were trusted in every part of the world, just as Britain is trusted. The finances of France were never questioned. France was therefore a market which was generally

sought. There is not a man who has been in the export business but was delighted when he was able to do business with France.

My honourable friend from Toronto (Hon. Mr. Nicholls) referred to his own motion. I desire to say a word or two with regard to that, having some interest in matters of foreign trade. That is a motion of great importance, but it is very different from the proposal now before us. We have no opportunity of sending goods to South America, either on the Atlantic or the Pacific coast, and we have never had any opportunity of trading with Africa, either on the eastern or the western coast. It is high time that the Government of Canada, however it may be composed, did something to assist the trade of Canada. The business men of this country are entitled to a great deal of credit. The part that Canada has taken in the present war has been a surprise to the world; but it is still more surprising to the world that the manufacturers of Canada should in a short time, in spite of all the difficulties they had to encounter, succeed so well as they have done without any assistance whatever.

It behooves every honourable gentleman in this House to do all in his power to impress upon the Government the necessity of helping our manufacturers and our exporters to place their goods in foreign markets. Our country is not so rich, nor so great, nor so old as the country to the south of us. But we have the men, the energy, and the pluck; and if our men are given the opportunity and a little assistance, they will do the rest. Let us have this excellent exhibition, which will effectually demonstrate the products of Canada in the old land of France, and then let our manufacturers follow up this effort with their agents, and I am sure, from what they have shown us they have been able to do in the past, that they will make the enterprise a success. As has been so well said by my honourable friend (Hon. Mr. Beaubien) in his eloquent address, you will find that the arms of the French people are open to us. The French people are asking for us. Where outside of France is the French language spoken as much as in Canada? In this country the French language is an official language, and that gives us some claim upon the people of France. But we have made good our claim, beyond the shadow of a doubt, by the fact that we have sent the best of our citizens to stand with them and fight for their land as well as our own. Therefore I say this is an excellent opportunity for us and now is the time for us to say to the Government, "Come forward and give us a helping hand." The Government should help the manufacturer, whom we sometimes treat with very little respect. There are times, honourable gentlemen, when the manufacturer is entitled to some consideration. I feel confident that the proposition which has been brought before us to-day, if handled in the way in which the honourable gentleman (Hon. Mr. Beaubien) has so logically and eloquently set forth, will result in the greatest possible success.

Hon. HEWITT BOSTOCK: I have listened wih a great deal of interest to the speech of my honourable friend from Montarville (Hon. Mr. Beaubien), and I am sure we are very much indebted to him for bringing this matter before the House in so eloquent a manner. The question is one of great interest to the country at the present time, and I feel that no time should be lost in making known to the people of France the products of Canada, as well as making known to the people of Canada what France can produce. My honourable friend referred to the natural resources of Canada as those that appeal to the people of France at the present time. I hope that every opportunity will be taken by the manufacturers to demonstrate to the people of France the natural resources of Canada. Sometimes we think that the manufacturers consider only their own concerns and are inclined to leave out of consideration the other interests of the country; but I am sure that, if an exhibition train is made up in France in the way proposed by my honourable friend, the natural resources of Canada will receive proper consideration.

In considering this motion, I was much interested in looking up the question of the trade that has been done in the past between Canada and France. The figures of that trade for the year 1913, as compared with those for the year 1916, were to me very interesting. I found that for the year 1913 the imports from France for consumption in Canada amounted to some $15,000,000, while the exports from Canada to France amounted to only two and a half millions. Coming to the year 1916, I found that the imports into Canada from France were nearly $6,000,000, while the exports from Canada to France amounted to $36,000,000. It is to be hoped, in the interest of Canada, that we shall be able to keep up our exports to that extent after the war

is over. Of course, we must assume that a large portion of those exports are due to the munitions that are being made in Canada at the present time; therefore it is all the more necessary that we should be advertising to the people of France the goods with which we can supply them, in order that we may, instead of reducing those exports when the war is over, increase their volume as the years go on; and I am sure that all of us hope and expect that we shall be able to buy a great deal more from France after the war is over, to replace the goods which, previous to the war, we had been bringing into this country from other parts of Europe. The tendency of all is, of course, to buy in the cheapest market, and I presume that the questions of treaties of trade and of tariffs will play a very important part when this war is over, and that some arrangement may possibly be made which will have the effect of increasing the trade between these two countries. I congratulate my honourable friend on the way in which he has laid the matter before this Chamber.

Hon. F. L. BEIQUE: I desire to add a word of congratulation to the honourable gentleman (Hon. Mr. Beaubien) on the manner in which he has presented his motion. He has made a very important suggestion, a suggestion which should appeal to the Government and to the country at large, and my object in rising is to entreat the Government not to turn a deaf ear to the appeal of the honourable gentleman. His scheme has been admirably prepared and is strongly supported by the Canadian Manufacturers Association. My only regret is that the honourable gentleman, in referring to the very able letter from Mr. Murray, the secretary, I believe, of the Canadian Manufacturers Association, and which I had the privilege of perusing, has not read more copious extracts from the document, because it is worth being printed in full, it is so well written and supports so ably the scheme of the honourable gentleman.

The idea of an exhibition of this kind should commend itself to the Government, because the present time is very opportune for such a display, owing to the strong sympathy which the French people have for Canada by reason of the generous contribution which this country has made to the Allies, and especially to France, in men and in money. And I should hope that the exhibition would not be confined to France, but would be extended to Switzerland and to Italy; it might, indeed, be extended to England itself. This country would surely derive very great benefit from an exhibition of that kind.

What we want nowadays is to give an object lesson—to bring the product or the commodity to the consumer himself and let him see what he can buy, and on what conditions and with what advantage he can buy it. Advertisements of that kind are much more profitable than advertisements in the newspapers; and, when hundreds of thousands of dollars are spent profitably in newspaper advertising, it seems to me that it is beyond question that advertisement by means of an exhibition, as suggested, would bring a large return to Canada.

All who have had occasion to visit France must have been impressed by the fact that the products of this country are not known although they are sometimes sold. As a rule, they are known as American products. For instance, Cheddar cheese is sold in France as a product of the United States or England. When one travels in France he finds that the people of that country have no idea of the geography of this country. By reason of its wealth and large industries, they think that everything coming from this country comes from the United States. An exhibition of the kind suggested would be the best means of bringing home to the French people the knowledge that the United States is not the only country on this continent, but that Canada is a country with which they could advantageously trade. It would have the effect not only of establishing commercial relations but of encouraging immigration to this country, because of the knowledge they would gain of the resources of this country; and everyone will admit that we shall need immigrants very badly after the war.

For these reasons I hope that the suggestions of the honourable member from Montarville (Hon. Mr. Beaubien) will receive the support of the Government, and that some action will be taken as soon as possible.

Hon. JOHN MILNE: I have listened very carefully to the discussion, and have followed it with a great deal of interest. Conditions in Canada to-day are not what they were some time ago. Conditions in France probably offer some inducements which were not offered before; but Canadian manufacturers have sent goods to France before this and have got no returns. My firm sent an exhibition of scales to Paris probably twenty years ago, and all they received in

return were some medals. We have a great deal of competition in Canada, and I do not think that this is a good time to prepare for foreign trade, because, in the matter of skilled labour, conditions in Canada to-day are very hard to contend with. My firm, I know, has had to take travellers off the road; they cannot possibly make the goods because they are unable to get the necessary labour. I do not think that any manufacturing concern in Canada could compete with European labour at the present time. Pig iron to-day is quoted at $60 a ton. I can remember when I was managing a blast furnace it used to sell for $15 a ton. Wages have tripled in the last six months. We pay $4.50 for labour which, working by the day, does about half what it did before. If a man working by the piece cannot make $6 a day, he will not work at all. At the present time you cannot get labour or material at rates to enable you to compete successfully in the foreign market.

Hon. Mr. DANDURAND: Has not the foreign market shown the same increase in wages?

Hon. Mr. MILNE: Not so much. As I have said before in this House, the international unions control the rates of wages of the United States and Canada, and wages in Canada are as high as they are in the United States. We have to compete with the United States, and we have no markets compared with theirs. We need immigration more than anything else. We have a very sparsely populated country as our market, and the American people have a part of that market. In France we will find the same condition of affairs. Americans will sell goods there in as large quantities as Canadians will. The whole question comes down to price: we all want to buy in the cheapest market. I have listened to the discussion very carefully, but I do not see how we can prepare ourselves to compete in manufactured goods in a foreign market. The question of natural products is an entirely different matter. It takes a lot of money to carry out these things; private capital is necessary. The Government has to have money; it has to take care of soldiers and their dependents, and will require more money all the time. This means that at the present time we cannot take up the question as we shall after the war, when we shall have some chance of getting men to fill up our factories and help to reduce the cost of manufacturing. One honourable gentleman said that the Government should give bounties. The Government can give bounties, as they did in the case of iron smelters. If there had been no bounties given at that time, there would be no smelters in Canada at the present time. We succeeded in getting the capital raised before a wheel was turned, and it was mostly Canadian capital at that; but, if it had not been for the bounties given by Sir John Macdonald at the request of the iron manufacturers of Canada, what would have been the result? It is fortunate that bounties were given to the smelting industry, because if they had not been given it would have been impossible to manufacture shells in Canada at the present time, because steel could not be purchased from the United States for that purpose. When Sir Wilfrid Laurier came into power, Hon. Mr. Fielding, the Minister of Finance, said, "That is all right, but we will cut the duty in two." The duty at that time was $4.80, and he cut it down to $2.40, which is the duty now as against $7 in the United States. The Government said that bounties were all right, but that they would put them on a sliding scale; and after about five years there was no bounty, and $2.40 less duty. In 1913 and 1914 the smelting works could not pay dividends on the preferred stock. It is only since 1915 that they have been able to do so, which shows conclusively that a bounty is all right; but when it is taken off it leaves things in a worse condition than they were in before. At the present time, even if the Government were ever so willing to do so, it will not have the money to pay bounties. When it wants 25 or 50 or 75 per cent of profits in excess of 7 per cent it must have the money. Seven per cent is enough profit at the present time. My honourable friend talked about bounties and spoke of starting dye works and such things, but people who have money and are getting 7 per cent for it are not going to put it into something uncertain. It is better to keep the money where it is. There are many American manufacturers in Canada, and we are glad to have them here; it is owing to the tariff that they are here, because it is cheaper to manufacture here than to manufacture in the United States and pay the duty. I am a manufacturer and know that conditions in the factories at the present time are extraordinary. You cannot get people to work for you, because they can make more money in munition factories than in commercial industries.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, as this resolution suggests the assumption of a certain amount

of responsibility by the Government, I may be permitted to say a word or two as to the relations of the Government to trade transactions and particularly to the extension of trade in foreign markets. Before saying anything on the subject, I desire to congratulate my honourable friend from Montarville (Hon. Mr. Beaubien) on his interesting and excellent and eloquent speech. It is apparent that he has given this matter very careful consideration, and both the House and the country are indebted to him for the information which he has given us, which will, I have no doubt, excite a great deal of public interest, resulting, I hope, in a satisfactory conclusion.

However, there must necessarily be a limitation as to the extent to which the Government, either of this country or of any other country, can participate in promoting trade, particularly with foreign countries. It is regrettable that our trade relations with France do not represent a greater volume than would appear, not only from the blue-books, but from actual fact. The question naturally arises whether trade can be fostered by artificial means to such an extent as to create a volume that would be valuable to any country when brought about by that means. It seems to me that trade must be developed more or less through natural channels. It cannot be developed if there are not the natural factors for its development. I am not advancing this consideration with a view to disparaging in the slightest degree the various steps that are being taken to induce the Government to assist in the promotion of trade; but we in Canada, to a greater extent probably than any other country, have come to rely upon the assistance of the Government in developing, not only our trade industries, but the various public enterprises and undertakings of the nation. A railway cannot be built in Canada without the Government practically building it; scarcely any transportation scheme can be carried to a successful conclusion without the assumption of almost the entire responsibility by the Government. If a pier or a dock has to be constructed the Government has to do it. This, of course, contributes very largely to the development of our trade and all our commercial interests, but at the same time it very largely robs our people of the opportunity of exercising that initiative and that personal energy, effort, and confidence in themselves that they otherwise would exercise. The Governments of Canada—and this is not confined to the present Government—have, I think, to as great an extent as would be justified in the public interest, assisted not only in the development of our resources, but in the expansion of our trade, both domestic and foreign. No means has been neglected of advertising, not only to the people of Canada, not only to the people of this continent, but to the people of Europe and even to the people of Asia the possibilities of Canada, in order to develop our interests and to enlarge our markets. My honourable friend from De Lorimier (Hon. Mr. Dandurand) has pointed out very effectively, I think, the results of the various exhibitions in which Canada has participated for many years, and in which our exhibits have not only upheld the honour of Canada, but in most cases have exceeded those of any other country. I think that foreign countries have to admit that our exhibits, by way of advertising our resources, have been superior to any other exhibits that have participated in these exhibitions.

Even the mission to which my honourable friend (Hon. Mr. Beaubien) has referred, and of which he was a valued member, is another indication of the desire on the part of the Government of Canada to advertise to the people of foreign countries what we are capable of doing. That mission proceeded to France, and I have full confidence that the results of its work will be satisfactory.

There is no question as to the desirability of our developing our markets; but the question arises—and it is a purely economic question, it seems to me—whether we can best develop our markets in this particular way. I do not think there is a people in the world possessing greater energy and enterprise than the people of Canada; but our possibilities are latent until the people become aware of them and are thrown upon their own resources. Let me cite as an illustration of this development in the manufacture of munitions which has taken place since the war began. Immediately prior to the war, if you had asked the manufacturers of Canada whether they could enter upon the gigantic undertakings which they afterwards so successfully assumed, they would have said no; they would have said at once, "We must have the assistance of the Government of Canada in the development of this particular industry." But they were immediately thrown upon their own resources, and there were no people,

either in Europe or in America, who at that crucial time responded better than the manufacturers of Canada in the production of munitions, and to-day it stands to the credit of the enterprise of our people that they had such confidence in their own resources. I mention this simply as illustrating this very important economic fact, that immediately the people are thrown upon their own responsibility, upon their own resources, and recognize that an undertaking must be carried on by themselves, they will do it, and do it more successfully than could all the governments behind them.

We have in Canada the Manufacturers Association, comprising all our great manufacturers, one of the most representative bodies of the country. We have in every city of Canada boards of trade or chambers of commerce, representing the trade interests. Therefore, it seems to me that if there are great possibilities to be attained, such as my honourable friend has pointed out—and I have no doubt of the possibilities, the probabilities, which await proper attention— those organizations can carry out the object in view far more successfully than could be done by the Government itself. There is no more ponderous or cumbersome machinery for the purpose of assisting trade, or assisting private enterprises, than the government of any country. It is made up of so many elements that it is, in my judgment, absolutely ineffective in carrying out the purposes in view; and, if the manufacturers and trade interests of this country rely in all instances upon the Government to carry out the objects which they wish to attain, or to give them the incentive in the first place, and thus relieve them of the necessity of exercising that initiative which they themselves should exercise, I think it will be disastrous to the interests of the country.

I make these few suggestions, not for the purpose of disparaging or minimizing in any way the efforts which are made to induce the Government to identify itself with all these important subjects, but rather with a view to suggesting that it is impossible for the Government in all these matters to give the attention and the assistance which are desired and suggested by trade and commercial bodies. I can assure my honourable friend who has brought up this subject that I shall be only too glad to direct the attention of the Government, not only to the valuable information which he has given us, but also to the interest which has been taken by this Chamber in the recommendation that the Government should assume the measure of responsibility which he has urged, in connection with the proposal which he has so fitly made.

Hon. GEORGE GORDON: I also wish to congratulate the mover of this resolution. Like the rest of the House I feel that he has given us a great deal of information which is very valuable and which we all appreciate. One thing that the honourable gentleman said in the course of his remarks was that the people of France knew very little about the natural resources which this country possesses. He instanced nickel, asbestos, and some other minerals, also lumber and pulp. I would just like to point out to my honourable friend that, so far as these raw materials are concerned, he should not be at all uneasy in his mind. It is for the people who are dealing in these commodities to get them to France as quickly as they can after this was is over. There is, to my mind, only one thing that the Government can do to help the situation and give Canadian products the best possible advertisement. It would be very much better than any exhibition that can be sent over from Canada to France, to have as many ships as possible ready at the conclusion of this war and to provide in France storage accommodation to which Canadian products could be sent. There will be a market for them in France, no matter what quantities or what kinds of materials are sent over. The French people must have them, they will get them, and they will pay for them. If that is done, I think it will be the best advertising scheme that can be devised. And I feel that matters of that description cannot be shouldered upon the Government. If we, the people of Canada, do not exert ourselves and put forth great efforts on our own behalf, we cannot expect to get results. Nor can we expect the Government to do all. They cannot do it. I would therefore ask my honourable friend to let his mind rest easy in that respect. If there is any way in which the Government can possibly render assistance in carrying Canadian goods to France immediately after the war is over, we do not need to wait to find out anything about exchange, or what we are going to get for our product in France. That will all be found out in due time. The French people will be only too ready and willing to pur-

chase everything that we can send them at reasonable prices.

The question of manufactured goods is a different matter altogether. While the demand for manufactured goods in France, after the war, will immediately be just as great perhaps as for raw materials, it will be a question of who is going to get there first, and more a question of price. The point that manufacturers should consider is how best to get their machinery into position and have it ready to supply that market. The manufacturer should not wait to find out by means of these exhibitions what is going to be required of him. If he is awake, he will send his men over to France now, and find out what is going to be wanted that he can manufacture, and will take his chances on being ready when the war is over. That is the only means by which good results may be obtained. If our manufacturers do not do that, but wait until all the countries which are nearer to France get into the game and get their manufactures there ahead of ours, then we shall be the losers and they will be the gainers. So I hope the manufacturers of this country will not lie back and expect to get from the Government something which they will not get from this Government and will never get from any other, but that they will organize and find out what is wanted in France, and will then secure large warehouses for accommodation, and get into the French market as soon as possible the products which they know are going to be required there. If they do that it will mean that our country's products will be extensively advertised; and if they have been manufactured properly, and if we are able to manufacture them as cheaply as or more cheaply than they can be manufactured elsewhere, we shall retain our trade with France. Otherwise we shall not be able to hold that trade. It will be a case of the survival of the fittest in that respect.

Hon. H. J. CLORAN: I have just one word to add, and it is not in regard to the merits of the resolution now before the House, but it is in regard to the credit that the honourable the leader of the Government (Hon. Sir James Lougheed) deserves from this honourable House and the credit which, when his remarks are published, will, I believe, be given him by the people of this country. So far as I have observed, in my thirty-five years of political experience, he is the first statesman in a responsible position to tell the manufacturing interests of this country, the railway interests, and the trade and commercial interests, in a manly way, that if they want to make progress they should stand on their own feet and should not be bottle-fed by the different Governments. I congratulate him on that manly, straightforward statement. I think he will have the endorsation of nine-tenths of the people of this country. The bottle-feeding of trade or commercial interests must be discontinued. Too much of the wealth of this country has gone, I will not say into the building of railroads, but into the pockets of railroad speculators. Too much of the money of this country has gone into the pockets, not of the labourers in the factory, but into the pockets of the privileged classes. The honourable the leader of the Government in this House has dared to state these facts in connection with this resolution. I admire him for his courage. I admire him for putting the people on their guard—and for putting any Government, Liberal, Tory, Nationalist, or any other, on guard—against what I call the bottle-feeding of industries. That does not mean that the Government of the day is not to give all the assistance possible on the basis of fair play to the producer and the consumer in this country; but the producer and the consumer in this country must not be burdened for the sake of foreign markets. That is the essence of political economy. The honourable leader of the Government, in his declaration of the true principles of political economy, will have the endorsation not only of this honourable House but of his fellow-citizens throughout the Dominion.

Hon. Mr. BEAUBIEN: Honourable gentlemen, it is my privilege, I understand, to close the debate. I will do so very briefly. I desire to thank the honourable gentlemen, especially the two leaders, who have made such kind remarks with regard to this project. I thank especially those who have offered their criticism. I know very well that they have criticised in the interest of the project, and especially in the interest of the country. I may be wrong, but I think that, although we may seem to be in opposition, we are absolutely in accord.

My honourable friend from Hamilton (Hon. Mr. Milne) has stated, and very rightly, that normal conditions do not obtain—that we cannot get men, that labour is at abnormal prices, and that material is at prices absolutely un-

known up to the present time; and he asks, how can we now attempt to get foreign trade? Honourable gentlemen, it is exactly because present conditions are abnormal and because abnormal conditions of a directly opposite kind are likely to prevail after the war that we must now prepare. At the present time we have too much work to do, and, owing to the number of our men overseas, labouring men are too scarce.

Hon. Mr. CLORAN: They will be scarcer.

Hon. Mr. BEAUBIEN: But when all these men return home they will have nothing to do unless we prepare now for their return. I claim that, because normal conditions do not obtain at present, because labour is high in price, and material is at impossible prices, it is not fair to say to the manufacturer: "You are busy at home; you have more than you can do; most of you are working for the country, preparing shells and other war material. Notwithstanding it all, you shall go across to France and on your own private initiative prepare the market of a whole country. It is neither fair nor possible. I agree with my honourable leader that business must rest first upon personal initiative; but this time of stress is no time to ask that personal initiative should do more than it has been asked to do in the years gone by, when normal conditions obtained, when you had labour at ordinary prices, when people were not too busy, and when half of their staff had not gone to the war, leaving the other half to work eighteen hours a day in order to supply war materials. Were private interests then asked to take charge of a national exhibition in other countries? No, Sir, they were not. Why? Because this is a matter that concerns the people as a whole; it does not concern only one man or any group of men.

What has been spent during the period of this war on the San Francisco Exhibition? $500,000 and more! Never did Canada have better advertising. People have gone from that exhibition to all parts of the United States more appreciative of what the Canadian people are, and what they can do, than ever before. What was done at Bruges before that? An exhibit was sent there which became the talk of all Europe. Is it to be regretted? No. At San Francisco during war time $500,000 was spent; at Bruges, in ordinary times, over $100,000 was spent; therefore in and out of war the Government has thought that this matter was the duty of the nation, and not of private individuals.

Now, honourable gentlemen, I think I need say no more; but, if I require other voices to plead for me, I have them at my call. I have the very greatest respect for what the honourable gentleman from Hamilton (Hon. Mr. Milne) has said. He went over to Paris with scales and came back with medals. Well did he deserve them. My contention is, not that we can sell scales there, but that there are a great many wares which we could have sold before but which we did not. We did not make the effort. There are a great many things which we did not sell before but which we may sell now because conditions are altered. There were goods supplied under conditions which do not exist now. There are times when trade goes on by itself, and everybody is fed and grows fat on it, and there are lean days, hungry days, when people must exert themselves if they want to keep the nation alive; and those days are coming. May I ask my honourable colleague to remember the speeches of the Minister of Trade and Commerce, who went from one ocean to the other preaching the gospel of extended trade relations, saying to four hundred business men in Montreal: "Didn't" we fall into war without preparation? Let us not go back to peace without preparation." In the one case what did we meet? We nearly met disaster. In the other case what shall we meet? We shall surely meet disaster if we are not prepared. All I want to do is to follow in the footsteps of the Minister of Trade and Commerce; and, if there are business men in this House whose voices should be heard before mine I am going to ask the hundreds of important business men who form the Canadian Manufacturers Association to rise up and answer for themselves. I have read their answer, and it seems to me conclusive. How long will it take private initiative in every line of business in which we have an opening in France to send its representatives to that country? How long would it take my honourable friend and his men to cover the ground? How long would it take him to go through the cities of France and gain the confidence of the people? It would take years to do it. How much money would it cost? Let my honourable friend figure that out and ponder on it. If this suggestion is carried out representatives of this country will go in preceded by the Canadian flag, and with the prestige

of this country behind them, and within three months, the work will be accomplished. Three months and practically no expense! They will be in contact with every merchant in France, who will come and meet them, and open their books and their hearts to them, and say: "We want goods from Canada; there is our sample; take it home and prepare, and when the time comes I will buy from you.'

This question is well worth while. To put it in two words, the scheme is this: I want a peddler who will represent the nation to go to France with his pack on his back. The French people are ready to receive him. The Government has simply to help him make his pack, that is all. It will cost the Government a very petty amount compared with the trade which will result. I would like that peddler to be accredited to the Government by the Senate of Canada. I would be glad to see this resolution passed, so that it could be said to the Government: "This is in line with your policy as proclaimed by the Minister of Trade and Commerce; you will do well to accept this proposition; it will cost you little; the business men of this country favour it. You can accomplish in a very short time what otherwise it would take years and an immense amount of wealth to do."

I hope that this resolution will be placed in the strong and skilful hands of my honourable leader, and will find a kind and generous reception at the hands of the Government. My honourable leader may perhaps be able to accomplish in ten minutes what I have been incapable of doing in ten months of hard work, with the active co-operation of a very large portion of the brain and influence of the industrial and commercial community. What was done in three weeks in France has, I am sorry to say, not yet been accomplished after ten months in Canada.

The motion was agreed to.

PRIVATE BILL.

THIRD READING.

Bill K2, an Act to incorporate the Canadian Ukrainian Institute Prosvita.—Hon. Mr. LaRivière.

DIVORCE BILL.

FIRST READING.

Bill S2, an Act for the Relief of William Henry Bishop.—Hon. Mr. Gordon.

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

Hon. Mr. BEAUBIEN.

THE SENATE.

Wednesday, July 11, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

RELIGIOUS DENOMINATIONS OF OVERSEAS FORCES.

INQUIRY.

Hon. Mr. FARRELL inquired of the Government:

1. Has a record been kept of the religious preference of the men enlisted for overseas service?
2. If such a record has been kept, has it been tabulated?
3. And if so, what are the numbers given of each denomination?
4. Have the numbers been published or given to the press or to any person?

The inquiry was agreed to as an order for a return.

RECRUITS REJECTED, DISCHARGED, OR DESERTED.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. How many officers and men of the Canadian Expeditionary Force have been classed as unfit for military service?
2. Have the military authorities given consideration to the possibility of utilizing the services of these men in a secondary capacity?
3. Do those who have been classed as unfit continue to draw military pay?
4. How many have deserted from the various units between 1st October, 1914, and 1st June, 1917?
5. How many have been discharged from the various units since 1st October, 1914?

He said: In view of the explanation given by the honourable the leader of the Government in regard to a previous question, which applies also to my own question, I accept his suggestion that the inquiry be changed to an order for a return of the information asked for. I hope the honourable gentleman will bring down the information as soon as possible—that he will tell the department to hurry.

Hon. Sir JAMES LOUGHEED: I will inform the department that the honourable gentleman from Victoria desires the return to be hurried, and I will see that it is brought down at an early date.

The inquiry was agreed to as an order for a return.

BUSINESS PROFITS WAR TAX.

MOTION FOR A RETURN.

Hon. Mr. BOSTOCK moved:

That an Order of the Senate do issue for a return of the assessments made under Chapter 11 of the Statutes of 1916, The Business Profits War Tax Act, together with any regulations made by the minister in relation to collection and enforcement of tax.

He said: I do not want to ask for a return which would contain too much private information. I do not think a return of this kind has yet been brought down to either House. I would suggest that the information that would be of value to the House and to the country can be brought down without disclosing any private information that it might not be advisable to make public.

The motion was agreed to.

CONSERVATION OF CANADIAN TRADE.

PROPOSED COMMITTEE.

The Senate resumed from June 22 consideration of the motion of Hon. Mr. Nicholls:

That, in the opinion of this honourable House, it is expedient to appoint a committee to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed; and that the said committee be composed of the Honourable Messieurs Beaubien, Edwards, McLennan, Dandurand, Gillmor, and the mover.

Hon. Mr. McCALL: In moving the adjournment of the debate on the resolution before the House it was my intention to make some observations and to express my concurrence in the proposal; but the debate of yesterday, in which many able speeches were delivered on a resolution which has a similar object in view, has rendered any efforts of mine quite unnecessary. I content myself merely with saying that the motion has my hearty concurrence, and I hope that the people of Canada will make the most of the opportunities that will be offered to them when the war is over, in every line of production. I will not take the time of the House in saying anything further.

Hon. JOHN S. McLENNAN: I intend to follow the excellent example of the honourable gentleman who has just taken his seat in not making any extended remarks on this subject. I think the House and the country are seized of the necessity of our preparing for the conditions which shall await us after the war. What those conditions will be no one can exactly foretell. One thing is certain: we are inclined to dwell, and we dwell rightly, on the advance that Canada has made in being able to grapple with great industrial problems, to carry out great enterprises, to work to a standard of precision, such as was not dreamed of in the early part of 1914. Heartened by a knowledge of our great resources—as to which I differ, possibly, with one honourable gentleman who has spoken on this subject—we are apt to consider what headway we might make in competition with the other people who will be engaged in seeking the trade of the world. In this respect we are inclined to measure our country against the Europe of the early part of 1914. But we shall not be competing with such a Europe as that; we shall be competing with a Europe, and with the United States, which have made prodigious strides in production. The honourable senator (Hon. Mr. Beaubien) who yesterday afternoon described so eloquently his trip to France, referred to Grenoble, a place usually associated in our minds with the most excellent walnuts and with equally excellent gloves; but to-day that town, from the mountain streams which encircle it, is drawing electric power which enables it to manufacture munitions of war on an extensive scale. In France, as in England, there are, I suppose, literally thousands of square miles covered with factories and yards engaged in similar production. We have been told by persons who have recently visited England that British producers, by means of greatly improved machinery, infinitely greater skill, and a vastly increased number of trained workers, propose to alleviate the burden which this war will throw upon them by production on a scale such as the world has never seen. The United States, as we all know, have made equal strides in production. So that the industrial battle which will await us after the war will be just as important, just as great, and just as keen as the terrible conflict which is now going on. It will be a battle of Titans. But, as in this war Canada has done great things and has won great renown, so I believe, in the industrial war which will follow, if we are true to ourselves, Canada will again hold her own. What are the qualities which have made for our success in this war? Courage, self-reliance, inventiveness, the readiness of each man to do his own share and to stand shoulder to shoulder with

his comrades, which is the equivalent of industrial co-operation—these are the qualities which our men have pre-eminently displayed in France and Flanders; and if when they return to us they display those same qualities, I feel sure, notwithstanding the difficult industrial and economic conditions which await us, that results will follow equal to those that have already been attained by our men at the front. But this question has already been fully dealt with. I think we are all seized of the fact that the proposed committee, of which I shall have the honour of being a member, if it is formed, will be the proper place in which to deal with the various questions on which we hope to make a fruitful report. I would suggest, however, if in order, that, as the staple production of this country is grain, the name of Hon. Senator Richardson be added to the committee.

Hon. FREDERIC NICHOLLS: Honourable gentlemen, if there are no further speakers on this question, I shall rise to close the debate. In doing so, I desire to express my great satisfaction at the manner in which this debate has been carried on and at the views expressed, which will no doubt be helpful, not only to the committee, but to those in the country who shall have the opportunity of reading it.

I was at somewhat of a disadvantage yesterday in rising to discuss the resolution presented by my honourable friend from Montarville (Hon. Mr. Beaubien), because, while his proposal was one of the utmost merit, and while he presented incontrovertible arguments in favour of it, I felt then, and I still feel, that the exhibition train alone, valuable as it will be, will not be of as great value as it might be if it were supplemented by some method of following up the trade that might be induced by curiosity. The honourable gentleman read a letter from the Canadian Manufacturers Association, which dealt rather widely with the subject. I now take the liberty of reading a short resolution passed at the annual convention of the Canadian Manufacturers Association a week or so subsequent to the introduction of my resolution in this House. That resolution reads as follows:

Resolved, that, in the opinion of the Canadian Manufacturers Association, it is a matter of urgent importance that through some governmental channel inquiry be made into the best methods for conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed.

Further Resolved, that the Federal Government be petitioned to make immediate provision for such an inquiry, with a view to the preparation of a report that will supply a basis for organized effort in attaining the end desired.

The honourable the leader of the Government yesterday, in discussing the resolution of the honourable member from Montarville, took the ground that these matters should all, or most generally, be matters of individual effort. I quite agree with him that without individual effort we in this country will accomplish very little; but we cannot do it all by individual effort, as has been proven in a variety of ways. Let me cite, for instance, the Joint Stock Companies Act. That Act is based on the principle that an individual cannot alone carry on a great enterprise, and then makes provision that a number of individuals may do so in co-operation, and for that purpose will be given certain privileges, such as the privilege of limited liability. I may instance insurance companies, and many others. There is the Western Grain Growers' Association, a co-operative association which has, I believe, amassed a considerable amount of wealth. In all countries, especially young countries, individual effort must be helped wisely by the Government of the day. We are all proud of the banking system of Canada; but if our great chartered banks were not given such privileges as that of issuing notes over and above the amount of their paid-up capital, does any one suppose that they could have enabled the business of the country to be carried on in the way they have done, or that they would now be such a tower of strength, not only to the Government of this country, but to the British Government? Therefore, when a proposition in the interest of the industrial development of the country is laid before the Government through the medium of this House or of the other branch of Parliament, I claim that it is hardly fair that it should be regarded as unworthy of Government assistance, or at all events of careful consideration.

In introducing this motion I referred to the steel bounties. In that case the Government, though opposed to the policy, saw that if this country was ever to develop it was necessary to assist in the development of the fundamental basis of industry, the iron and steel industries. Relatively speaking, not very much was paid out; but what is the result of that assistance to-day? As I pointed out, the Dominion has received

orders for upwards of one billion dollars worth of steel, $600,000,000 of which has already been manufactured and paid for. Without Government aid we could not have done that; we could not have got that steel outside of our own boundaries. Steel has been produced on the Atlantic coast and as far west as the Soo, and we have been able to tide over what, after the commencement of the war, threatened to be the greatest period of depression that this country had ever experienced, and to make Canada a prosperous country which, during the war, has increased its per capita wealth at a greater rate than at any other period of its existence. Wise government assistance helped to produce the steel which enabled us to secure orders for munitions. But steel was not sufficient: we needed lead; we needed zinc. We have turned out hundreds of thousands of tons of lead, in bullets for shrapnel, which were shipped to the Allies when they were badly needed, and when, without them, not only would they have been unable to advance, but the enemy might have broken through.

Now, let me read an article, "War's Stimulus at Trail," from the Montreal Gazette. It says:

The effect of war demands for special metals on the mining industry in British Columbia has been referred to from time to time in connection with developments at the Consolidated Smelters' plant at Trail. These developments have given the company, according to the assistant general manager's statement before an international mining convention the other day, probably as complete a metallurgical institution as there is on the continent.

"I do not mean to say," added Mr. Blaylock, "that it is as large as some others have. We are working about 1,300 men, though, and we are making electrolytic copper, copper sulphate, electrolytic lead, lead pipe, shrapnel wire, electrolytic zinc, gold, silver sulphuric acid, and hydrofluosilicic acid. All these with the exception of lead, gold and silver have been accomplished since the war was started, and their manufacture was caused primarily by the need for the metals by the Munitions Board."

This is another case in which government aid to individual enterprise has brought forth great results.

I want now to refer to another question. I remember some years ago, at the time the Hon. W. S. Fielding was Minister of Finance, attending his office with a deputation to request a bounty for the building of steel ships. Those who formed the deputation probably saw far ahead; at all events, history has justified their action and shown their foresight. I think the Government of the day was prepared to grant a bounty for steel shipbuilding; but it was felt, as a result of sounding members of the House, that the granting of further bounties would be unpopular at that time. Therefore no bounty was granted. If the bounty then suggested had been granted, if, through the upbuilding of the steel shipbuilding industry, we had established shipbuilding concerns on the shores of Nova Scotia and Cape Breton, in British Columbia, in the magnificent harbours of Victoria and Vancouver, and wherever they were capable of being established, how different would our situation be to-day. The cry is for ships and more ships; they are more urgently required than munitions. In France they are looking forward to the arrival of reinforcements from Canada and from the United States. Supposing the United States within the next three months organizes an army of only 500,000 men, how are they to get across to France? It will take 500 ships, or a ship-and-a-half a day for a year, to transport the 500,000 soldiers to reinforce the men at the front. And yet we are not now able to render any help of this kind. We are playing at building a few moderate-sized ships in British Columbia and elsewhere. This is helpful, of course; but if individual effort had been prepared and the capital had been ready, that enterprise could have been established. Even after the war shipbuilding enterprise will be just as necessary as it is to-day, if we are going to extend our area of cultivated land. If we are now exporting two or three hundred million bushels of grain, it will not be long before that quantity will be doubled or trebled, and we shall need ships to carry it.

The Canadian Pacific Railway company has shown what can be done by individual enterprise, aided in the early stages by the Government. To-day in London you can buy a ticket entitling you to cross the ocean on their steamships, travel across the continent on their trains, stop at their hotels, and cross the Pacific in their steamships to China and Japan. Do you think that would ever have been possible if the Government of the day had not aided individual enterprise? Then, when the company got the measles, the Government gave it first aid and loaned it large sums, in spite of a great deal of criticism. This has all been paid back, and to-day the Canadian Pacific railway is a tower of strength in this Dominion.

It is all very well to talk about individual effort. In this country I imagine that we have a population which is as well able to direct its individual effort towards accomplishment as the population of any

other country in the world; but this is not the only country that assists individual effort. During the course of my remarks the other day I read some statements which went to show that even the bankers of Great Britain, who control the exchange of the world, and the Government of Great Britain, realize the necessity of government aid; therefore a Royal Charter has been granted to the British Trades Bank. Even Germany, though at war at the present time, sees the necessity of taking measures in advance. I have before me some information in regard to a new German bank, which reads as follows:

Copenhagen despatches state that plans have been completed for the establishment of a German export bank to assist in the restoration of trade relations with Central and South America and to promote trade generally. Germanic trade organizations and representatives of the Latin American export houses are stated to have met recently in Hamburg, and decided to establish branches in Central America, West Indies, East Asia and Austral-Asia. Where German bank representation is now inadequate the export bank will assist German import houses by granting credit on acceptances, and thus attempt to cut into American and Japanese trade in South America.

Great Britain has already taken action, Japan has taken action, and no doubt honourable gentlemen have all read in the despatches what Australia is doing. The Australian Government is now considering the expenditure of $50,000,000 to assist private capital, thus recognizing the pressing necessity of aiding individual enterprise. I am not one of those who believe that the Government should take any large measure of responsibility, but it can do a great deal. Whatever Government may be in power should show that they have faith in their country, by standing ready, when men are banded together, offering their labour and enterprise, to extend to their action the kudos of Government approval. I have referred to these facts only as evidence of what has been done, at little cost, to aid individual effort. Just as much can be done for the agricultural interest as for the industrial interest. I will not refer to that at the present time, because the honourable senator for Kingston (Hon. Mr. Richardson), whose name, it has been suggested, should be added to the committee, has intimated to me the outline of a suggestion for the development and increased production of agriculture, which I think is so excellent, that I am only anxious that the committee should be appointed quickly in order that he may place his proposal before them; and if it is adopted I am quite sure it will command attention.

Hon. Mr. NICHOLLS.

I did not intend to speak at any great length. I introduced my motion somewhat over a month ago. I think that every member of this House who has wished to do so has spoken, and has in an admirable way added to the interest of the debate. I have stated what Great Britain has done, what the United States has done, what Australia is doing, what Germany is doing. I have pointed out that we are now employing 300,000 work-people directly on munitions, and possibly 200,000 more in the production of other war supplies. When the war is over we shall have to provide these men with new employment, and we shall also have to take care of four, five, or six hundred thousand returned soldiers. I think I have made that clear. No concerted action has yet been taken, so far as I can see, in an endeavour to grapple with these problems; and I feel that if concerted action is taken there is no better place far the genesis of the movement than in the Upper House of the Parliament of Canada. The representatives in this Upper House are men who have in their various walks of life made their mark; they have had the requisite experience; they are imbued with ideas which experience alone can give; and therefore I thought it was fitting that I should move that a committee should be appointed from this Upper House and should bring forth, not too many recommendations, but certain recommendations which might appeal not only to this House but also to the Government and to the country. Honourable gentlemen, no committee of this House can cover the whole field; but I submit that if this committee can till only a small corner of the field of national endeavour and cause two blades of grass to grow where but one grew before, they will have justified their appointment, they will have done useful public service.

I have much pleasure in accepting the amendment moved by the honourable member for Sydney (Hon. Mr. McLennan), that the name of Senator Richardson be added to the committee.

The motion, amended as suggested, was agreed to.

APPROPRIATION BILL—$40,172,951.53.

SECOND AND THIRD READINGS.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 108, an Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1918.

He said: Honourable gentlemen, the object of this Bill is to vote supply to the extent of $40,172,951.53. This amount is made up of $24,054,845.38, the balance, or three-fourths, of the items set forth in Schedule A, which honourable gentlemen will find attached to the Bill, and $16,118,-106.25, being one-sixth of the items set forth in Schedule B.

It will be remembered that the first Supply Bill of the present session voted one-fourth of the amount of Schedule A, and also the Supplementary Estimates for the fiscal year ending the 31st March, 1917. That is to say, we are now to vote the balance, or three-fourths of that Supply Bill.

No part of the amount under Schedule B of this Bill has yet been voted.

The total estimated expenditure for the year 1917-1918, as shown in the Main Estimates, amounts to $203,472,765.94. Of this amount $182,359,215.94 is chargeable to Consolidated Fund and $21,113,550 is chargeable to Capital. The estimated expenditure on account of Consolidated Fund, of which $74,691,001.24 is statutory—that is to say, is uncontrollable expenditure, provided by the statute—has been greatly increased in consequence of the heavy charges for interest on public debt and pensions; but on other services the estimates now presented will be found to be materially reduced from those of the previous fiscal year.

I think, honourable gentlemen, that with this explanation it will be unnecessary for me to say anything further upon the subject.

The motion was agreed to, and the Bill was read the second time.

Certain rules having been suspended, the Bill was, on motion of Hon. Sir James Lougheed, read the third time and passed.

PRIVATE BILL.

SECOND READING.

Bill 32, an Act to incorporate the Cascade Scenic Railway Company.—Hon. Mr. Watson.

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

THE SENATE.

Thursday, July 12, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

CONSERVATION OF CANADIAN TRADE.

ADDITION TO COMMITTEE.

Before the Orders of the Day:

Hon. Mr. NICHOLLS: Honourable gentlemen, with the permission of the House, I would move that the name of the honourable member for Portage la Prairie (Hon. Mr. Watson) be added to the Committee for the Conservation Trade which was appointed yesterday.

The motion was agreed to.

THE FOOD SUPPLY.

Before the Orders of the Day:

Hon. DANIEL GILLMOR: Honourable gentlemen, it is not often that I occupy the attention of the House; in fact, I think this is the first time that I have ever attempted to do so. I would not do so now were it not that I think that the question which I wish to ask the Government may be of assistance in helping to win the war in which we are all so vitally interested. I notice by the papers to-day that the Food Controller has issued a statement that the consumption of wheat, beef, and bacon in the Dominion must be reduced by at least one-third in order to meet the needs of the Allies and their armies at the front. On a previous occasion the Food Controller issued a request that the people of this country should use all perishable foods in order to stimulate the supply of non-perishable foods for our Allies. Therefore I would respectfully ask the leader of the Government if he will bring this matter to the attention of his colleagues in the Government and request them to remove the tax, or duty, whichever it may be called, now imposed upon the importation of these foodstuffs from the United States. I am sure that I shall have his sympathetic interest in this request, as I have that of all the members on this side of the House. The Government cannot object to removing this duty on account of the loss of revenue involved, because they can easily charge that to the feeding of the soldiers and our Allies who are doing so much for the protection of this country and for humanity in general. They are far across the sea, but I am sure that honourable gentlemen opposite will stand behind my honourable friend when he makes this request.

Hon. Mr. LANDRY: Questions of this kind are very important, affecting the whole policy of the Government, and I think we should be consulted on them. I am very

glad that the honourable gentleman has drawn the attention of the House to this question; but I would not wish the Government immediately to adopt a policy which would not meet with the approval of this House. I think the privilege of asking questions when the Orders of the Day are called is for the purpose of asking something which does not involve quite so much as the inquiry of the honourable gentleman.

Hon. Sir JAMES LOUGHEED: At the request of my honourable friend, I shall be very glad to direct the attention of the Government to his remarks and suggestions, which may be of use, provided that in the meantime the United States does not put an embargo on the articles mentioned.

PRIVATE BILL.

THIRD READING.

Bill P 2, an Act to incorporate the North American Accident Insurance Company.—Hon. Mr. Nicholls.

RAILWAY ACT AMENDMENT BILL.

NON-RESIDENT DIRECTORS—THE DEBATE CONTINUED—THE BILL WITHDRAWN.

The Senate resumed from June 20 consideration of the motion of Hon. Mr. Lynch-Staunton for the second reading of Bill L2, an Act to amend the Railway Act.

Hon. J. P. B. CASGRAIN: Honourable gentlemen, I do not intend to dwell very long upon the Bill introduced by the honourable member from Hamilton (Hon. Mr. Lynch-Staunton). This Bill is for the purpose of preventing any person not resident in Canada from being a director of a railway company in Canada. I must say at once that, unless other reasons and stronger reasons are given than those which have been advanced up to the present, I intend to vote against the second reading of the Bill. I think the situation was well explained by the honourable member for de Salaberry (Hon Mr. Béique) when he said that in the near future the capital that would be needed for public enterprises in Canada would have to come very largely from the United States, as it was not likely that we could get very much financial help from the United Kingdom. It stands to reason, therefore, that if the capital is to be raised in the United States, the shareholders, or the people providing the money, would naturally desire to have some representation on the boards of the various railways. But they could not have this representation if the Bill presented by the honourable member for Hamilton became law. That is one of the reasons against this Bill. The hon. member for de Salaberry (Hon. Mr. Béique) gave other reasons which I think are very good.

But the honourable member for Hamilton was quite candid. When he introduced this measure he himself admitted that what he had in view was a sort of special legislation; his aim was simply to reach the Grand Trunk Railway company, whose board of directors has been for 65 years in the city of London, in England. He believes that all the mistakes and misfortunes of the Grand Trunk are due to the fact that these directors have not been well informed as to conditions in Canada. It really seems to me that the honourable gentleman from Hamilton has presented his Bill as an excuse for an onslaught on the Grand Trunk Railway Company. I regret very much the tone of his speech, and I am sure that many members of this honourable House will join with me in that regret. This is the first occasion, in the many years that I have had the honour of a seat in this House, on which I have heard the directors of a great corporation like the Grand Trunk Railway Company called wreckers, betrayers, hirelings, and the rest.

Now, I think the honourable member for Hastings (Sir Mackenzie Bowell) will bear me out. For more than fifty years he knew very well Mr. William Wainwright. If any one man was meant by the term hireling, it was certainly the man who, as a salaried official of the Grand Trunk Railway company, from year to year came before this Parliament to look after the interests of that grand old company. I am sure that the honourable member for Hastings will join with me in regretting that, after he is in his grave, Mr. William Wainwright, a man who was respected and well beloved by all on both sides of politics, who had not an enemy in the Canadian Parliament, should be called by an honourable member of this House a hireling, or a betrayer of his trust, or a wrecker. That was more than I could possibly stand, and one of the principal reasons why I moved the adjournment of this debate was that I might have an opportunity to say something in his vindication.

The whole burden of the honourable gentleman's speech was that the Grand

Trunk Railway company had been mismanaged, and that one of the worst things that its directors had done to impair the credit of that company was to sign the National Transcontinental Railway contract, by which the company agreed: first, to pay a rent amounting to 3 per cent of the cost of the road for 43 years, no matter what its cost would be; and, secondly, to undertake the building of the Grand Trunk Pacific from Winnipeg to Prince Rupert. The honourable gentleman contended that these mistakes were made because the board of directors sat in London and were not acquainted with the conditions existing in this country.

Now, who were the gentlemen who induced the directors of the Grand Trunk Railway company in London, England, to go into that scheme? First, it was Charles M. Hays, one of the best-known railway men in the United States, who had come to Canada and had managed the Grand Trunk railway for some years, but, finding that there was no expansion of the Grand Trunk, had accepted an offer from the Union Pacific Railway Company and had gone back to the United States. He occupied a position there for two or three years, when, the Grand Trunk company being anxious to obtain his valuable services, and promising him that the Grand Trunk would expand, Mr. Hays consented to come back and undertake its management. His intention, as we all know, was to extend the Grand Trunk from North Bay to Winnipeg and from Winnipeg on to the Pacific coast. It was Mr. Wainwright who acted on behalf of the Grand Trunk company in promoting the necessary legislation and the contract with the Government. No blame could possibly attach to the directors of the Grand Trunk, and the fact that the board was in England had nothing to do with the matter. On the contrary, as I shall prove in a moment, it was very difficult for Mr. Hays and Mr. Wainwright to induce those directors to go into that enterprise. Mr. Hays had been in this country and knew perfectly well the conditions here; no one can doubt that; and Mr. Wainwright had been living in Canada since before the days of Confederation. Therefore the directors had the best information that could be obtained as to conditions in Canada, and it is wrong to blame them. If there was any blame to be visited upon any one, if there was any wrecker, any betrayer of his trust, any hireling, the late Mr. Wainwright was the man; and I am sure that every member of this honourable House will regret that such epithets have been attached to his name. The argument of the honourable member for Hamilton falls hopelessly to the ground, because, if a mistake has been made, which I deny, it was not the directors who made it. It was made by Mr. Hays, who knew the conditions in Canada as well as any other railway man. He was perhaps one of the best railway men in Canada.

Now let us go back to 1903, the time of the inception of the scheme of the Grand Trunk Pacific and the National Transcontinental. If the directors of the Grand Trunk Pacific and Grand Trunk railway had been in Canada, the very atmosphere of optimism that existed in this country at that period would have influenced them to favour that enterprise. Why, it was at the very time when Sir Clifford Sifton, then Minister of the Interior, was filling the Northwest with immigrants and its population was increasing by leaps and bounds. Never before the year 1903 had the Northwest been filling up so quickly as it was under that progressive administration. I am sorry that the honourable gentleman from Portage la Prairie (Hon. Mr. Watson) is not in his seat. He has stated that the famous James J. Hill, every time he went to Manitoba, used to say that people without land were a mob and land without people was a wilderness, and therefore people should be put on the land. Sir Clifford Sifton understood that policy and put it into effect so successfully that it was expected that the three provinces, Manitoba, Saskatchewan and Alberta, would soon be filled up. I was present at a banquet given in honour of Mr. C. M. Hays, at the Windsor hotel in Montreal, when the Hon. A. G. Blair (who afterwards opposed the building of the Transcontinental and the Grand Trunk Pacific, saying that there was no need to hurry) said within my hearing that not only would one or two transcontinental lines be necessary, but it would not be long, if the Northwest continued to fill up at the present rate, before ten transcontinental railways would be required to carry the products of that territory.

Now, I do not want to be in any way personal; if I am, I hope the honourable member for Hamilton will forgive me; but it seems to me that there must be rancour in the heart of the honourable gentleman, either because he was somewhat disappointed or because he wanted to impair the credit of the Grand Trunk railway and the

Transcontinental. We all know that the honourable gentleman has been connected with the National Transcontinental railway at a cost to this country of several thousands of dollars. We all remember that there was a commission, composed of Mr. Lynch-Staunton and Mr. Gutelius, appointed to investigate the construction of the National Transcontinental railway. Since the days of the Spanish Inquisition there has not been a more searching inquiry than was made by these gentlemen. They knew that a sum exceeding one hundred millions of dollars had been expended on that railway, and they could not relieve their minds of the suspicion that some improper use had been made of that money, therefore they entered the offices and took possession of all the papers, all the letter-books, all the documents, all the plans, profiles, contracts, specifications—everything. They were appointed in January of 1912 and their report did not come out until 1914; so that for two years they searched and searched among the papers—and I am even informed that some of those papers were not of a public nature. One of the investigators was a resourceful lawyer and the other was a clever engineer who acted as accessory to the lawyer. The National Transcontinental railway commissioners were brought before them in secret sessions. The commissioners had no solicitors; they were at the mercy of the investigators. They were examined separately, one on one day and another the next day, to see whether they would not contradict each other. After they got through with the commissioners they put the engineers through an examination. All the employees, from the highest officials down to the humblest servant of the commissioners, were examined; it being thought that some one might be dissatisfied and might peach on the other; yet, if honourable gentlemen will look at the evidence, consisting of thousands of pages, they will find that not one dollar was proven to have been stolen or misappropriated—that nobody was proven guilty. What a sad disappointment!—the investigation resulting in nothing except the greatest vindication that the late Government ever had. The investigators perhaps thought that, if they could find something wrong, criminal prosecutions would be instituted, and would land in jail those robbers who had stolen from the public treasury. But there was no such thing. There were no criminal proceedings such as we have had in the last two years in British Columbia and in Manitoba. No; it was a Liberal Government that had done the work, and everything was done honestly. If there had been anything wrong, if there had been any swindling, and the Government had known of it, they would have been guilty. If the present Government knows of the misappropriation of one dollar in connection with that work by any man, it has been their business in the last six years to land that man in jail. However, I claim that the money spent on this investigation has been absolutely wasted, and the investigation impaired very much the credit of the National Transcontinental, the Grand Trunk Pacific, and the Grand Trunk. It dealt the Grand Trunk a blow under which it reels yet. The commissioners both received their reward. Mr. Gutelius was appointed manager of the Intercolonial railway at the highest salary ever paid to anyone by the Government of this country since Confederation; and the other gentleman has been given the sweetest of all rewards—he is amongst us to-day, and we welcome him in the Senate of Canada.

How could the Transcontinental railway have been mismanaged badly when the chairman of the commission in charge of it was the Honourable S. N. Parent? We all know that that honourable gentleman was for years a minister of the Crown in the province of Quebec, and was at one time the Prime Minister of that province; and during his administration neither friend nor foe accused him of doing anything wrong, or of permitting any of his departments to go wrong or to squander a single dollar of public money. He was also mayor of the city of Quebec for twelve years, during which time he not only promoted the general interests of the city, but secured the building of the city hall at a cost of only $160,000. It was the first instance, so far as I know, in which the public got full value for their money, and there were not sixpence worth of extras when the building was finished and handed over by the contractors. The work was done exactly at the contract price. This was the man placed at the head of the National Transcontinental Railway Commission, and he saw that everything was done properly.

The honourable gentleman from Hamilton says that he knows something about this question. Well, he should know something about it. It has cost the country a good many thousand dollars to teach him something about it. But I submit, although I have never received anything for it, that I also know something about the question,

because I had the honour in 1903, when the Transcontinental Railway measure first came before the House, to be asked by my leader, Sir Richard Scott, to reply to no less a man than the leader of the Opposition, the honourable member for Hastings (Sir Mackenzie Bowell). Again, in 1904, when the honourable member for Hastings was still the leader of the Opposition, it devolved upon me, at the instance of my leader, to answer his criticism of that great enterprise. In 1909 the present leader of the House was leader of the Opposition, and on that third occasion I had the honour of dealing with the question. Perhaps that is the reason why I may be a little more familiar with the details of the question than some other members of this honourable House.

The honourable gentleman from Hamilton referred to the contract of the National Transcontinental railway. He was quite right when he said that the Grand Trunk Railway company was to pay three per cent of the cost of the road, whatever it might be, for the term of fifty years, excepting the first seven years. For forty-three years the Grand Trunk Railway Company was to pay rent for that part of the railway between Winnipeg and Moncton. But I claim that the present Government has absolutely relieved the Grand Trunk of any obligation in that regard, because the contract was made according to certain specifications, the very essence of which was that there should be a grade eastward of four-tenths of one per cent, or, in common parlance, 22 feet to the mile; that there should be no adverse grade coming to tidewater at Quebec, or to Moncton, and then via the Intercolonial railway to St. John or Halifax. To build a railroad of that kind requires a great deal of money, and, as we know, it cost much more than was estimated; but that does not prove that there was any fraud. It simply demonstrates that the people were not aware how costly it is to build a railroad of that standard.

However, I will give you one instance of how the contract was lived up to. The present Government, or the National Transcontinental Railway Commission appointed by them, wrote to the Grand Trunk Railway company, saying: "If you will allow us to change the grade at La Tuque, on the St. Maurice river, from four-tenths of one per cent to six-tenths of one per cent, $1,000,000 can be saved at La Tuque alone." Mr. Hays wrote to the Government protesting against the change, saying that the Grand Trunk Railway company would not accept the road if such a change were made, because the money had been raised and the contract agreed to in England by the shareholders of the Grand Trunk Railway company, who would be responsible for the whole cost of the railway. The low gradient was the essence of the contract. What did this new commission under Major Leonard do, and what did the Government do? They simply degraded the road. One of the brilliant ideas of the two commissioners, Messrs. Lynch-Staunton and Gutelius, was that the road should have momentum grades. Let us pause for a moment and think what a momentum grade is. A momentum grade means, I take it—and I stand to be corrected if I am wrong—that a train coasting down one hill is supposed to acquire sufficient momentum to enable it to coast up another; the steeper the grade the more momentum acquired and the better the coasting. That is one of the ways in which they would have saved some of this $40,000,000. Fancy a railway train coasting down a hill and trusting to the momentum to enable it to coast up another. I have here the report which states that out of $40,000,000 momentum grades would have saved $6,200,000. The idea was not even original. Anybody who has been to our lunar parks has seen the scenic railways and the children on them coasting up and down the hills. We all know that there is snow in this country in the winter time; and if there were snow on the track when a train coasted down a hill it would have to stay there, I suppose, until the next train ahead could get out. This is what the report says about momentum grades:

> Had momentum grades been adopted, as is the usual practice in high-class modern railway construction, they would have in no way impaired the usefulness of the railway, or increased the cost of operation, or reduced its hauling capacity, and $6,200,000 might and should have been saved.

That is a part of the report of the honourable member for Hamilton and Mr. Gutelius.

Hon. Mr. DENNIS: Mr. Gutelius is a railway engineer.

Hon. Mr. CASGRAIN: Yes. There are lots of beautiful things like that in the report. For instance, it says that wooden trestles would have cost less than iron trestles. That, of course, is something that we did not know. And the information in that report cost the country $100,000.

The Grand Trunk Railway company, if the honourable gentleman from Hamilton had his way, would be taken away from the shareholders and given to the Dominion Railway company, the formation of which is proposed in the report of Sir Henry Drayton and Mr. W. M. Acworth. This railway would be taken away from the shareholders to punish them because they cannot pay for the Grand Trunk Pacific as well as pay the rent of the National Transcontinental. I think that the management of the Grand Trunk railway were perfectly justified in not accepting the railway, and in repudiating the whole contract, because the road had been degraded under the direction of Major Leonard.

The Canadian Pacific railway has been held up to our admiration as a perfect railway. The administration and the officials of the Canadian Pacific railway may be perfect, but the topography and the location of the railway is about the worst that could have been found in Canada. I know something about that, because, in 1874-5, I was one of the chainmen and levellers on that road. The total adverse grade on the Grand Trunk Pacific and the National Transcontinental from tidewater on the Pacific to tidewater at Quebec amounts to 5,300 feet. What is the total adverse grade on the Canadian Pacific railway? It is 23,000 feet. We all know that the Canadian Pacific railway, at the Selkirk range, has an elevation of 4,400 feet. In crossing the Rocky mountains it drops 2,000 feet, then rises again, and then drops again to Calgary. With all these grades added together a ton of freight carried on the Canadian Pacific railway from tidewater to tidewater has to be lifted 23,000 feet, while on the Grand Trunk Pacific it has to be lifted only 5,300 feet, in the one case four miles, in the other only one mile. I could give you the grades of several transcontinental railways; I have the figures here, and I can safely say that no other railway has such easy grades as the Grand Trunk Pacific and the Transcontinental. This railway has never been given a chance since 1911, because those who were against it then have been against it ever since.

Hon. Mr. TESSIER: Tried to destroy it.

Hon. Mr. CASGRAIN: Yes. I have frequently stated in this House how cheaply one bushel of wheat could be carried on the Transcontinental railway from Winnipeg to tidewater at Quebec. People have doubted what I have said, but what has the present Minister of Railways done within the last two years? He has given a rate of six cents per bushel from a point called Armstrong, on the National Transcontinental railway, to Quebec. The honourable member for Kingston (Hon. Mr. Richardson) knows that that is right. I think he took advantage of that rate to transport wheat to Quebec by that route. The distance from Quebec to Armstrong is about 900 miles, and the distance from Armstrong to Winnipeg is about 450 miles, so for the latter portion of the haul the rate would be three cents. Allowing one cent for terminal expenses at Winnipeg, you would have a rate of 10 cents per bushel. That is not supposition, and one should not be called a visionary, as was Hon. Mr. Charlton in another place, when he explained how cheaply wheat could be carried, because this is the rate fixed by the Government of the country. As I have said, the total distance from Quebec to Winnipeg by the Transcontinental railway is 1,350 miles; by the Canadian Pacific railway it is 1,575 miles, or 225 miles longer. Via the old Grand Trunk line the distance is still greater. If this Government had any intention of utilizing the National Transcontinental, it would have been very easy to have advertised the fact. I ask honourable gentlemen if they do not think that passengers coming off the steamers at Quebec would have preferred to take this beautiful road and travel 1,350 miles to Winnipeg, and thence across the continent, to travelling 1,575 miles by the Canadian Pacific railway—which has a passenger train waiting on the Government's own wharf in Quebec?

The same argument applies to people coming from Winnipeg and the West on their way to the Old Country. They want to get the quickest and shortest route, and none of them are anxious to go 225 miles out of their way and to pay $6.75 extra for their tickets. If the Government had advertised the National Transcontinental railway, I think it would have got 99 per cent of the through passenger traffic.

There is another peculiar thing about it. The Transcontinental to-day does not run from Quebec. It runs from the city of Toronto to North Bay; from North Bay it goes to Cochrane, and then turns to the left towards Winnipeg. Cochrane is about 580 miles from the city of Quebec. A person in Quebec wanting to go to Winnipeg could take the Transcontinental railway; but he would first have to go from Quebec to Montreal, a distance of 180 miles; then, from Montreal to Toronto, a distance of 330 miles; then, from Toronto to North Bay, another 220 miles; and then, from North Bay to Cochrane, a distance of 250 miles;

or 980 miles in all; whereas, by travelling directly across the gap on the railroad built and owned by the Government, he would have to travel only 580 miles.

Honourable gentlemen opposite from the beginning decried the enterprise. They were in opposition at the time, and, after all, people are human and I do not blame them. It was good party warfare; but when they investigated the National Transcontinental railway, they proved it to be of some use, and it will turn out to be all right yet.

Compare the time necessary to travel from Montreal to Winnipeg. Honourable gentlemen know that by the Canadian Pacific railway it takes 48 hours to go from Montreal to Winnipeg and five hours longer from Quebec—53 hours from Quebec to Winnipeg. If the Government used the road which they own, and if the trains on it travelled at the same speed as the Grand Trunk train travelling every day of the year between Montreal and Toronto, a distance of 330 miles in seven hours and a half, or at the rate of 44 miles an hour, including stops—which is not so bad for the poor old Grand Trunk railway, which has been doing nothing well, and which you are going to take away from the people who put their money into it—passengers could travel in less than thirty-two hours from Quebec to Winnipeg by the Transcontinental. This road from Quebec to Winnipeg is built on the same standard as that between Montreal and Toronto, and 21 hours, or nearly a full day, could be saved in making the trip. The Government has it in its own hands to do this, but I suppose they will wait until after the general election. I am afraid the election will be postponed so long that we shall not hear very much about the bad features of the National Transcontinental railway; there will be too many other questions to occupy the time.

It may be said that the Transcontinental railway line can be used only in the summer time. In winter the passengers coming west on the Intercolonial railway could very easily be transferred to the Transcontinental railway at Quebec, where the Government has a beautiful railway ferry, and in that way they could save 21 hours of time and $6.75 on every ticket purchased.

The portion of the National Transcontinental railway from the Quebec bridge to Moncton has been very strongly criticised in this report. I must confess that I have never favoured that portion of the road. I know that the topography of the country is such that it is very difficult to overcome. There is more difference in levels between the Quebec bridge and one portion of the road in the county of Temiscouata than there is in the Rocky mountain section. After that part of the line is passed the railroad goes down, crossing the St. John river at an elevation of 440 feet, and then goes up over another range of hills, and then down again and up again.

Hon. Mr. LANDRY: Will the honourable gentleman allow an interruption?

Hon. Mr. CASGRAIN: Certainly.

Hon. Mr. LANDRY: I want to know what all this has to do with the status of the directors?

Hon. Mr. CLORAN: We are the directors and have a good deal to say.

Hon. Mr. LANDRY I thought it was a motion on the Order Paper that was under discussion. My honourable friend is discussing the levels of the different railroads.

Hon. Mr. CASGRAIN: The honourable gentleman from Stadacona (Hon. Mr. Landry) is quite right. He thinks I am digressing. I am sorry that I am occupying so much of the time of the House. But I think this discussion is absolutely necessary. The purpose of the honourable gentleman's Bill is that the directors shall not sit in London, for the reason that they do not know what takes place in this country. I desire to prove to this honourable House, first, that the inception of that enterprise was not the work of those directors, but the work of Mr. C. M. Hays and Mr. William Wainwright; and, secondly, that it was not a bad enterprise at all; and, if the honourable gentleman will bear with me for a few moments, I think I shall convince him, if he can be convinced.

Hon. Mr. LANDRY: I am convinced; so the honourable gentleman may dispense with that effort.

Hon. Mr. CASGRAIN: Then I will try to convince the honourable gentleman from Hamilton.

Hon. Sir JAMES LOUGHEED: Let us know something about the level and grade of the directors.

Hon. Mr. DENNIS: And the momentum.

Hon. Mr. CASGRAIN: Well, the part of the railway east of Quebec has proven most useful, and honourable gentlemen who are interested in the war will be surprised to learn that, if it had not been for that additional piece of road, the troops, the

munitions, and other freight could not have been handled by the Intercolonial railway. I have been assured of that on the very best authority. No less than ten freight trains a day have gone over the Trans continental railway east of Lévis to Moncton, relieving the congestion on the Intercolonial railway. The road has proved to be most useful in that emergency. The Intercolonial railway would have been congested, as were the Canadian Pacific, the Grand Trunk, and the railroads in the United States, but for the aid of that road. I do not think that the directors of the Grand Trunk in England should be blamed if they assented, because they had no knowledge of the conditions in Canada; it was done on the recommendation of men like Mr. Wainwright and Mr. Hays, who had full knowledge.

The part of the railway from Quebec to Cochrane is the part that for the last year or so has helped the Intercolonial railway to make money. That may be doubted, but I have good authority for the statement. If honourable gentlemen will take the trouble to inquire, they will find that it is true, notwithstanding maladministration of the road, and notwithstanding the fact that the Lynch-Staunton-Gutelius report impaired its credit and discouraged people from using it. But why should it not be the most profitable? It is the shortest line and has the easiest curves and grades. One locomotive on the National Transcontinental railway can do as much work as two locomotives on the Canadian Pacific railway.

The honourable gentleman from Hamilton has quoted the report of Sir Henry Drayton and Mr. W. M. Acworth. I take exception to that report. It is a majority report. There is a minority report. There were three gentlemen appointed by the present Government, the third member of the commission being Mr. A. H. Smith, the president of the New York Central lines. In quoting Sir Henry Drayton's report the honourable gentleman from Hamilton accepts its conclusion that the Grand Trunk railway should be taken away from those directors, who are betrayers, wreckers, and hirelings. While Sir Henry Drayton may be an excellent lawyer, and I do not doubt it, it would be in my opinion very extraordinary if he knew as much about railway matters as do men who have spent their whole lives in managing railroads or in studying the railway question. The honourable gentleman from Hamilton also quoted the other member, Mr. Acworth. Mr. Acworth arrived in Canada on December 16 last. He was here three months before the report was issued.

Hon. Mr. LYNCH-STAUNTON: Will the honourable gentleman point out what opinion of Mr. Acworth or Sir Henry Drayton I quoted in my speech? I do not remember quoting any of their opinions; I remember quoting only the evidence of Mr. Chamberlin.

Hon. Mr. CASGRAIN: The honourable gentleman did more than quote them; he adopted their suggestions—swallowed them holus bolus.

Hon. Mr. LYNCH-STAUNTON: Will the honourable gentleman be kind enough to point out where I adopted any of their suggestions?

Hon. Mr. CASGRAIN: I have here the speech of the honourable gentleman, in which he said:

> I say that now we should at least step into the breach and endeavor to save the Grand Trunk Railway Company shareholders from themselves.

I understood the purport of the honourable gentleman's speech to be that the Grand Trunk Pacific, the National Transcontinental, and the Canadian Northern should all be amalgamated.

Hon. Mr. LYNCH-STAUNTON: When did I say so?

Hon. Mr. CASGRAIN: Well, I understood him to say so. I am very glad if he did not. I am glad the honourable gentleman is not in favour of taking away from the 65,000 shareholders of the Grand Trunk their railway—if he is against the report of Sir Henry Drayton, which he had in his hand when making his speech. There is plenty of information in that report, too. For instance, you find in it that the total railway mileage of Canada at the present time is 40,000 miles, which is a greater mileage than there is in England or in France, and nearly as much as in the whole German Empire, with its 67,000,000 people, as in Russia, with its 170,000,000, and as in India, with its 300,000,000. We find in that report that we have one-sixth of the total railway mileage of the United States and only one-fourteenth of their population. That shows that the increase in our railway mileage has been much greater than our increase in population. The population of Canada increased in the years from 1901 to 1911 34 per cent, while the railway mileage increased 40 per cent, a difference of only

six per cent. In 1901 the total population of Canada was 5,300,000, and we had 18,000 miles of railway. In 1911, the population was 7,200,000, according to the census, and we had 25,400 miles of railway. We had at that time one mile of railway for every 284 inhabitants. Ten years earlier we had one mile of railway for every 300 inhabitants; so the difference after the 10 years was only 16 inhabitants per mile of railway. What do we find to-day? The population has apparently not increased much since the change of administration. It is estimated that the population of Canada in 1917 is 7,500,000. We now have 40,584 miles of railway, or one mile for every 185 inhabitants, a decrease in six years of 99 inhabitants per mile. The railroads have kept on increasing, though the population of the country has not increased.

Now we come to the question of Government aid. What aid did the Grand Trunk Railway company receive from the Government? May I be allowed to compare it with the aid received by other railways, in order that we may see whether the Grand Trunk Company deserve to have their railway taken from them?

Hon. Mr. LANDRY: Compare the steel also.

Hon. Mr. CASGRAIN: Take, for instance, the Canadian Northern Railway company. They received in about fifteen years $298,000,000 in guarantees, subsidies, etc., according to the report of Sir Henry Drayton, made at great expense to this Government. I would commend to honourable gentlemen in this House the reading of that report, which they will find most interesting.

Hon. Mr. LANDRY: Not to-day.

Hon. Mr. CASGRAIN: The Canadian Pacific Railway company received in 35 years $347,000,000. What did the Grand Trunk company receive? The Grand Trunk proper received $28,000,000 altogether, which is less than one-twelfth of what has been granted the Canadian Pacific and less than one-tenth of what the Canadian Northern has received; and that $28,000,000 included $12,000,000 which was never used by the Grand Trunk, but had been voted as subsidies to small branch lines that were bankrupt and were taken over by the Grand Trunk, very often at the instance of various Governments, after the subsidies had been exhausted. So, of the $28,000,000 debited to the Grand Trunk, there was $12,000,000 which they never got, but which had been given to branch lines by municipalities and by provincial and federal governments.

What aid was given to the Grand Trunk Pacific railway? From Winnipeg to Wolf Creek, a distance of 915 miles, the Grand Trunk Pacific, according to the first contract for that mileage— and this is a thing unheard of with reference to any other railway—received not a single dollar of subsidy nor a single acre of land. It received a guarantee of $13,000 per mile; and later on, in 1909, a loan—mark you, a loan—on which it had to pay interest. And the honourable gentleman from Hamilton compares that railway, which has received practically no aid from the Government, with the Canadian Pacific.

What did the Canadian Pacific Railway company get? That company, as we all know, received $25,000,000 in cash at its very inception. Nobody denies that. It received also 25,000,000 acres of land; also 614 miles of railway already built; and the advantage of surveys that had been going on for nearly ten years, with the entire land surveyed. Then it was granted a great privilege, that of exemption from duty on anything that entered into the construction of the road. They could import, from the United States, England, or anywhere else, anything they wanted, without having to pay any duty. Moreover, they were exempt from land taxes. They were given a monopoly of the whole Northwest territory, and they were guaranteed freedom from competition for twenty years. Competition was allowed afterwards. And, above all these privileges, they were allowed by the charter to charge their own rates, and merchants or farmers in the Northwest had to pay what the Canadian Pacific railway company chose to charge them. There was in those days no Railway Commission or other authority to regulate the rates; so the people had either to pay them or walk.

What would the Grand Trunk Railway company not be to-day if it had received some such concessions? The Grand Trunk Pacific from the beginning had to meet competition from the Canadian Pacific, which was already bulit, and from the Canadian Northern, which was partly built. The fact that the Canadian Northern was then being constructed added considerably to the cost of railway construction, because of the scarcity of labour. On the other hand, the Canadian Pacific benefited tremendously by the construc-

tion of the Grand Trunk Pacific, because every labourer who went to work on the Grand Trunk Pacific had to travel by the Canadian Pacific to get to his work and had to pay toll to the Canadian Pacific in buying his ticket. Every bit of rail, every piece of machinery, every pound of explosives, every pound of provisions, went by the Canadian Pacific railway. When one of the directors of the Canadian Pacific railway was protesting against the former Government allowing the Grand Trunk Pacific Bill, some one said to him: "It will be an advantage to your company. A large proportion of the money will revert to the Canadian Pacific railway, because the Grand Trunk Pacific will have to pay the Canadian Pacific railway for the transportation of railway labourers and construction material." The stock of the Canadian Pacific Railway company, which was then selling at $135, rose within six or seven months or a year after the commencement of the Grand Trunk Pacific to $175, as high as it is to-day.

The old Grand Trunk railway has also been criticised by the honourable gentleman from Hamilton. The original cost of building the Grand Trunk railway was $127,000 a mile, but dividends have been paid on only $48,000 a mile. Still the honourable gentleman says the dividends have been too high. The capital of the Grand Trunk railway, which is in pounds sterling, is equivalent to $240,000,000. According to the latest information, which is absolutely correct, the company has paid in the last ten years an average of $3,600,000 a year in dividends, or 1½ per cent. That is all that the shareholders of the Grand Trunk have received. Sir Henry Drayton was good enough to say, at page 45 of his report, that Canada is under some obligation to the Grand Trunk railway shareholders. Well, I should think he is right. The railroad was built entirely with British capital, with the exception of the $28,000,000 which I mentioned a few moments ago, and twelve millions of which had been used by roads which became bankrupt and were taken over by the Grand Trunk. For 65 years the Grand Trunk has been giving good service, and honourable gentlemen know that $30,000,000 in actual money, of the common stock of the Grand Trunk, has for 65 years never paid one cent. That sum of money, at an interest rate of between four and five per cent, compounded, would make to-day over $500,000,000. The investment of all that money has inured to the advantage of Canada. The Grand Trunk Railway company was not given twenty-five or loaned thirty million dollars, as was the Canadian Pacific Railway company. The money came from the British people, and that money has been earning interest in the service of Canada. If there is one railway in this country to which Canada is indebted, it certainly is the Grand Trunk.

You will find most of what I have just stated in a letter which has appeared recently in the newspapers, signed by Mr. Alfred A. Smithers, the chairman of the Grand Trunk board.

The honourable member for Hamilton says also that in the purchasing of their feeders the company were ready to buy anything that was offered. Well, it was Sir Joseph Hickson who was responsible for buying most of those feeders, and, according to good railroad authorities, he made a very judicious choice, for those feeders are now considered, I understand, on very good authority, to be the best assets of the Grand Trunk. Those are the feeders which the honourable gentleman from Hamilton decried.

The honourable gentleman said also that it was a shame that the Grand Trunk did not give better service to the city of Hamilton, and that representatives of that city actually went to Mr. Van Horne and offered him a bonus of $500,000 if in his kindness he would bring the Canadian Pacific railway to the city of Hamilton. If that is so, how is it that after all these years the Canadian Pacific Railway company is using the Grand Trunk track to get into Hamilton? It is very strange that an enterprising company like the Canadian Pacific would not have grabbed that $500,000 and had a railway of its own going into that city. I must say that it is a progressive place; it has apparently made more progress than any other city in Ontario. If the Canadian Pacific Railway company had received the same treatment as the Grand Trunk, is there an honourable gentleman in this House who will deny that it would long ago have become hopelessly bankrupt? On the other hand, if the Grand Trunk Railway company had received $347,000,000, it would have been—

Hon. Sir MACKENZIE BOWELL: Will the honourable gentleman kindly explain in what way the Canadian Pacific Railway company received $340,000,000 from the Government?

Hon. Mr. CLORAN: They have not finished getting it yet.

Hon. Mr. CASGRAIN: Here is what the report says:

> Completed roads and surveys cost Government $37,785,320; cash subsidies, $66,905,481; lands sold, $123,810,124; total public assistance, direct and indirect, $228,500,925.

It must be noted that this sum is not net to the company, as it represents the gross receipts, while the company has expended large sums of money in irrigating a portion of the lands sold. As pointed out, however, the company values its unsold lands at $119,250,000. These two sums together make a total of $347,000,000.

Hon. Sir MACKENZIE BOWELL: I think the honourable gentleman could make that amount much larger if he put the present value on the lands.

Hon. Mr. CASGRAIN: I take the values given in the report as published by the Government. I hope they are not wrong, as sometimes happens.

The principal grievance of the honourable gentleman from Hamilton was that the Grand Trunk board was in England, and that it was impossible to manage a railway from across the water. Surely the honourable gentleman knows as well as I do that there are railways in many parts of the world which are managed in Canada. For instance, there is the railway built in Cuba by Sir William Van Horne, with its head office in Montreal; and there are railways in Mexico and South America with head offices in Canada; so the argument of the honourable gentleman does not hold good.

My honourable friend has said that the Canadian Pacific railway is the best railway in the world. I must admit that it would have been almost impossible to find a better man for the position he occupied than Sir William Van Horne. I am willing to take off my hat to him as the best railway man we ever got from the United States, and I do not know of any better in Canada; but if the Grand Trunk railway had got $347,000,000, it would have been as prosperous as the Canadian Pacific.

The honourable gentleman has said that the Grand Trunk is a mendicant at the doors of Parliament. Well, during the last 65 years it has brought $430,000,000 into the country. If there are any mendicants of that kind in Hamilton I would be glad if my honourable friend would send them to my door in Montreal. If ever men gave money cheerfully, the shareholders of the Grand Trunk Railway company have done so. Show me any other railroad promoters who have put their own money into railway enterprise. There are 65,000 shareholders of the Grand Trunk in England to-day, and when the company wants money it can raise it among its own shareholders. In June, 1915, the day on which Scarborough was bombarded, when telegraph lines were down and communication was cut off, within the short space of five hours the Grand Trunk Railway company raised $12,500,000 in London among its own people. If my honourable friend thinks that looks like the action of a mendicant, I certainly must differ from him. I do not want to say anything in disparagement of those who organised the Canadian Pacific Railway company; but there is a great difference between the Grand Trunk Railway company's shareholders and the members of the syndicate that organized the Canadian Pacific Railway company. The whole syndicate could not scrape up from all its members $2,000,000. That has not been denied. A few years afterwards the same people could raise $100,000,000. They received very different treatment to that meted out to the shareholders of the Grand Trunk. The stock of the Canadian Pacific was allotted at 25 cents on the dollar, but paid a dividend of 6 per cent on the par value of the stock, and after five years they had all the money which they had invested, with interest, and they still had the shares. No wonder that company has been prosperous. On the other hand, the $30,000,000 put up by the shareholders of the Grand Trunk railway never paid a cent in dividends. There is one feature which is worthy of notice: the Grand Trunk Railway company never defaulted in any of its obligations. How many railroads across the border, and even in Canada, have been in the receiver's hands, some of them several times, while the Grand Trunk has met its obligations without aid from anybody.

The honourable gentleman from Hamilton has said that the Grand Trunk railway lacks equipment. Will he be surprised to hear that the Grand Trunk railway has more cars per mile than any railroad in Canada? The only railroad that I know of which has more cars per mile than the Grand Trunk, is the Michigan Central, which is only a short line.

A great deal has been made of the fact that the Grand Trunk Railway company lost a golden opportunity when it did not undertake to build what is now the Can-

adian Pacific railway. We know that Sir John A. Macdonald and Sir Adolphe Caron went to London to try to induce the Grand Trunk Railway company to build the Canadian Pacific railway; but what we do not know is what inducement was offered. I see the honourable member for Hastings (Hon. Sir Mackenzie Bowell) smiling. Perhaps he knows: he was in the Government at that time. Those who were interested in the Grand Trunk railway could not have dreamed of the generosity of the Government.

Hon. Mr. LYNCH-STAUNTON: They lived too far away.

Hon. Mr. CASGRAIN: In 1882 the building of the Canadian Pacific railway was commenced, and the company got $25,000,000; yet in 1884, when the loan of $30,000,000 was made, the company was hopelessly bankrupt.

Hon. Sir MACKENZIE BOWELL: They paid it all back.

Hon. Mr. CASGRAIN: Certainly, every dollar. Sir William Van Horne came here, saw Collingwood Schreiber, and spent the whole morning trying to induce the Government to give them some assistance. When Mr. Schreiber held out no hope—so the story goes—Mr. Van Horne actually wept. When he was going back he met Sir Francis Smith and Mr. Stephen, now Lord Mountstephen, at the old Russell House, and they said to him: "Stay in Ottawa forty-eight hours and we will see what we can do."

Hon Sir MACKENZIE BOWELL: You can make that statement shorter by saying that the money was advanced and that it was all paid back.

Hon. Mr. CASGRAIN: Certainly. Sir Francis Smith then saw Sir John Macdonald and told him—

Hon Sir MACKENZIE BOWELL: You might add this, too, that when they were in difficulties the late Lord Strathcona gave his own money to help them.

Hon. Mr. CASGRAIN: Sir John A. Macdonald, in conversation with Sir Francis Smith—according to his biographer, Sir Joseph Hope—said: "I cannot do any more; I have done enough. If I do anything, I shall be put out." Sir Francis replied: "You will be put out if you do not, so you might as well do it anyway." How could the directors of the Grand Trunk railway dream that such assistance would be given?

I think that the Imperial Government would be absolutely justified in vetoing a Bill proposing to take away the Grand Trunk railroad from the 65,000 shareholders of he Grand Trunk Railway company, and I am sure that His Majesty would be well advised if he exercised his power of disallowance with respect to such a measure.

The Grand Trunk charter was granted in 1852 and building commenced in about 1853. To obtain a fair view, the mind must be carried back to the position at that time, and the promoters of the railway must not be judged as if in 1853 they were possessed of the knowledge and experience possessed by those living to-day who have seen the growth of railways in Canada during the last sixty-five years. The Grand Trunk was the first railway built by British capital outside of the British Isles. No Government assistance was rendered, and the money to start the work had to be procured in London. The only means of obtaining it there was to associate such names known in London as would command public confidence. This was done. The house of Baring Bros. was associated with the enterprise, as also were Messrs. Peto, Brassey, Betts, and Jackson, the eminent contractors. One of the oldest and best-known banks in Great Britain, with a world-wide reputation, Messrs. Glyn, Mills, Currie, and Company, became the bankers of the company and have remained so up to the present. The undertaking was indeed a venturesome one.

My honourable friend does not believe that the recommendations in the report should be carried out.

Hon. Mr. LYNCH-STAUNTON: I will tell the honourable gentlemen as to that when it comes before the House.

Hon. Mr. CASGRAIN: If the honourable gentleman's ideas prevail, the oldest railway in Canada, which on its own resources has done more for the country than any other, is to be held to its bargain with the strictness of a Shylock, while the Canadian Northern railway and the Canadian Pacific railway, both with Canadian boards, are to receive and continue in the enjoyment of the enormous benefits which the Canadian people have so liberally granted. If ever there was a case of harsh treatment, it was when a great company which has had a long and honourable career, especially at such a period as this, should have its difficulties increased by every possible means being used to injure its credit.

I apologize, honourable gentlemen, for speaking at such length. I regret very

much the uncharitable remarks that were made about the directors and about hirelings of the company. If I have spoken with a little heat it is only because, having had the advantage of knowing Mr. Wainwright, I regretted deeply the remarks that were made.

Hon. FREDERIC NICHOLLS: Honourable gentlemen, I have been waiting throughout the course of this debate to hear the principle of this Bill discussed; but I have been taken down in the valleys, and up on the hills, and over the grades, and have renewed the acquaintance of many old friends; but I have not heard a single word in reference to the principle of the Bill. I am still hoping that sooner or later in this debate the principle of the Bill will receive some attention; therefore I desire to move a short amendment. In general, I believe that Canadian enterprise should in the main be directed by Canadians. I realize, however, that it is quite impossible for us, by legislation or otherwise, to compel all members of a board of directors to be resident in Canada. If we had sufficient capital in this country to finance every enterprise that we undertook I think such a proposal would be a good one. I give notice that when the Bill is in committee I will move that section 4 be amended to read:

The majority of the directors shall be bona fide residents in Canada.

I think that the persons who furnish the capital for an undertaking should have some say in the administration of the company, whether they reside in this country or abroad, but I think that the majority of the directors should live in Canada.

Hon. H. J. CLORAN: Honourable gentlemen, the amendment is not much better than the main motion. The main motion says that the directors shall all be residents of Canada. The amendment calls for a majority of the directors to reside in Canada. What does the honourable gentleman from Hamilton (Hon. Mr. Lynch-Staunton) mean? Is this a drive at the Grand Trunk Railway company? It has been stated here to-day that there are 65,000 shareholders in that company not one of whom is a Canadian. Where are we going to get a board of directors unless the directors have some responsibility and interest in the company? It is puzzling to me, and it will be puzzling to the country, to find that honourable gentlemen in this House demand sacrifices from 65,000 British investors because none of them are residents of this country. It is an outrage, and a bitter outrage, on account of the circumstances that exist to-day. What right has this House, or this Parliament, to confiscate wealth belonging to British people to the extent of $47,000,000? What do the honourable gentlemen mean? In whose interest are they working? It is evidently not in the interest of the original railway of Canada, which developed Canada and made the Canadian Pacific railway possible. That railway would not be in existence to-day but for the Grand Trunk. Only for the 65,000 British investors Canada to-day would be in a state of wilderness. Why is the West developed to-day? Because the Grand Trunk set to work in this country, from Riviere du Loup to Toronto, and turned that area into two prosperous provinces. If the Grand Trunk had not done that sixty-five years ago, we should have heard nothing of the building of the Canadian Pacific railway. What do honourable gentlemen mean by asking Parliament practically to confiscate the wealth of these 65,000 British investors? I say that the proposition put before the House is not tenable; it is not debatable; it should not be entertained; and I hope it will go forth from this House that the 65,000 British investors have in this House defenders who will maintain their rights and uphold their claim to their wealth.

I am not going to enter into questions of grade or momentum. No, I am upholding broader principles—broader, but not more essential than the facts which the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain) has given to this honourable House. He has given you reasons from the gravel-pit up, showing the value of this road to Canada, what it has done and is doing for Canada. I admire his statement of facts. I admire his quotations, even from the speeches of the honourable senator from Hamilton and from the adverse report of Sir Henry Drayton, a lawyer who was honest enough to return the $15,000 cheque which he had received for his investigation. He was honest in that. We had another one who was honest, the late Chief Railway Commissioner, Judge Mabee; he also returned a cheque which he had received as a commissioner for some inquiry. And Mr. Justice Duff also declined to accept money for similar service.

Hon. Sir JAMES LOUGHEED: That vindicates the legal profession.

Hon. Mr. CLORAN: I cannot see why the honourable senator from Hamilton should

insist on asking for an amendment to the Railway Act, as he has done. He has absolutely no ground on which to stand, because it is the plain, obvious fact that you cannot have a board of directors unless they are qualified to represent the shareholders. The same remarks apply to the amendment regarding the majority of the board of directors. It is the majority of the shareholders who elect the directorate of a company. What is the aim in introducing this measure, which I consider to be unfair to a company that has done and is doing so much for Canada?

Hon. W. C. EDWARDS: I understand the practice to be that only the principle of a Bill is discussed on the second reading—that a Bill is generally only amended in committee.

So far as the principle of this Bill is concerned, it is, in my humble opinion, wrong, and I hope that this House will not accept it. All matters of this kind should be dealt with in the general Railway Act, and my recollection is that in the general Companies Act as it now stands any company organized here must have a certain number of directors who live in Canada.

Looking at the history of the Grand Trunk Railway Company, it seems to me most unreasonable that the directors of a company of that character, coming into Canada to build a railroad for the benefit of the people of this country, should not control the money which they have expended or that any Canadian should have anything at all to do with the administration of that money.

Now, may I say just a word upon the question of administration? I know something of companies, and to my mind it matters very little who compose the board of directors if the general manager is inferior. The general manager is the important person in the administration of any company, as any honourable gentleman here who is connected with large companies knows quite well. As to the original manager of the Grand Trunk railway I cannot speak, for I did not know him very well; but certainly Mr. Hays was a very strong and able railway man, in whose hands I think the administration of the affairs of that railway was perfectly safe. The building of the Grand Trunk Pacific was largely the outcome of a desire on the part of the Canadian people for more railways. There was a time when it was thought that railways could not be built fast enough to keep up with the requirements of the country. That may have been a mistake; but to pass legislation of this drastic nature now, which would have a special effect upon this particular railway, would in my humble opinion be a great mistake, and I sincerely hope that the principle of the Bill will not be accepted.

Hon. HEWITT BOSTOCK: We have had a long discussion on this matter, and I think that the fact that this Bill is an amendment to the general Railway Act has been to some extent overlooked. The honourable gentleman who has introduced the Bill (Hon. Mr. Lynch-Staunton), in speaking to the question, referred principally to a particular railway. But we must not forget that this Bill, if it were passed, would seriously affect all railways in the country. I think also, as has already been said, that it is largely a question for the shareholders of a company. They have the right to say where their directors shall be. If they consider that the directors are not capable of managing the affairs of their company, they can surely appoint other directors who are. I think it would not be right for this Parliament to bind them by a law which would permit them to have as directors only persons who are living in the country, when possibly the shareholders themselves are scattered in different parts of the world, as is the case in a large number of companies. We have been in the habit of granting charters to companies to do business in other parts of the world; and, if legislation of the kind proposed were to be enacted, it would be rather curious for us to insist that companies who are doing business say in South America must have directors in South America; for I presume the granting of a charter implies a confidence in those persons who have been chosen as directors of the company, and the shareholders would consider that the directors they had chosen possessed a knowledge sufficient to enable them to manage the business down in South America or in any other part of the world. I hope that my honourable friend (Hon. Mr. Lynch-Staunton) will see his way to withdraw this Bill, or that, if for any reason he desires to have it sent to committee, we shall not be committed to the principle involved. I think that the House should not adopt the Bill.

Hon. Mr. MITCHELL: The honourable gentleman who moved the amendment (Hon. Mr. Nicholls) said that he thought the 65,000 shareholders of the Grand Trunk Railway Company residing in Great Britain should have some say in the management of the company. I would like to know what he means by "some." Where would he draw the line as

to their authority to control their own company?

Hon. Mr. NICHOLLS: I have not expressed any opinion on the principle of the Bill. When I rose I stated that I had not heard the principle of the Bill discussed, but that personally I was not in any event in favour of the principle of a Bill which would provide that all the directors should reside in Canada, and I suggested as an amendment that a majority of them should be in Canada. I have been waiting since the commencement of the debate to hear the principle of this Bill discussed. I moved in amendment something which I think is probably less drastic than the Bill itself. I should be very glad to give my opinion after I have had the opportunity of hearing the principle of the Bill discussed, rather than a discussion as to the relative merits of various railways.

Hon. H. W. RICHARDSON: I have listened with a great deal of pleasure to this discussion. Whether or not I agree with all that has been said is a different matter. However, I think we have to some extent lost sight of the object of the Bill. We are not attacking the Grand Trunk Railway Company, or thinking of doing so, because, as we are all aware, this country owes a debt of gratitude to that company. But we do think that the Grand Trunk railway, or any other railway, or any other organization, can be managed better at home than abroad. I think every honourable gentleman in this House will agree to that. Certainly the stockholders must have representation, and we ought not to deprive them of that right. But what I should like to see would be an attempt to improve their position, if possible. Is there any honourable gentleman here to-day who will not agree with me in this, that if the president and board of directors of the Grand Trunk had lived in Canada, they would, before the Canadian Pacific railway was constructed, have realized the resources of this country and been ready and anxious to take considerable risk, and the Grand Trunk would to-day be in the position of the Canadian Pacific Railway Company. We all know it. I think this question would be solved if a portion of the board of the Grand Trunk were Canadians, men who are alive to the country's needs, and how to meet them. Do you think, honourable gentlemen, that that would be an advantage to the Grand Trunk?

We have heard about the easy grades of the railroad from the West to Quebec. The Grand Trunk Pacific hauled wheat from Armstrong, a divisional point north of Fort William. This wheat did not come from Fort William, but from grain elevators on the prairies. They hauled this wheat to the city of Quebec for six cents a bushel; but, honourable gentlemen, they have never made any money in doing so; on the contrary, there has been a deficit. The farmers on the prairie had large quantities of grain, the western elevators were filled, and some means had to be devised to relieve the congestion; so the sacrifice rate of six cents a bushel was put into force simply to move the grain from the West. It was transported to a vacant storehouse in the city of Quebec. In that way the grain was moved. I moved a considerable portion of it. But, really, it was a shame to take advantage of the rate, it was so low. But it was winter time, and this grain had to be bought and paid for, and had to be carried until June, July, or August before it could be shipped. We have found the port of Quebec a favourable port from which to make shipments, and yet, strange to say, it is only with the greatest difficulty that ships are induced to go to Quebec, although Montreal is from three-quarters of a day to one day farther, according to tide. The vessels prefer going to Montreal for loading to stopping at Quebec.

Hon. Mr. THOMPSON: What is the difficulty?

Hon. Mr. RICHARDSON: That question ought to be threshed out, and we ought to appoint a committee of this House to consider it. So far as I know, it has not yet been taken up, and before I leave this House this afternoon I hope to submit a motion for an inquiry into this question, to find out why things that are done in Montreal are not done in Quebec, where they could be done more easily.

Hon. Mr. THOMPSON: Perhaps directors were appointed from outside Quebec to manage that work.

Hon. Mr. RICHARDSON: I will not discuss this question now, but if this matter were dealt with by a committee I think figures could be obtained from the Harbour Commissions of Montreal and Quebec, and some improvement might be brought about.

Hon. Mr. CLORAN: Will the honourable gentleman allow me to put a question to him before he takes his seat? He has just made the statement that he is in favour of having a majority—

Some hon. SENATORS: No, no.

Hon. Mr. RICHARDSON: I have not made that statement. I said that in my opinion there should be in Canada a strong representative of the Grand Trunk Railway Company. There is not a man in this House who has spent more on the Grand Trunk railway than I have.

Hon. Mr. CLORAN: The question narrows down to this: how can there be a representative in Canada on the Board of Directors if there is nobody in this country qualified to hold the position?

Hon. Mr. RICHARDSON: Does the honourable gentleman mean to say that qualified men cannot be found? There are thousands of men who would be competent.

Hon. Mr. MITCHELL: According to law, the shareholders have the right to elect their own directors. Would you take that right away from them? It seems to me that would be nonsense.

Hon. Mr. CLORAN: If such a law were passed in Canada, it would be disallowed by the Imperial Government.

Hon. Mr. LANDRY: I rise to a point of order. We are not in committee. I should like to know what is the question before the Chair. Is it a public Bill or a private Bill?

The Hon. the SPEAKER: A public Bill.

Hon. Mr. LANDRY: All these questions can be discussed in committee.

The Hon. the SPEAKER: The only question before the House is the second reading, when the principle of the Bill is the only matter that may be discussed.

Hon. GEORGE LYNCH-STAUNTON: Honourable gentlemen, I am not going to enter into a political discussion. This is not the stump; this is the Senate of Canada. I am not going to discuss the question of the report on the Transcontinental railway. With my limited intelligence, I cannot see that it has anything to do with this question at all. The question before the House is whether or not it is a wise, a proper, and a just thing to require that the directors of a railway company in Canada, or the majority of them, should reside in Canada. I have heard honourable gentlemen say here to-day that this was a new principle, or words to that effect. When the Grand Trunk Railway Company was incorporated, it was specifically provided in their charter that all their directors' and shareholders' meetings should be held in Canada; that at least three directors should be English and three should be appointed by the Government. The head office of the Company was to be in Canada. It was a well-recognized principle of the Bill that this was to be a Canadian enterprise, governed, directed, and controlled by people resident in this Dominion, or in the two provinces which were then Canada. After the railway was built, after the money was subscribed, after the English shareholders were committed to the enterprise, in 1862 they induced the Government to amend the Grand Trunk Railway Act by striking out that clause with regard to the qualification of the directors, and by providing that there should be a head office in London and a head office in Montreal, and that the directors or the shareholders might meet either in London or in Montreal. In my humble opinion the proposed Bill does not take away the right of the shareholders, who subscribed their money on the faith that they should have the privilege of electing English directors, because they subscribed to the building of the road on the distinct legal understanding, as declared in their Act of incorporation, that it should be a Canadian enterprise, managed, governed, and controlled in Canada.

This is not a new principle. It is a principle that is in every Act that I know of other than railway legislation. The companies that we incorporate must have their head offices in Canada, and must hold their directors' meetings in Canada. There may be some exceptions, but it is a departure from the recognized legislation of Canada to allow company directors to hold their meetings outside of Canada.

Hon. Sir JAMES LOUGHEED: Is it not a provision of the Grand Trunk Pacific Bill?

Hon. Mr. LYNCH-STAUNTON: I have gone through all the Grand Trunk railway legislation for the purpose of ascertaining these facts, and I am speaking by the book. The honourable the leader of the Government has asked a question which I am not sure of, although my impression is——

Hon. Sir JAMES LOUGHEED: The majority have to live in Canada.

Hon. Mr. CASGRAIN: They meet in Montreal.

Hon. Mr. LYNCH-STAUNTON: The money invested in the Grand Trunk Railway Company is English, the shareholders are English, and it is begging the question to say that I am bringing this measure be-

fore the House out of any animosity to the Grand Trunk Railway Company. I believe that this country owes an enormous debt to the Grand Trunk Railway Company, and I say the shareholders would have been receiving dividends if it had not been for the unwise provision inserted in the Bill of 1862. To say that I am hostile to them is unfair and improper. My idea is to have this Bill passed for two purposes: first, that this enterprise, which is so essential, should be well and properly managed, and should develop this country as it ought to be developed; and, secondly, that those English people living outside of this country who invested their money in the enterprise should get the return to which they are entitled. If we allow enterprises to be mismanaged, as I say with great confidence this enterprise has been mismanaged, the effect is to discourage outsiders from investing their money in the country. We should treat this question as a matter of public interest, and not as a matter of partisan politics. It is a matter of principle, whether it is right or proper in the interests of Canada, and whether it is just or unjust with reference to the rights of the shareholders. I do not desire to interfere with anyone's property or anyone's rights. I do not believe in public assemblies robbing anybody; but I do believe that we should pass legislation which will benefit this country unless it is shown that it will inflict a material injustice, not a theoretical injustice, upon the shareholders of any corporation carrying on business here.

A lot of time has been taken up in telling us that, if the Grand Trunk railway had had all the advantages which the Canadian Pacific railway has had, instead of being in its present condition, it would have been a flourishing institution. That is exactly my contention. If the Grand Trunk railway had had a board of directors in Montreal with the astuteness and business ability of the gentlemen who commenced the building of the Canadian Pacific railway, men who were able to drive a good bargain and take good care of their shareholders, it would occupy a similar position to that of the Canadian Pacific railway. The Grand Trunk railway had a board of directors in England, composed of gentlemen who knew nothing of conditions in this country. If I were a shareholder in that company I would say: "If you had been in Canada you would have got the same concessions that other people got." The Canadian Pacific railway is owned in Europe; the great majority of the stockholders are Europeans. Do you suppose that they would trade boards of directors to-day? Do you suppose that the shareholders of the Grand Trunk railway would not be delighted to have the board of directors who guided the affairs of the Canadian Pacific railway so wisely? I believe that there are 20,000 shareholders in the Grand Trunk Railway Company. I have heard it stated to-day—as the cats in our gardens multiply—that there are 67,000 shareholders. There are 20,000 men who have invested their money and have had no proper profit out of that enterprise, but who would have had that proper profit if the men who were directing the Canadian Pacific railway had been in charge of their affairs. The Canadian Pacific railway was built only twenty years after the Grand Trunk railway. The Grand Trunk Railway company had the opportunity of taking up that enterprise. Sir John Macdonald tried to get them to take it up, but they did not know enough to do it. If I were a stockholder in that company, I would not be insisting on my fancied rights; I would be insisting on my profits.

The honourable gentleman who accused me of bringing in this Bill for partisan purposes——

Hon. Mr. CASGRAIN: No, excuse me.

Hon. Mr. LYNCH-STAUNTON: I am perfectly willing that he should abuse me and my conduct from Dan to Beersheba, because I know that in what I have undertaken I have tried to do my duty as I saw it. Some people do not agree with me, but that has nothing to do with this question. If you are going to condemn it because I, forsooth, was a Commissioner to investigate the building of the Grand Trunk Pacific railway, then I imagine that when we discuss legislation concerning Canada we should argue the principles of something that concerns China, for they are just as closely related.

I have made inquiries of the Government, and I find that they prefer that this question should be considered when the general Railway Act is brought before us, and for that reason I am quite willing that this Bill should be withdrawn; but I shall bring it up when the Railway Bill is before this House.

Hon. Mr. McSWEENEY: Honourable gentlemen, I would like to read a paragraph relating to this question from the Montreal Gazette of Saturday, June 16. It is as follows:

A Bill to amend the Railway Act has been introduced in the Senate by Mr. Lynch-

Staunton. It proposes to exclude from the directorship of railway companies persons who are not residents of Canada and to ordain that all meetings of directors of railway companies held elsewhere shall be of no effect. The need of such a law is not established. In modern days men invest in many countries beside their own, and to deprive any who, living in other lands, put their money in Canadian enterprises, of their natural right to oversee the management of their property is neither wise nor wholesome.

The Bill was withdrawn.

DIVORCE BILL.

SECOND READING.

Bill S2, an Act for the relief of William H. Bishop.—Hon. Mr. Gordon.

ADJOURNMENT OF THE SENATE.

Hon. Mr. LANDRY: Honourable gentlemen, as we have nothing on the Order Paper for to-morrow except a Bill which may well stand, if there is no objection I would ask the honourable the leader of this House to propose that when this House adjourns it do stand adjourned until Tuesday evening next at eight o'clock.

Hon. Mr. BOSTOCK: Before that motion is carried, may I ask the honourable the leader of the Government what has happened to the Supply Bill?

Hon. Sir JAMES LOUGHEED: I am really unable to say. I fancy that the Government of Canada is so prosperous that it can struggle along without it. As to the suggestion of my honourable friend from Stadacona (Hon. Mr. Landry), I invariably follow his advice in matters of that kind.

The Senate adjourned until Tuesday, July 17, at eight o'clock in the evening.

THE SENATE.

Tuesday, July 17, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATORS INTRODUCED.

The following newly-appointed senators were introduced and took their seats:

Hon. Lytton Wilmot Shatford, of Vancouver, British Columbia, introduced by Hon. Sir James Lougheed and Hon. Mr. Crosby.

Hon. Albert Edward Planta, of Nanaimo, British Columbia, introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell.

APPLICATIONS FOR DISALLOWANCE OF ONTARIO STATUTES.

INQUIRY.

Hon. Mr. LANDRY inquired of the Government:

1. Has the Governor in Council received, since the last session of the Ontario Provincial Legislature, applications for the disallowance of certain legislative Acts passed by the said Legislature?
2. What are the Acts for which disallowance has been applied for?
3. On what dates were the petitions for disallowance presented?
4. By whom were these petitions signed?
5. Has the Governor in Council replied to these petitions, and when?
6. In what sense was the reply made?

Hon. Sir JAMES LOUGHEED:

1. Yes.

2. Chapter 21, "An Act to authorize the construction and operation of works for the development of electrical power and energy in the vicinity of Niagara Falls by the Hydro-Electric Power Commission of Ontario on behalf of certain municipal corporations." Chapter 59, "An Act respecting the appointment of a Commission for the Ottawa Separate Schools." Chapter 60, "An Act respecting the Roman Catholic Separate Schools of the City of Ottawa."

3. 21st April, 1917, and 10th May, 1917.

4. As to Chapter 21,—by J. W. Langmuir, Wm. Mackenzie, Henry M. Pellatt and Frederick Nicholls. As to Chapters 59 and 60,—by Samuel Genest and forty others.

5 and 6. No action was taken on the petitions.

ALLEGED OMISSIONS FROM THE ORDER PAPER.

QUESTION OF PRIVILEGE.

Before the Orders of the Day:

Hon. Mr. CLORAN: I wish to direct the attention of the House to some important lapses in the Order Paper. For some weeks past I have had before the Government a series of questions. I think the honourable gentleman from Liverpool (Hon. Mr. Farrell) has also made an inquiry. At the time the questions were put, we were both informed by the honourable leader of the Government (Hon. Sir James Lougheed) that he was not in a position to answer them, and he requested us to change them into motions for returns. After some hesitation I consented to do so, not for the pur-

pose of relieving the Government, but to relieve the honourable the leader of the Government in this House from further trouble in the matter, and I requested the honourable the Speaker to have my inquiry changed into the form of a motion for a return. That was done with the unanimous consent of this honourable House. Now I observe that the motion is not on the Order Paper, nor is the motion of the honourable gentleman from Liverpool. I would ask the honourable the Speaker, who has supervision over the procedure of this House, to see that these two motions be placed on the Order Paper of the Senate for to-morrow.

Hon. Mr. LANDRY: The honourable gentleman will find at page 478 of the Minutes of Proceedings the motions to which I think he refers.

Hon. Mr. CLORAN: Well, they are absolutely contrary to the facts. I made no such motion. My motion was to have the inquiry changed into the form of a motion for a return.

Hon. Mr. LANDRY: It was done.

Hon. Mr. CLORAN: Certainly it was done. The motion should now appear on the Order Paper, and it is not there. What the honourable gentleman (Hon. Mr. Landry) states is in the Minutes of Proceedings, but it is absolutely contrary to what was said on the floor of this House.

The Hon. the SPEAKER: Order.

Hon. Mr. CLORAN: Am I going to say that it is absolutely in conformity? I would be out of order then. I am stating what I know and what are the facts. I am not responsible for clerical errors, and when a senator stands on the floor of this House and asks to have his rights protected nobody should find fault, not even the Speaker. All that I am asking for is the recognition of my rights and those of the honourable member for Liverpool. I ask the Speaker to rule that my inquiry in the Minutes of Proceedings of July 11 be placed on the Order Paper to-morrow, in the form of a motion for a return.

The Hon. the SPEAKER: It is not possible for me to give orders to place these motions on the Order Paper for to-morrow or the day after, because they were put from the Chair on the 11th instant, and it was agreed that, instead of appearing as inquiries, these questions should be placed on the Order Paper as motions, and with the leave of the Senate the question was put from the Chair. If the honourable gentleman wishes to raise another question, he will have to give due notice.

Hon. Mr. CLORAN: I stood by the leader of the Government and I ask him to stand by me.

Hon. Sir JAMES LOUGHEED: I misapprehend the question which the honourable gentleman is discussing. Do I understand my honourable friend to be under the impression that, when a motion is moved for a return, and the House orders the return, the motion continues upon the Order Paper?

Hon. Mr. CLORAN: No.

Hon. Sir JAMES LOUGHEED: Is not my honourable friend content to have had his motion carried?

Hon. Mr. CLORAN: No.

Hon. Sir JAMES LOUGHEED: The motion was carried, and it so appears in the Minutes.

Hon. Mr. CASGRAIN: If the papers do not come down, the honourable gentleman from Victoria (Hon. Mr. Cloran) cannot make his speech.

Hon. Sir JAMES LOUGHEED: The resourcefulness of the honourable gentleman is such that he is always able to make a speech on any subject.

Hon. Mr. CLORAN: The honourable the leader of the Government has gone half way, and I go half way also. I admit that these statements are in the Minutes of Proceedings, but they are false all the same. I do not want the information alone; I want to drive it home to the Government. If the honourable the leader of the Government had replied to my inquiry, that would have settled the question; but he forced me to make a motion for a return, and now I am determined to go one better, and when I get that return I will bring home facts and figures that the Government will not approve of. Surely the Government would not be a party to suppressing free speech. The information will be brought down and put on the Table, and I shall never see it.

Hon. Sir JAMES LOUGHEED: Oh, yes, you will.

Hon. Mr. CLORAN: It will be too late. I may have to make the speech before the extension of the term of Parliament is granted. My motion is not at an end. The leader of the Government has shown on many occasions, in spite of his own party, that he is capable of defending the interests

of the country, and I ask him to have these inquiries put on the Order Paper in the form of motions.

DIVORCE BILL.

THIRD READING.

Bill S2, an Act for the relief of William H. Bishop.—Hon. Mr. Gordon.

MEAT AND CANNED FOODS ACT AMENDMENT.

FIRST READING.

Bill 73, an Act to amend the Meat and Canned Foods Act.—Hon. Sir James Lougheed.

FISHERIES ACT AMENDMENT.

FIRST READING.

Bill 74, an Act to amend the Fisheries Act, 1914.—Hon. Sir James Lougheed.

INTEREST ACT AMENDMENT.

FIRST READING.

Bill 99, an Act to amend the Interest Act. --Hon. Sir James Lougheed.

PRIVATE BILL.

FIRST READING.

Bill 91, an Act to amend the St. John and Quebec Railway Act, 1916.—Hon. Sir James Lougheed.

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

THE SENATE.

Wednesday, July 18, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE APPOINTMENT OF NEW SENATORS.

PROPOSED RESOLUTION.

Hon. L. G. POWER rose to move:

That the appointment of new Senators prior to the dissolution of Parliament would be an act of partisanship derogatory to the prestige, dignity, and independence of this honourable House, and would be a violation of the understanding arrived at between the two parties in regard to the cessation of party strife during the war.

He said: During the first session of Parliament after the commencement of the war, in 1914, while there was no express agreement or understanding arrived at, it was understood that party warfare was to cease from that time; and during the session of 1915, if I am not mistaken, this understanding was given expression to publicly, and it was agreed between the two parties that there should be no contested elections in constituencies where vacancies occurred through the death of members. There are at the present time, I think, twenty-three vacancies in the House of Commons subject to that understanding. There is the further circumstance, which deserves to be taken into consideration, that since the year 1911 the western provinces have been deprived of the representation in the House of Commons to which they are entitled. It would seem to follow that from the same date—I think it was in February, 1915—the Senate should be dealt with in the same manner as the House of Commons, and that vacancies caused by the decease of members should not be filled, or should be filled by the appointment of members of the same political stripe as those who had previously occupied the seats vacated. That would have been carrying out the understanding in a fair and liberal spirit. But this policy was not adopted by the Government. While the electors in some constituencies were were left unrepresented in the House of Commons, the Government exercised the power given to it by the strict letter of the law and appointed to the Senate a number of gentlemen of their own political complexion. It must strike every honourable gentleman in this House that that proceeding was not in accord with those democratic principles which even Mr. Balfour, for so long a time the leader of the Conservative party in England, has declared should govern us at the present time. But a further step was taken on the 10th of February, 1916, when an address to the Crown, asking that the life of this Parliament should be extended for a year from the time when it would have expired, in October, 1916, was concurred in by both parties. That was the action of the whole Parliament.

It seems to me that from that time forward, with respect to the constitution of the two Houses, the Government were in duty bound not to take advantage of the power which they had under the strict letter of the law. They were bound either to allow the vacancies in the Senate to continue or to have them filled by the appointment of gentlemen whose politics were of the same character as those of the senators whose de-

cease caused the vacancies. If the policy of alternate appointments had been adopted, we should now have, instead of a House decidedly one-sided, a House in which there would be good fighting forces on both sides. But, since the adoption of that address and practically the adoption of that understanding or agreement, the Government have continued to appoint to this House gentlemen of their own political persuasion—good, staunch Conservatives. I do not wish any honourable gentleman to suppose that I reflect in any manner whatever on the honourable gentlemen who have been appointed to this House. I am not thinking of doing so. Some of these honourable gentlemen would be looked upon as members of great value in any legislative body in the world, and I am glad to see them here; but I should have liked to see a few more of our political friends also.

Hon. Mr. DANIEL: Have you not enough?

Hon. Mr. POWER: Now, it seems to me that in the course adopted by the Government they are not playing the game fairly. The rights of the electors have been suspended, and the Government have been strengthening their own position by appointing gentlemen who will stand by them, not only for one Parliament, but as long as these honourable gentlemen live. If, for instance, an election were to take place during the next few months and the Government were defeated, the incoming Administration would find themselves confronted and their measures blocked by gentlemen who have been appointed really in violation of the understanding that existed. It is something like bringing up fresh troops during a cessation of hostilities, or taking war measures under the protection of a flag of truce.

There is, to my mind, this other point with reference to the appointment of these honourable gentlemen. No matter how high the character and how great the abilities of the gentlemen who have been appointed may be, I regard these appointments, in the words of the resolution, as derogatory to the prestige, dignity, and independence of this honourable House; and membership in the House is not as great an honour as it would have been if the game had been played fairly by the Government.

That is about all I have to say, honourable gentlemen. But I wish to make one further remark before I close. It seems to me that the Liberal party should be very particular, when they come to understandings or agreements with the present Administration, to see that those agreements or understandings are reduced to writing. Of course, it is barely possible that the written agreements might be treated as "scraps of paper"; but still there would be some guarantee on which to take action. I think it also entirely fair and proper that I should mention the fact that the honourable gentleman from Victoria (Hon. Mr. Cloran) a considerable time ago declared that a mistake had been made by the Liberal party in not having the agreement as to the Commons extended to the Senate and covered by some writing.

Hon. Mr. CROSBY: Mr. Speaker and honourable gentlemen, is this motion in order?

Hon. Mr. CLORAN: Honourable gentlemen, I had no intention on this occasion——

Some hon. SENATORS: Order. The point of order.

The Hon. the SPEAKER: Before I give a ruling on the question of order, I should like to have a few words of explanation in order to learn on what ground the point of order is raised.

Hon. Mr. CROSBY: It would seem to me, notwithstanding the views of the honourable gentleman from Halifax (Hon. Mr. Power), who is a very able and competent man and has been a long time in this Parliament, that it is the prerogative of the King to appoint members of the Senate. I think this is the first time in the long period during which my honourable friend from Halifax has been a member of this House that he has raised his voice against the manner of appointing senators. However, before entering into a discussion of the question, if we are to have a discussion, I would like to know if it is not the prerogative of the King to appoint members of this honourable House, and if the resolution proposed is in order.

Hon. Mr. CASGRAIN: That is the point of order.

Hon. Mr. CROSBY: The honourable gentleman from Victoria (Hon. Mr. Cloran) is always out of order, and I intend in the future to see that he keeps in order. There is too much disorder here. I do not wish to cast any reflection on his honour the Speaker, but his kindness and the kindness of this House too often allows honourable gentlemen to speak who are out of order. The appointment of senators is

the King's prerogative, the same prerogative as that by which the honourable gentleman from Halifax was appointed to this honourable House.

The Hon. the SPEAKER: I believe that the motion presented by the honourable the senior member for Halifax (Hon. Mr. Power) is only an expression of opinion, and, even if it were adopted by the House, I do not believe it would prevent the Government from appointing new senators.

Hon. Mr. CROSBY: Is not the King always right?

The Hon. the SPEAKER: The motion is not out of order.

Hon. H. J. CLORAN: As the motion is not out of order, may I be allowed to supplement the very fair presentation of this case by the senior member from Halifax (Hon. Mr. Power)? The junior member from Halifax (Hon. Mr. Crosby) has suggested that the Speaker ought to call to order members who rise too often. I hope the leader of the Government will take note of the demand made by his subordinate. I do not believe there is any man in this House who rises oftener than the honourable leader of the Government, so I hope the junior member from Halifax and the leader of the Government will come to an understanding on that point. I have no objection to the leader of the Government speaking as often as he does, because he is one of the few on the other side who are able to say something.

This motion is perfectly in order; and, not only before this honourable House, but in a short time before the electors of this country, we shall have ample opportunity to demonstrate the incompetence, the neglect, the oversight, if not worse, of the Government, not only regarding the internal administration of affairs, but regarding certain war measures which were calculated to aid the Allies, to help the cause of civilization, and especially to support the Canadian boys who are at the front. It would be futile to try to impress on the other side, composed as it is now, the correctness of my statement, but the efforts that we shall put forth in the coming general election will have their effect.

Now, this Government has asked the people of Canada, through its friends, subsidized or otherwise, through its public speakers, through ministers in various churches, and through Parliament, not to have a general election during the war—it would cause turmoil; would disunite the people; it would divert their attention from the prosecution of the war. That has been the policy of the right honourable the Prime Minister, his Government, and his followers, both in the House of Commons and in the Senate. Have they lived up to that policy? Has the Prime Minister kept his word as a man of honour, as a man of fair play and justice, to the Liberal electorate of the Dominion of Canada? He called for non-partisanship, and as late as yesterday afternoon he asked in the House of Commons that the life of the present Parliament be prolonged. He, gasping for breath, made the plea that the members of the House of Commons should show no partisanship in regard to his resolution for the extension of the present Parliament.

Hon. Mr. POIRIER: Was that agreed to?

Hon. Mr. CLORAN: It was carried by the very small majority of 17. Does the honourable gentleman wake up now? I listened to the Prime Minister during his entire speech. It was an able and eloquent one from his point of view. But why has not the Prime Minister shown during the past two years an example of non-partisanship? Instead of showing that example, he has throttled this country through its legislature. He has attempted to stifle the Liberal opinion of the Dominion of Canada by appointing to this honourable House members adverse to Liberal principles—against justice, against fair play, and against his own policy. What right has a prime minister of that calibre to dictate any longer to the people of this country regarding either war measures or measures of internal welfare and progress? I say, honourable gentlemen, the people will give him and his supporters the lash for thus ignoring the rights of over half the population of the Dominion of Canada.

If we are to calculate the Liberal sentiment of Canada by the general elections held in Saskatchewan, Alberta, British Columbia, Manitoba, New Brunswick—in all the provinces except Ontario—we find that nine-tenths of the people of Canada to-day are Liberals. The Tories were swept out of power in Manitoba not later than a year ago; they were wiped out in Alberta and in British Columbia. And it was about time for the change, especially in the provinces of Manitoba and British Columbia—and in New Brunswick also. The only governments maintained in power by the electors during this war are Liberal governments, and they have been returned by increased majorities;

I refer to the governments of Quebec, Alberta, Saskatchewan, and Nova Scotia. What has happened during this war to the Tory governments that were in existence? What has happened to the Government in Manitoba, of which the Minister of Public Works, who has not resigned, but has stepped aside, was the inspiring spirit? That Government was annihilated—why? Because of incompetent and dishonest administration. It is too bad for the reputation of Canada to have to say that. Why was the Tory Government of British Columbia cast aside? For the same reason—incompetency, and, unfortunately, dishonesty. Why was the Government of New Brunswick, which had to its credit only two Liberal members before the general election, which took place a few months ago—why was that Government swept from power? Because of incompetency, and, unfortunately, dishonesty. Why was the Government in Quebec, a Liberal Government, maintained? Because it was a progressive Government, and no finger of scandal could be pointed at it. The same is true of the Government of Nova Scotia, and all along the line.

I am therefore justified, taking all these facts into consideration, in saying that the vast majority of the people of this country are standing under the Liberal flag and are prepared to support it, not only in provincial contests, but in the contests for Federal power and supremacy. I say that the war measures of this country would have been better handled under Sir Wilfrid Laurier than under a Patenaude, than under a Blondin, or any other Nationalists who shot holes through the British flag six years ago to get a breath of liberty. The Tory party has been feeding at the public crib and heaping honours upon men who trampled the British flag in the dust, men who cried out against any aid to the Empire. Such men have been the colleagues of Sir Robert Borden in the Cabinet, and some of them still are. Does the Government expect, by appointing Tory members to this Senate, to gain the confidence of the country in the face of these flagrant acts of public dishonour and public dishonesty?

The two words are strong. It is a crying shame that Canada should have to submit to a régime of this kind, composed of two discordant elements, the ultra Loyalists and the ultra Sinn Feiners—if the name is applicable to them. This is done in the name of patriotism. Patriotism is a fine thing; it is a glorious thing when it is not abused. I am afraid that the country will come to the conclusion that during the past two or three years the Government has abused the holy and sacred cause of patriotism to maintain itself in power and to feed and honour the Nationalists of Quebec by putting them in places of honour—by appointing them commissioners, ministers without portfolio, and so on.

In view of these facts, the Government has no justification for sending men into this House to replace old-time, stalwart Liberals who have died during the extension of the term of Parliament. Parliament is a misnomer. There is no such thing as extension of the term of Parliament. The word Parliament, under the constitution, means a composition of the two branches of the legislature, the House of Commons and the Senate. The Senate is a permanent body and needs no extension of its term. The wording of the Bill and the discussion should be based on the extension of the life of the Administration headed by Sir Robert Borden and a depleted House of Commons. That is what the extension is wanted for—nothing else. This House needs no extension under the constitution, and therein lies the great danger to the welfare of this country in the Government appointing men permanently when it has no right to do so.

Two years ago I foresaw the present situation. I gave notice to the House that the agreement between Sir Robert Borden and Sir Wilfrid Laurier should be in writing, and that it should affect this House as well as the House of Commons. I am sorry that the most serious objection came from honourable gentlemen on this side of the House who had absolute confidence in the Tories. They said: "My dear senator, you do not suppose that the Government would take advantage of such a condition; you do not suppose that they would name the ten new senators from Manitoba until after a general election." I said, "Do not trust them." I was right then, and I am right now; but my leaders said: "Oh, the Government will not avail themselves of such an opportunity when our blood is being shed on the battlefields, and when our money is being spent by the hundreds of millions." But up to last night the Government has taken advantage of the situation, to the detriment of the rights and interests of the great Liberal electorate of the Dominion of Canada.

Hon. Mr. SHARPE: Does my honourable friend state that Sir Robert Borden agreed not to appoint any senators?

Hon. Mr. CLORAN: No, I am just saying that it is a pity that we did not have

that agreement in writing. The understanding was not an agreement between Sir Robert Borden, the leader of the Government, and Sir Wilfrid Laurier, the leader of the Opposition. They came to an agreement as gentlemen, not as politicians, that the representation in Parliament should remain in statu quo. Does the honourable gentlemen know that?

Hon. Mr. SHARPE: No, and I do not think my honourable friend does either.

Hon. Mr. CLORAN: I refer the honourable gentleman to Sir Robert Borden and Sir Wilfrid Laurier. Sir Robert Borden has kept faith in regard to part of that agreement; he has not kept faith in regard to the part of it which affects the dignity, the justice, and the honour of this House. That is what I find fault with, and it is that with which the country will find fault. Sir Robert Borden and his Government cannot know too soon that if he continues to fill Liberal vacancies with strong, hearty, young, reliable Tories——

Some hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: —he will find a strong, hearty, young, Liberal electorate in the country to punish him. The time is coming. It is only a matter of a few days until he will have to appeal to the electorate of the country.

The resolution proposed by the honourable the senior member for Halifax (Hon. Mr. Power) is perfectly in order and is more than justified. All it can do is to show the opinion of this House in regard to the state of things political as they exist to-day between the Government, the Parliament, and the people. I fully endorse the remarks which he made, and I hope that this expression of opinion will have some influence upon the Prime Minister of this country. I doubt it, because the influences surrounding him are too strong to allow him to act independently, honourably, and fairly by this honourable House and the people of the country.

Now, honourable gentlemen, I have done.

Some hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: I know you are glad, but you will get more of it before it is over, and you will get it on the raw hide, too. By way of showing the party spirit during this war, prominent members of the House of Commons resigned their seats and went to Manitoba to bolster up the rotten Government there that was driven from power, and I believe that some of them are in this House to-day.

Hon. JOHN W. DANIEL: Honourable gentlemen, I must say that I am a little surprised at this motion when I consider the source from which it comes. I think that most of the members of this House, on both sides of Your Honour, generally give the honourable member from Halifax (Hon. Mr. Power) credit for possessing a good logical mind and a good memory for political occurrences of the past. I should like to remind the honourable gentleman of the stand which the Liberal party took when under the leadership of Sir Wilfrid Laurier they were formerly in Opposition in the House of Commons. I know that I am speaking correctly when I state that they took the position that, as soon as an equality of members on either side occurred in the Senate, the party in power should appoint alternately Conservatives and Liberals.

Hon. Mr. CASGRAIN: Who took that position?

Hon. Mr. DANIEL: The statement was made to me by an honourable gentleman who at that time was one of Sir Wilfrid Laurier's chief supporters and who afterwards became a member of his Cabinet. After Sir Wilfrid Laurier came into power, and after he got a large majority in this House, that same gentleman called the attention of his leader to the policy which had been advocated when they were in Opposition, and Sir Wilfrid Laurier acknowledged the corn, but said, "Well, you know, there are a great many difficulties in the way." I think the Liberal party in this Chamber are given to squealing a little too early. They squealed when they were formerly in Opposition because they could not get their men in, and now they are squealing and saying that the Government should not be allowed to carry out the policy which has been followed by every Government from 1867 to the present time.

I think the honourable gentleman from Halifax said that on account of the extension of Parliament the present Government could not make any more appointments to the Senate. The extension of the term of Parliament to which he refers was granted. It was granted for one purpose, and for one purpose only—the vigorous carrying on of the war and the avoidance of an election under war conditions. I ask, honourable gentlemen, is it not really incumbent upon the Government of the day—is it not abso-

lutely essential, if they wish to vigorously carry on the war—to have a sufficient number of members in this House to give their measures the support which will enable them to successfully carry on war operations? The very argument which the honourable gentleman from Halifax has presented to this House, and which he says should prevent the Government appointing Conservative members of this House, is to my mind one of the strongest arguments why they should do so.

The Senate of Canada, I believe, is differently constituted from any other legislative body in the world. I quite agree with the opinion expressed some time ago in this Chamber by the honourable gentleman from De Lorimièr (Hon. Mr. Dandurand), that the Government of the day should have at least a small majority in this House. As we all know, the efforts of the present Government in 1912, very shortly after they were returned to power by the people, when they wished to make a contribution towards the Royal Navy in order to prepare for the time which many people saw approaching when there would be war between Germany and the present Allies, were absolutely paralysed, so that they could not put into force a policy which they thought was right and proper under the circumstances. I do not think it was the intention of the framers of Confederation that the members of this House, appointed by the method which was adopted, would continue to act in a purely partisan manner when they came into this House. If the fathers of Confederation had foreseen any such thing I do not believe they would have advocated the present mode of appointing members to this House. I think the people generally are disappointed that the members of this House do not take a different view of their duties, and do not carry them out more after the manner of judges, for instance, after they are appointed. Most of the judges, before their appointment, have taken a very active part in the politics of this country; but, once they are appointed to the Bench, they throw their party proclivities to one side and deal with matters that come before them in a non-partisan manner. That, I take it, was the idea of the fathers of Confederation when they placed the appointment of the members of this House in the hands of the Governor General, which I presume means the Government of the day.

For these reasons, I think the motion of the honourable member for Halifax should not be considered for a moment as being more than a little by-play to fill out an hour or two and to give the members of this House something to talk about. I think he must realize that, under the present circumstances and the necessity for an extension of the term of Parliament, due to the war, no Government could do otherwise than what this Government has done, and done very slowly. I think the Government would have done much better if it had filled up the vacancies as rapidly as they occurred. Even now there are a number of seats which have not been filled, and in my opinion they should be filled. I shall have very much pleasure in voting against the motion.

Hon. T. L. BEIQUE: Honourable gentlemen, I would be disposed to go a long way to agree with some of the remarks which have been made by the honourable gentleman who has just taken his seat. I am one of those who regret that this country has not yet grown big enough to have vacancies in this important House filled irrespective of partisanship, and not exclusively by the appointment of persons who have strong political opinions. I think that this honourable Chamber could render very valuable services to the country at large, and would render those services much more effectively, if it were more evenly divided and there were less politics in it than there is at present.

But the honourable gentleman (Hon. Mr. Daniel) has misapprehended the purport of the motion of the honourable gentleman from Halifax (Hon. Mr. Power). The honourable gentleman from Halifax makes his motion not for the purpose of objecting to the Government filling vacancies in this House by the appointment of persons favourable to the political faith of the Government in power. It is but fair to do that, and I am quite sure that the honourable gentleman does not expect that anything different will be done; but, as I understand, he takes the ground that there was an understanding between the Prime Minister and the leader of the Opposition, that this understanding was the result of a pact between the Liberals and the Conservatives in the House of Commons in 1916 when the life of Parliament was extended for one year, and by his resolution he submits that the appointment of new senators is a violation of that understanding and is in the nature of a breach of faith.

One has only to refer to what was said by both the Prime Minister and the leader

of the Opposition in 1916 to see that the position taken by my honourable friend from Halifax is perfectly justified. I would refer honourable gentlemen to Hansard of 1916. In the first volume, at page 624, it will be found that the Prime Minister, speaking of correspondence that had been exchanged between himself and the leader of the Opposition in the fall of 1915 on the subject of a truce between the parties, and especially on the question of the prorogation of Parliament, said:

I had a conference with my right honourable friend on the 14th October and, later, on the 2nd November. Certain correspondence took place between us with which, as we agreed, neither he nor I need trouble the House or the country at the present time. Generally speaking, the discussion which took place between my right honourable friend and myself was along these lines: as to the advisability of an extension for one year after peace, or for one year absolutely; the avoidance of any general election during the war; the proposal that by-elections should not be contested in the meantime, and that each party should retain the seats it now holds, or had held previously to the vacancy; the suspension of party warfare during a war which obviously threatens the existence of the Empire; and, lastly, the restriction of legislation to matters arising out of the war, or occasioned thereby, or directly connected therewith, except possibly minor matters or matters of urgent need and unavoidable necessity as to which I would desire to consult my right honourable friend.

That was the statement made by the honourable the leader of the Government.

Hon. Mr. DANIEL: Was anything said to the effect that the Government of the day would make no appointments during that time, or that nominations for appointments would be left to the leader of the Opposition or to some body formed for that purpose?

Hon. Mr. BEIQUE: I have read the words of the right honourable the Prime Minister, and the honourable gentleman (Hon. Mr. Daniel) can interpret those words for himself, as I can for myself. But I submit to this honourable House that the meaning of those words was that a truce had been offered by the Prime Minister to the leader of the Opposition and that matters were to remain in statu quo pending the dissolution of Parliament. I think that those words are perfectly clear, and the only question is whether good faith has been kept with this honourable House. What was the answer given by the honourable the leader of the Opposition?

Hon. Mr. TANNER: Did Sir Wilfrid Laurier ever agree to that?

Hon. Mr. BEIQUE: I am just going to quote the answer of the leader of the Opposition. I am referring, at page 634 of Hansard, to part of the speech which was made by the right honourable the leader of the Opposition in answer to Sir Robert Borden:

There is another consideration. If we pass this resolution I take it as a pledge from the Government that we shall be delivered from the threat, which was held over our heads last year, of an instantaneous and premature dissolution at any time the Government thought fit. If the Government asks us to extend the life of Parliament, I take it that there will be no election until the fall of 1917. We shall then know exactly where we are, and shall not be subject to all the uncertainties which have been hanging over us for the last twelve months.

That was, I think, a clear acceptance of the proposition as made by the Prime Minister; and the proposition was made not only in his speech but in the written correspondence which had been exchanged between himself and the leader of the Opposition, and to which he referred.

What do we now see? We see that, after this promise made by the Prime Minister that no legislation of any consequence should be enacted within the extension of the term of Parliament, a measure is proposed which is very much contested in the country. In fact, a number of members of the other House, speaking on the question of a referendum, stated that if the proposed measure were referred to the people it would receive the support of a large majority in the country. I do not say that that is my own opinion; I am referring to the opinion expressed by a number of leading members of the House of Commons of Conservative persuasion. The Conscription Bill is a very, very grave measure. It is brought up during the very term of the extension of Parliament and in the face of the promise made a few months before by the Prime Minister that if the extension were granted no contentious legislation would be brought before Parliament within the term of the extension.

A ministerial organ, the Montreal Gazette, in its issue of last Saturday, July 14, referring to the passage of that very measure, takes this position:

It is the desire of the Liberal conscriptionists, about 20 in all, who are prepared to support a Union Government, that there be an appeal to the country. They believe that success at the polls would be their justification in changing leaders, and that a Union Government is necessary for the reconstruction period as well as during the war. An immediate election would give a long lease of power, while a parliamentary extension would only lead to further

difficulties at the end of the war or the term for which Parliament would be extended.

Interest has now changed to the fate of the Military Service Bill in the Senate. Liberal senators have refused to enter into negotiations with Conservatives to secure the passage of this measure. The vote in the Senate on party lines is equal, but Senators Landry and Montplaisir will vote against the Bill, so that the vacancies must be filled to make certain of its passage. It is understood that all the Senate vacancies with the exception of two or three in Ontario will be filled at once, thus guaranteeing a good majority independent of the Liberals, who have recently become very non-committal on their policy toward the Military Service Bill. A number of the new senators, probably those from Quebec, will be named to-morrow.

We have the statement made by the main organ of the Government to the effect that while the Government disregarded the pledge given during the last session, when the term of this Parliament was extended, that no contentious legislation should be brought down, the Government will go the length of filling all vacancies in this House for the very purpose of enabling itself to carry out this kind of legislation.

I think I have shown in this honourable House that I am not a partisan. I have very often thought it my duty to give my support to Government Bills, whether the Government was Conservative or Liberal; I have been guided solely by the light of my own conscience; but I must say that I have a high opinion as to what should be the dignity of this honourable House, and I strongly resent the position in which this honourable House is placed by such acts as I have had the privilege of laying before you.

Hon. A. B. CROSBY: Honourable gentlemen, I regret the ruling of his honour the Speaker, though I am taking no exception to it, because it seems to me——

Hon. Mr. CASGRAIN: The honourable gentleman cannot discuss the ruling of the Chair.

Hon. Mr. CROSBY: I am not going to discuss the ruling of the Chair, but the resolution. My honourable friend probably thinks he knows what I am going to talk about, but it is always better to listen before attempting to answer. What I wanted to say was that his honour the Speaker, in ruling this resolution in order, declared that it would have no effect. If it has no effect, and can have none, it is not worth very much of the time of this honourable House. I have listened with a great deal of pleasure to the arguments of the honourable gentleman who preceded me (Hon. Mr. Béique); but, although he argued very well, he did not discuss the resolution, but spoke upon another subject. The resolution states that the appointment of new senators prior to the dissolution of Parliament would be an act of partisanship. Now, I should like to ask the honourable gentleman who moved the resolution (Hon. Mr. Power) if he means that after the dissolution of Parliament the Government may appoint new senators.

Hon. Mr. CLORAN: Much less.

Hon. Mr. CROSBY: I am asking the honourable gentleman who moved the resolution.

Hon. Mr. POWER: What is the point?

Hon. Mr. CROSBY: The honourable gentleman who moved the resolution ought to be able to answer my question. The motion states that the appointment of new senators prior to the dissolution of Parliament would be an act of partisanship derogatory to the prestige and dignity of this House. The honourable gentleman knows as well as I do that after the dissolution of Parliament the Government remains in office until after the election is held. Would the honourable gentleman expect the Government to make the appointments after dissolution?

Hon. Mr. POWER: That is a hypothetical question. If when Parliament has been dissolved the honourable gentleman asks me again, I may be in a position to give him an answer.

Hon. Mr. CROSBY: That shows how much there is in this resolution. I have known the honourable gentleman for a long time and look upon him as one of the highest literary men we have in Nova Scotia. I might go further. He has been looked upon as an authority on questions of procedure and order; but, when my honourable friend brings in a resolution the first line of which he cannot explain, I am satisfied that he has practically no knowledge of the question.

The honourable gentleman from Victoria (Hon. Mr. Cloran), during the short time I have had the honour of being a member of this honourable House, has made many speeches; but there has been no difference in them, no matter what was the motion before the House. Whether it referred to Vancouver or China or Japan he made always the same speech, and it was not a partisan speech. The right honourable gen-

tleman who nominated him for this honourable House certainly must have known he was not a partisan, and, at least since I have been a member of this honourable House, he has shown himself to be entirely free from partisanship.

Hon. Mr. CLORAN: You are making a mistake there.

Hon. Mr. CROSBY: There is a great deal of difference between a partisan and a man having a political opinion. What kind of men should be appointed to the Senate? Should a man be appointed who has no politics? Where could such a man be found? It may be my view that protection is the best thing for this country; another honourable gentleman may think that free trade is the best thing; and another honourable gentleman may believe in a little free trade and a litlte protection. We all have the right to our own views, and we certainly have our views and principles; there is no good man in this House who has not been selected for some good reason or other.

Coming to the question of the existence of an agreement, the honourable gentleman from Halifax knows very well that there was no agreement. I will undertake to say that he has not the authority of his leader to say that there was an agreement between the leader of the Government and the leader of the Opposition. Has he asked the leader of his party if such an agreement existed?

Hon. Mr. CLORAN: It is in Hansard.

Hon. Mr. CROSBY: The honourable gentleman distinctly says no. I would have expected this motion to come from somebody who was not so well posted in parliamentary matters; but, when a gentleman of the knowledge and experience of my honourable friend, who prides himself on that kind of thing, brings in such a resolution, what are we to think? We are always glad to listen to the honourable gentleman from Victoria (Hon. Mr. Cloran). He has his views and I have mine. I am prepared to argue with him on these questions at any time; but I say that this resolution has no foundation on fact, and the honourable gentleman who has introduced it knows that.

The honourable gentleman says: "Do not appoint senators until after dissolution of Parliament." I ask, when is the Government going to appoint them? He cannot tell me. Did any honourable gentleman ever hear of anything more ridiculous than an honourable member of this House asking that a certain thing should not be done for a certain time, and when he is asked when it should be done he cannot answer. The fact that a gentleman of the standing of the honourable gentleman from Halifax is responsible for this resolution makes it all the more ridiculous, if that is not too strong a word—makes it all the more unreasonable that we should accept such a resolution.

My honourable friend complains of the Government for not filling the vacancies in the House of Commons. If the vacancies in the House of Commons have not been filled, is it not well to have the vacancies in this House filled, in order that the people should have representatives here? There has been only one gentleman elected to the other House apart from partisan considerations; I refer to Mr. Copp, the member for the county of Westmorland. Notwithstanding the fact that the Liberal Conservative party had nominated a candidate to contest that seat, what did they do? Notwithstanding the fact that there was no agreement, no understanding, they withdrew their candidate and let Mr. Copp go in by acclamation. Can any honourable gentleman point out a single case in which partisan support was withdrawn by the Liberal party when a Conservative candidate was nominated? I do not think I would have been a member of this House, even if I had been an ardent Liberal, even a calm and collected Liberal like my honourable friend from Victoria (Hon. Mr. Cloran). I think that is reasonable. I am a member of this House, and I hope and trust that I may conduct myself so as to meet the approval of every honourable member, no matter what his views may be in regard to the Government of this country. We have had some elections forced upon us. Take, for instance, the election in Dorchester. My honourable friend laughs. Why should he laugh?

Hon. Mr. CASGRAIN: I laugh because the ministers of the Crown told the people that if conscription came into force they could leave the country and just cross the boundary of the United States which was close by.

Hon. Mr. CROSBY: Not before the election came on.

Hon. Mr. CASGRAIN: Oh, yes.

Hon. Mr. CROSBY: The trouble is that, while a man's memory may be very good and very exact on many occasions, sometimes he forgets about things, and that is

where partisanship shows up. I do not wish to get into a controversy with my honourable friend, but it is very clear in my mind that that was not said.

The question of putting up a Conservative candidate was never mooted but a candidate was nominated by the other side to oppose him. My honourable friend from Halifax knows that there was no agreement; but there was an idea or an intention to make an agreement, and I am not going too far when I say that I believe that the leader of the Government of this country wished to make an agreement. Whether he did or not, my honourable friend knows that there was no agreement, but only a kind of understanding, something flying through the air, which indicated that there should be an agreement, and as a result of that we allowed the seat in Westmorland to go without a contest; and my honourable friend from that county (Hon. Mr. McSweeney) at least will agree with me that there would have been a good contest. We cannot very well order the House of Commons to open up the seats in that House. I think that honourable gentlemen on the other side of the House as well as honourable gentlemen on this side have had something to do with elections, and know very well that it is a great thing when one is running an election, especially a by-election, to be running in favour of the Government, and that, if the Government wanted to open up those constituencies one at a time, their candidates would be running under more favourable circumstances than those in Opposition. Therefore I say that when the Government did not open up those constituencies they were not taking advantage of all their opportunities.

There was a Bill before this House not very long ago, and it was passed, providing for further representation in this Chamber from the West. The West should be represented here, and it would be more strongly represented here than it is but for the fact that that Act was so amended that appointments could not be made until after the dissolution of Parliament. Can there be anything more farcical than honourable gentlemen coming here and asking the Government not to appoint any more senators until the dissolution of Parliament? The Act says "new senators." I think myself that a mistake was made, but at that time this House did not intimate for a moment that the vacancies in the Senate should be left open. Nobody ever thought anything of the kind. I am sorry that my honourable friend (Hon. Mr. Power) has left the Chamber. He never thought of any such thing. It never entered his mind until now.

But suppose that there had been an agreement, in writing and under seal, would not that agreement have been broken by reason of the situation which has developed in the other House? What is the condition in the other House? The Opposition comes up, after having turned a somersault—and I believe they are turning them yet—to say, "We are not going to do this year what we did last year." Was not the agreement broken last night? If there is anything in the world on which my honourable friend can base his argument I would be glad to know what it is. There is not one reason, not one single situation, not one intimation, nothing that he could possibly bring up, as a reason for introducing this resolution.

I am not going to weary the House. My honourable friend from Victoria will say that is what I am doing.

Hon. Mr. CLORAN: No, no, I am listening with pleasure.

Hon. Mr. CROSBY: I consider that a very high compliment.

My honourable friend who moved this resolution should have been in the other House last night. I think that the motion should be withdrawn and that it would be unfair to divide the House on it. I am not speaking in a partisan sense; there is no partisanship in my make-up. I admit freely and distinctly that I have my political views and always will have, but I do not set myself up as a partisan. I want to play my part in this Parliament.

My honourable friend has spoken about the dignity of this Parliament. If the dignity of this Parliament is not what he would like to have it, there is nothing in the world to prevent his handing in his resignation. That is a question that only he can decide.

Hon. J. J. DONNELLY: Honourable gentlemen, while speaking in support of his motion the honourable member for Halifax (Hon. Mr. Power) based his argument largely on the fact that he believed that there had been an agreement that party strife should cease. If the honourable gentleman had been anxious to get any evidence that party strife had not ceased, I think he had only to listen to the honourable gentleman from Victoria (Hon. Mr. Cloran), who followed him in what to my mind was a strong party speech. There are other evidences that party strife has

not ceased. A great deal of campaign literature emanating from the Liberal headquarters has been circulated through the country during the last few months. I do not believe that there has been any agreement between the leaders of the two parties that vacancies in this honourable House should not be filled. I do not think there is any warrant for saying that there was such an agreement. If there was, the parties to the agreement would be the Prime Minister and the leader of the Opposition. I sat in the gallery of the House of Commons last night for some time and listened to the leader of the Opposition advancing reasons why the term of this Parliament should not be extended. He did not include among his reasons any charge that the Government had violated any agreement of this nature. I am satisfied that no such agreement was ever made.

The honourable member for Halifax appeared to be very anxious lest the incoming Government might find themselves with a minority in the Senate. I do not remember that in 1912 the honourable gentleman expressed any great sorrow that such a condition existed at that time. He was quite satisfied at that time that the leader of the Government in the Senate should have a minority, while the leader of the Opposition had a majority of about thirty.

My principal reason for rising is to refer to the remarks of the honourable member for de Salaberry (Hon. Mr. Béique). He read extracts from the speech of the Prime Minister and the speech of the leader of the Opposition in the House of Commons, and based his argument on what he claimed was an agreement that no legislation of a contentious nature should be introduced. As I listened to the extracts which the honourable gentleman read, I understood that the Prime Minister said that any measure affecting the war would be excluded. Surely the measure of conscription is a measure affecting the carrying on of the war. I believe that the Prime Minister is convinced in his heart that it is very important that this measure should be passed and should be enforced; and, believing as he does, he regards it as his duty to appoint senators to fill the vacancies in this House, to see that that measure receives a majority in this House when it comes before it.

Hon. GEORGE LYNCH-STAUNTON: Honourable gentlemen, it seems to me, from what the honourable gentleman (Hon. Mr. Béique) read from Hansard, that Sir Robert Borden agreed that he would not do certain things. Now, the honourable gentleman, as a lawyer, knows that every agreement not to do certain enumerated acts excludes all others. If honourable gentlemen are thinking only of what their position will be when the next Parliament meets, how can any such agreement in any way benefit them? Under the statute for the appointment of new senators, they must be appointed by this Government, and, if this Government must appoint them, they must do so before the new Government comes in; consequently, the Conservative party will in any event have a majority here when the next Parliament assembles. So it seems to me that all the advantage for the Opposition would be the present advantage of being able to defeat some legislation which might be proposed within the next two or three months.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I feel some diffidence in rising to speak on a question which necessitates the striking of the discordant note of partizanship in this Chamber. I think it was singularly unfortunate that the honourable the senior member for Halifax (Hon. Mr. Power) considered it his bounden duty to import into this House the discussion of a matter having so little foundation as the one under consideration. I was not at all surprised at my honourable friend the member for Victoria (Hon. Mr. Cloran) dealing with this question. I did, however, expect him to charge the member for Halifax with stealing his thunder, as the honourable gentleman has clearly done. I remember that my honourable friend from Victoria did, some time ago, make a speech filled with righteous indignation at the idea of vacancies in this Senate being filled during the war, but that the echo of it should have been taken up by my honourable friend the senior member for Halifax is a surprise to me.

My honourable friend from Halifax probably labours under the impression that he is not animated by that bitter partizanship which characterizes some politicians. I think the honourable gentleman really does labour under not only the illusion, but the delusion, that he has been able to exclude from his judicial and impartial mind all sense of partisanship and is dealing on impartial and judicial terms with all questions which come before this House. However, I look forward with a certain amount of Christian fortitude and resignation to my honourable friend being consistent during the re-

mainder of his life as a strong partisan of the Liberal party, not excluding his feeling in any pronouncement which he may make upon any question which comes up for consideration by this honourable House.

I would not have risen on this occasion, notwithstanding the speeches which have been made by my honourable friends opposite, if I were not fully convinced that the stand which they have taken upon this question is absolutely unjustified, and that those honourable gentlemen understand fairly well that such is the case. I cannot, however, leave unchallenged the statement that there was an agreement between the two leaders and between the two great political parties in Canada that vacancies in this honourable House should not be filled during the continuance of the war. I say, in the first place, most emphatically, without any qualification whatever, that no such agreement was ever entered into. I say, in the second place, that the leader of the Liberal party, the Right Hon. Sir Wilfrid Laurier, has never attempted to assert that such an agreement was entered into. The right honourable gentleman sat in his place in the House of Commons when it was represented, or misrepresented, by one of his followers in the House, that there was such an agreement, and he did not for a moment attempt to confirm or corroborate the assertion that there was any such agreement, or that any arrangement existed which could be tortured into an agreement to the effect that the Prime Minister of Canada should not fill vacancies in the Senate during the continuance of the war. I say, furthermore, that I am absolutely convinced that if my honourable friend, before placing this motion on the Order Paper, had approached the leader of the Liberal party, that right honourable gentleman would have had sufficient honour to have told him that there was never any such agreement, and that there was nothing to warrant any such conclusion as that which has been sought to be drawn from the very shadowy agreement which my honourable friend from De Salaberry (Hon. Mr. Béique) read this afternoon from Hansard. Allow me to say that my honourable friend from de Salaberry has not shown his usual skill as a lawyer of great note and distinction in his native province, in drawing that conclusion from the remarks which were made by the Prime Minister. I venture to say, without any hesitation, that if my honourable friend were asked to give an opinion upon this language to a client, and if the client asked the honourable gentleman if he would be warranted in drawing that conclusion from the statement made by the Prime Minister, my honourable friend from de Salaberry would have said, "No, it warrants no such conclusion."

Let me say, further, that what the Prime Minister did refer to in February, 1916, when he was addressing the House of Commons on this question, was an agreement that had been established by correspondence exchanged between himself and the Right Hon. Sir Wilfrid Laurier; but, owing to certain happenings which took place shortly after that correspondence, the so-called agreement fell to the ground, and there was no agreement nor any arrangement of a continuing character after the Right Hon. Sir Wilfrid Laurier refused to agree to certain proposals advanced by the Prime Minister during those negotiations. Consequently, for a period before Parliament prorogued in 1916, such an agreement did not exist.

Hon. Mr. BEIQUE: May I ask if we are to understand that it was not agreed in the terms stated by the Prime Minister and by the leader of the Opposition that there should be a truce between the parties to the extent mentioned?

Hon. Sir JAMES LOUGHEED: I will explain that, and I shall explain it to the satisfaction of my honourable friend. The Prime Minister said:

> Certain correspondence took place between us with which, as we agreed, neither he nor I need trouble the House or the country at the present time. Generally speaking, the discussion which took place between my right honourable friend and myself was along these lines:—

—"the discussion which took place." It was not an agreement.

> —as to the advisability of an extension for one year after peace or for one year absolutely; the avoidance of any general election during the war; the proposal that by-elections should not be contested in the meantime, and that each party—

Will my honourable friend pardon the emphasis I place upon these words?

> —in the meantime, and that each party should retain the seats it now holds, or has held previously to the vacancy.

Hon. Mr. CASGRAIN: Seats in the Senate.

Hon. Sir JAMES LOUGHEED: No, not in the Senate, and my honourable friend knows very well it is not seats in the Senate. Then a difference occurred between the Prime Minister and the leader of the Op-

position as to the filling of certain vacancies and the avoidance of by-elections, and this agreement then fell through.

Now, let me ask honourable gentlemen who say there was a truce, to what extent have they, to what extent has the Liberal party, contributed to the observance of a truce from that time down to the present?

Hon. Mr. CASGRAIN: The election of Mr. Kemp.

Hon. Sir JAMES LOUGHEED: I appeal to honourable gentlemen in this House, if they desire to play this game fairly, to point out to me, in answering that question, a single public act by which they have contributed, and which they to-day regret?

Hon. Mr. CASGRAIN: The election of Kemp in Toronto.

Hon. Sir JAMES LOUGHEED: Did those honourable gentlemen not wish to win the war? Did they not wish to join with the Conservative party in the effort to win this conflict upon which we ventured? Were their sympathies not with the Allies in this war? Will they point out to me wherein they joined hand in hand with this Government and what it is they now regret because, forsooth, certain vacancies in the Senate have been filled? Honourable gentlemen will have the opportunity, if they desire it, to show to what extent in their magnanimity and generosity they have observed this truce and assisted the Government beyond what they would otherwise have done. I am not aware that they have done so.

Hon. Mr. CASGRAIN: The election of Mr. Kemp in Toronto.

Hon. Mr. LYNCH-STAUNTON: There was no chance in Toronto.

Hon. Sir JAMES LOUGHEED: I have asked my honourable friends on the Liberal side to point out their acts of magnanimity, generosity, and patriotism, in which they practised self-denial and abstained from partisanship. But I will point out to my honourable friend wherein this Government, showing large generosity and absolutely eliminating all political feeling, has contributed to the public service during this very critical period. This Government could have brought on every by-election in Canada. Did it do so? No. This Government could have declared for a general election. Did it do so? My honourable friends know perfectly well that there was a period when this Government did want to bring on a general election—

Some hon. SENATORS: Hear, hear.

Hon. Sir JAMES LOUGHEED: —when the leader of the Liberal party appealed to them in the strongest and most convincing language that it would be unpatriotic to do so; and they consulted the feeling which he so expressed. Have the Liberal party desisted from attacking, in season and out of season, from early morning till dewy eve, the Conservative Government in regard to its policy since the beginning of this war? I say there has never been a moment when the Liberal party, in any portion of this Dominion, have let up in their attacks upon this Government in relation to its war administration.

Hon. Mr. CLORAN: They have the right to attack.

Hon. Sir JAMES LOUGHEED: My honourable friend knows very well that this country has been deluged with the literature of their political organizations, attacking this Government in the most vicious way—literature that within its four corners contains more misrepresentation, more of the spirit of party strife, more bitterness and venom, than ever issued from the party press at any previous time. I have some of this literature before me—

Hon. Mr. TAYLOR: Franked by the whip of the Liberal party.

Hon. Sir JAMES LOUGHEED: —and we find that bound volumes of the Canadian Liberal Monthly can be obtained for $1.50.

Hon. Mr. McSWEENEY: Did you get any?

Hon. Sir JAMES LOUGHEED: This, honourable gentlemen, is current literature, not ante-war literature. The first volume runs from September, 1913, to September, 1914; the second volume from September, 1914, to September, 1915, and the third volume from September, 1915, to September, 1916; and they deal with such subjects as war scandals. I am referring to publication No. 47. And yet my honourable friend the senior member from Halifax (Hon. Mr. Power), in his innocence, in the purity of his mind, would convince this honourable House that the conditions of a truce are being carried out. Here I find—and my honourable friend to my left, the Honourable gentleman from Stadacona (Hon. Mr. Landry), may be interested in the inside story of the Conservative-Nationalist alliance—"Why Sir Robert has kept Bourassa's colleagues in his ministry."

Hon. Mr. LANDRY: I leave it to your colleague, Mr. Sévigny, to answer that.

Hon. Sir JAMES LOUGHEED: This pamphlet consists of extracts from articles published by Mr. Bourassa and from records of the House of Commons; and yet my honourable friend who has moved this resolution would, peradventure, have us believe that a truce, not only in the letter, but in the spirit, has been observed by the Liberal party. And now we have tariff reduction by the Liberals, free wheat, free agricultural implements, free potatoes, free food—the only thing not admitted is, apparently, free cement. I refer to only a few of these documents; but I am informed that a sufficient number of volumes have been issued to establish a fairly good library for any thinking politician.

Hon. Mr. BEIQUE: Has the honourable gentleman any literature from the other side?

Hon. Mr. LYNCH-STAUNTON: There is none.

Hon. Sir JAMES LOUGHEED: I will venture to say that my honourable friend (Hon. Mr. Béique) has not received any. I would say, furthermore, that during this so-called truce the Liberal party has never desisted for one moment from hounding particularly the French ministers who represent Quebec in this Government, and who have been patriotic enough to give their service to the carrying on of this war. From the time the Hon. Mr. Monk entered this Government down to th present time there has not been a French minister in this Government who has not been hounded to his political death, so to speak, by the Liberal party, not only in the province of Quebec, but throughout the whole Dominion. Owing to that pressure the Hon. Mr. Monk had to resign, the Hon. Mr. Pelletier had to resign, and we know that the Hon. Mr. Casgrain had——

Hon. Mr. POWER: Will the honourable gentleman pardon me for interrupting? Do I understand that the Hon. Mr. Monk retired on account of attacks?

Hon. Sir JAMES LOUGHEED: Yes, I would say that unhesitatingly. I happen to know why the Hon. Mr. Monk retired: the Liberal party, through its misrepresentations in the province of Quebec, made it impossible for the Hon. Mr. Monk to discharge his public duties with satisfaction to himself and to the province of Quebec.

Then, has the Liberal party ever desisted from attacking the Government in its war policy? We can recall that last session and the session before the most serious charges were brought against the Government in reference to their munition contracts and their munition policy.

Hon. Mr. TAYLOR: And the Ross rifle.

Hon. Sir JAMES LOUGHEED: We very well know that a minister of the Crown was practically placed on trial before a commission—which exonerated him. And yet, notwithstanding these facts, my honourable friends will deliberately rise in their places and charge the Conservative party with violating a political or a party truce during the carrying on of the war.

I am sure my honourable friends on the opposite side will not consider that I am speaking in any venomous tone or from any spirit of antagonism to them, for some of my best personal friends are those on the other side of the House; but, as I viewed my honourable friends opposite while they listened to the very judicial statement made by the senior member for Halifax (Hon. Mr. Power), and the very intense and indignant statement made by the honourable gentleman from Victoria (Hon. Mr. Cloran), and attempted to look serious—attempted, in fact, to look outraged at this violation which was going on of the truce between both political parties—it did appear to me a grotesque situation indeed.

It seems to me that there could be no better refutation of the charges made by my honourable friend from Halifax and other honourable gentlemen on the other side of the House than the partisanship which they have exhibited this afternoon in charging the Government with violation of a so-called agreement which I say never existed, and which, if it did exist, could not possibly be tortured into any such meaning as my honourable friends would attach to it.

I do not wish to continue this discussion except to say that my honourable friend from de Salaberry (Hon. Mr. Béique) could scarcely have been serious when he attempted to give the House the impression that conscription would be excluded from the measures which the Government would be justified in bringing before Parliament under the statement made by the Prime Minister. These are the Prime Minister's words:

> Lastly, the restriction of legislation to matters arising out of the war.

Can my honourable friend by any process of reasoning come to the conclusion that conscription is not a measure arising out of the war? If my honourable friend's inter-

pretation is correct, then I have no knowledge of the meaning of language.

Hon. Mr. BEIQUE: Have you read the following language?

Hon. Sir JAMES LOUGHEED: I have read all of it, and I venture to say that the Prime Minister has made it as clear as the light of day, and that there is no obscurity about it. In any measure that would contribute to the winning of the war the Government had the greatest possible freedom: it was their duty to introduce that measure into Parliament, and it was the duty of both sides to give it their unanimous support.

Hon. Mr. BEIQUE: Is it not the fact that the Prime Minister declared at that time that it was not the intention to introduce any measure of conscription?

Hon. Sir JAMES LOUGHEED: No. (Reading):

— and, lastly, the restriction of legislation to matters arising out of the war, or occasioned thereby, or directly connected therewith, except possibly minor matters, or matters of urgent need and unavoidable necessity as to which I would desire to consult my right honourable friend.

Allow me to say, in conclusion, that notwithstanding the protest which has been made by honourable gentlemen opposite with regard to the filling of vacancies in the Senate, the Government, in view of the fact that no such arrangement was ever entered into, either expressed or implied, intend, in the administration of the public affairs of this Dominion, to fill up every vacancy at the earliest day possible.

Some hon. SENATORS: Hear, hear.

Hon. Mr. POWER: Honourable gentlemen, as the mover of the resolution, I think I have the right to say a few words in reply to the honourable gentleman (Hon. Sir James Lougheed) who has just taken his seat. To my surprise, the honourable gentleman seemed to misapprehend the position which I took. I appeal to honourable gentlemen to say if I said, in the few remarks which I made in introducing this resolution, that there had been any agreement with respect to the filling of vacancies in the Senate. I did not say that. What I did say was that there had been an agreement, a sort of truce, made practically to the effect that there should be no partisan warfare, and that there should be no contested elections. I then took the line that under these circumstances, if the vacancies in the Commons were not to be filled, and if there was to be practically no partisan advantage taken, that understanding should apply to this House also. It was a natural consequence. I concur with the honourable gentleman from Victoria (Hon. Mr. Cloran) in thinking that it is to be regretted that the agreement between the leaders of the two parties had not embodied that provision and that the agreement was not reduced to writing.

The honourable the leader of the Government undertakes to tell us that the Opposition have opposed, with the most bitter hostility, I understood him to say, almost every action of the Government having the purpose of bringing the war to a successful termination. The honourable gentleman has apparently forgotten that there has never been any opposition to any Government measure calculated to bring the war to a successful issue. The Government have introduced measures in order to realize such sums of money as no Canadian ever dreamed of before. There was never any criticism of these proposals of the Government; the Opposition united with the followers of the Government in voting the most liberal sums for war purposes. Does the honourable gentleman think that the Liberals of this country should have sat by when the revelations in connection with Colonel Allison, for instance, were made? Does the honourable gentleman think that the members should have sat quietly in their places and made no criticism?

Hon. Sir JAMES LOUGHEED: No, decidedly not; but I do say that, when honourable gentlemen profess to believe that there was a truce and that they observed it in every particular, they are not justified in carrying on party warfare, which is perfectly legitimate——

Hon. Mr. POWER: I may say that I have not carried on any party warfare on any matter connected with the war; but where would the country be to-day if the Government had been allowed to continue doing the things that were being done in connection with the contracts in which Colonel Allison was involved?

Hon. Sir JAMES LOUGHEED: Is not that the best evidence that there was no truce?

Hon. Mr. POWER: I think the honourable gentleman should express his gratitude to the Opposition for having saved the Government from the depths of iniquity to which they would otherwise have gone. It is all very well for the honourable gentleman to get up with a show of indigna-

tion, which I believe is only show, and denounce the conduct of the Opposition. The Opposition in this House, at any rate, have given the Government very little trouble in connection with the war, and do not propose to give them any unnecessary trouble. We are not discussing the question of conscription now, and I repeat that I quite concur in what was said by the honourable gentleman from Victoria (Hon. Mr. Cloran) some time ago. We should have all our agreements with the honourable gentlemen in writing, and the agreement which has been mentioned—the viva voce agreement—should have embodied provisions for appointments to the Senate as well as for elections to the House of Commons.

The motion was negatived on division.

PRIVATE BILL.

THIRD READING.

Bill N2, an Act respecting the Montreal Central Terminal Railway Company.—Hon. Mr. Beaubien.

SUPREME COURT OF CANADA JURISDICTION BILL.

THE BILL WITHDRAWN.

Hon. J. P. B. CASGRAIN moved the second reading of Bill C, an Act to limit the appellate jurisdiction of the Supreme Court of Canada.

He said: Honourable gentlemen, I may be permitted to read the Bill, so that honourable gentlemen may understand what is desired:

1. The appellate jurisdiction of the Supreme Court of Canada is abolished in all cases where the matter in dispute relates to property and civil rights in any of the provinces or to matters of a merely local or private nature and coming within the exclusive jurisdiction of the legislature of any of the provinces according to the meaning of the British North America Act, 1867, and Acts amending the same.

2. This Act shall not apply to cases decided by the Exchequer Court of Canada nor to cases where the matter in dispute affects the constitutionality or validity of any act or statute of any of the said provincial legislatures, which cases continue to be subject to appeal to the said Supreme Court as now or hereafter shall be provided for.

3. This Act shall not apply to appeals already instituted or pending before the said Supreme Court.

As you will see, this Bill follows the same direction as other Bills or resolutions which I have brought before this House. It is intended to restrict the multiplicity of appeals. Last year I had the honour of dealing with restriction of appeals to the Judicial Committee of the Privy Council. It is intended that matters within the jurisdiction of the provincial legislatures should be dealt with in the provinces. I see the honourable gentleman for Stadacona (Hon. Mr. Landry) looking at me. I have read in Hansard that he approved of that in 1881.

I am not the originator of this Bill. It was presented in another place in 1881 by a gentleman who afterwards became a judge of the Supreme Court of Canada—Mr. Désiré Girouard. At that time there was a very lengthy argument in favour of the Bill, and it was considered very important, even by Sir John A. Macdonald, but it did not become law. As time goes on it becomes more necessary.

We all know that under existing conditions in case of an appeal it is generally the longest purse that wins. There is no doubt in the minds of most of the people of Canada that abuses have been committed, that the weak have been at the mercy of the strong, and that the poor have very often had to come to a settlement, although they had a good case, because they were compelled to run the whole gamut of the courts, going ultimately to the Supreme Court, or perhaps to the Judicial Committee of the Privy Council. The various legislatures have been given the absolute right to legislate on certain matters, and, after a judgment is finally rendered and a lot of expense has been incurred, the legislature at the following session says: "Oh, if that is the way they understand the law, we will amend it," and the law is amended. I could quote many cases of this kind. Would it not be better to have the final decision rendered in our own provinces? This is the system that obtains even in the British Isles. Scotland and Ireland, as I am informed, have their own courts of appeal.

Hon. Mr. LYNCH-STAUNTON: No, the House of Lords.

Hon. Mr. CASGRAIN: That is a different court altogether. Many years ago they wanted to establish in England a court of appeal for the British Isles, but Scotland and Ireland protested. The honourable gentleman will not contend that the committee of the House of Lords is a court of appeal.

Hon. Mr. LYNCH-STAUNTON: It is the final court of appeal of Great Britain and Ireland.

Hon. W. B. ROSS: The House of Lords is a court of record.

Hon. Mr. CASGRAIN: If a measure of this sort were put on the statute book it would stop the multiplicity of appeals, and I believe it would be a move in the right direction. We should take some measure to give the people justice in less time, and for less money, and to prevent the longest purse winning, as it does in many cases.

This is a question of policy, and I desire to draw the attention of the honourable gentleman from Hamilton (Hon. Mr. Lynch-Staunton) especially to that fact. It is not a question of law. If it were, I would not venture to speak upon the subject. Across the border, when a local case arises in a state, it is decided within that state under the state laws; the federal laws do not intervene. If the litigants are resident in two different states, the case falls under the federal law; or, if there is trouble between one state and another, that comes under the federal law; but anything arising in a state and coming exclusively within state jurisdiction is decided within the state. I think it would be well if such a system were in effect in this country.

Again, in referring to early volumes of Hansard, I find that some of the legal lights in the House of Commons stated that it was very doubtful whether the Dominion Parliament ever had the right to establish a provincial court of appeal. The authorities to whom I refer are Mr. Girouard and Mr. Henri Taschereau, afterwards Chief Justice of our Superior Court of the province of Quebec. If the central Government had a right to establish provincial courts of appeal, then the right granted to the various provinces at Confederation to establish their own courts would be cancelled.

It must not be supposed that the adoption of this proposal would mean the abolition of the Supreme Court. It would not by any means have that effect. There are any number of other matters that would still remain under the jurisdiction of the Supreme Court. They would still retain jurisdiction in matters pertaining to trade and commerce. They would have jurisdiction as to the raising of money by taxation or in any other way. They would also, as at present, have control of all cases regarding navigation and shipping, seacoast and inland fisheries, ferries connecting one province with another, and ferries connecting a Canadian province with any other British territory or with foreign territory. They would also retain under their jurisdiction questions of currency and coinage, banking, the incorporation of banks, the issue of paper money, savings banks, weights and measure, bills of exchange, promissory notes, interest, legal tender, bankruptcy, insolvency, patents of invention or discovery, copyrights, marriage and divorce, all classes of subjects pertaining to the criminal law, federal railways, and all matters not exclusively assigned to the legislatures of the various provinces. Honourable gentlemen will readily see that the usefulness of the Supreme Court of Canada would not be impaired and that the judges of that court would still have plenty to do . The object of the Bill is simply to prevent matters of purely local concern from being carried outside the province. There are not many purely civil cases coming before the Supreme Court, anyway, so the Supreme Court would continue just the same.

Hon. Sir JAMES LOUGHEED: The honourable gentleman says there are not many civil cases before the Supreme Court?

Hon. Mr. CASGRAIN: With the exception of those subjects which I have mentioned, there are not very many cases affecting civil rights. The matters which come before the Supreme Court are questions affecting trade and commerce and the other subjects which I have read.

Hon. Mr. POWER: Is there any limitation as to the amount to be involved before a case can be sent from the King's Bench of Quebec to the Supreme Court here?

Hon. Mr. CASGRAIN: $2,000.

Hon. Mr. LANDRY: Will the honourable gentleman permit me to ask him, what is the difference between this Bill and the Bill which he brought up last year?

Hon. Mr. CASGRAIN: I shall explain with much pleasure. The Bill which I brought up last year was a Bill to restrict appeals to the Judicial Committee of the Privy Council.

Hon. Mr. LANDRY: Is that the only difference?

Hon. Mr. CASGRAIN: I wanted to have the cases tried in Canada, and I think I gave very good reasons.

Hon. Mr. LANDRY: We are not speaking of that.

Hon. Mr. CASGRAIN: The present Bill is for the purpose of having matters of absolutely local interest decided finally within the province and according to the

laws of the province, as local matters are decided in the various states of the American Union.

Hon. Mr. LANDRY: Have we in this Parliament power to restrict the provinces' right of appeal?

Hon. Mr. CASGRAIN: I am not attempting to decide a legal question; but the honourable gentleman himself made a speech in another place in favour of this very Bill, which is copied verbatim from the Bill presented by Mr. Désiré Girouard. It will be found, word for word, in Hansard of 1881. Surely I may take it for granted that Mr. Girouard was well qualified as a lawyer. When he presented that Bill and it was discussed in the House of Commons no one raised the question whether or not this Parliament had the right to decide what cases should come before the Supreme Court.

Hon. Mr. LANDRY: I presume that Bill did not become law.

Hon. Mr. CASGRAIN: No; it was a private member's Bill, and the session ended before it was disposed of.

Hon. Mr. LANDRY: I do not see that the point has been settled in favour of the contention of the honourable gentleman (Hon. Mr. Casgrain), because Mr. Girouard and the others who tried to have a similar measure enacted did not succeed. I think that, before proceeding with this measure, we should ascertain whether we have power to limit the right of appeal given to the provinces. The constitution of our lower courts is left to the provinces, and under the British North America Act——

The Parliament of Canada may, notwithstanding anything in this Act, from time to time provide for the constitution, maintenance, and organization of a general court of appeal for Canada and for the establishment of any additional courts for the better administration of the laws of Canada.

That refers to our Supreme Court; but I do not think we have the right to prevent the legislatures from taking an appeal to this court established by us, nor have we the right to prevent them from going to the Privy Council.

Hon. W. B. ROSS: I do not at all agree with the last speaker. In the first place, it goes without saying that we cannot impose limitations on the exercise of the royal prerogative to allow appeals. The Supreme Court of Canada—

Hon. Mr. CASGRAIN: I had not finished my remarks. I stopped because the honourable gentleman from Stadacona (Hon. Mr. Landry) was asking a question. I might cite a concrete case. The great and enlightened province of Ontario, for instance, with all its lawyers and judges, could not decide the question of a ditch in the county of York, it had to be decided by the members of the Judicial Committee of the Privy Council. There are other instances of that kind. What I claim is that the province of Ontario, or any other province, when dealing with matters exclusively assigned to it by the British North America Act, should have the right to render final judgment. If this war lasts much longer the people will have enough taxes to pay and will have no money to waste on numerous appeals. They will be very glad, in the near future, to adopt a system which will prevent the waste of money in cases which could just as well be decided in the provinces concerned.

I do not wish longer to occupy the attention of this honourable House. I have brought up this question at the request of some legal gentlemen, who are of the same opinion as myself. Last year, when I brought up a similar Bill, I was able to read letters from very prominent lawyers in favour of the measure. This is only the first planting of the seed in the soil; the seed will grow before long, and not only will the provinces decide their own cases, but I dream of the day in the near future when, after this war is over, we shall be able to decide our own affairs without—to use the words of Sir John A. Macdonald himself—having to go 3,000 miles across the water to get justice.

Hon. W. B. ROSS: I do not agree with the honourable gentleman from Stadacona.

Hon. Mr. LANDRY: I did not decide the question; it was a point in dispute.

Hon. Mr. ROSS: In my opinion this Parliament has ample power to pass this Bill. The Supreme Court of Canada is a purely statutory court, on an entirely different footing from a provincial court. There may be a question about a provincial Act, but if you read the Act creating the Supreme Court of Canada you will find that the matters on which it has jurisdiction are mentioned in detail. Now, Parliament may strike them all out, or it may strike out any one of them.

At the same time, I doubt very much the wisdom of this Bill. The difficulty is that you are drawing the line as to when there is to be an appeal and when there is not, basing the decision upon the difference be-

tween a matter of a local or provincial nature and one of a general or Dominion nature. That would mean that in almost every case that comes up there would be a fight in the Supreme Court of Canada as to its jurisdiction—whether the matter in dispute were an entirely local matter or a Dominion matter. We know that the fight on such questions began shortly after 1867 and continues just as intense as it was at the beginning.

I would prefer to see, in place of section 1, a provision which would allow no appeals at all to the Supreme Court of Canada from a provincial court, except where the Supreme Court of Canada itself, on motion, allowed an appeal on the ground that an important point of law had been wrongly decided in a lower court, or there had been a mistake or a total failure of justice. To say that there shall be no appeal from a court is a little tyrannical, and in some of our provinces there are courts inclined a little in that direction. Therefore to abolish all appeals would be unwise and might result in gross injustice. Instead of leaving the door wide open for an appeal to the Supreme Court of Canada, as at present, an appeal might be allowed on certain specific grounds —first, that an important point of law had been wrongly decided; secondly, that a mistake had been made; and, thirdly, that a fraud of some kind had been committed and had deceived the court. Those three conditions would satisfy me. I think it would be perfectly safe to pass an Act of that kind. I have always thought that that would be the right kind of appeal to allow from a provincial court to the Supreme Court.

Hon. Mr. BEIQUE: I cannot agree with the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain) as to the advisability of this proposed legislation. In the first place, I think that the honourable gentleman who has just spoken is quite right in saying that this Parliament has the power to limit the jurisdiction of a court of its own creation, but it is only a question whether or not it is advisable to do so. The Supreme Court of Canada was established by the Dominion Parliament. I think it is for the legislature of each province to decide whether the judgments rendered by provincial courts shall be final or may be appealed to the Supreme Court or to the Privy Council; and, as a matter of fact, the legislature of each province passes legislation of that kind. Are we to interfere with that legislation? Is it not logical and more sensible to let the legislatures settle the question whether it is advisable to have an appeal or not? Are we going to deny to the province of Quebec or the province of Ontario or any of the other provinces who may be in favour of allowing an appeal to the Supreme Court—are we going to deny to them that right, and force them to have an appeal to the Privy Council in England? This Parliament can curtail the jurisdiction of a court of its own creation, but this Parliament cannot say that in the province of Quebec a judgment rendered by the Superior Court cannot be appealed to the Privy Council.

Hon. Mr. CASGRAIN: I did not make that contention.

Hon. Mr. BEIQUE: Will the honourable gentleman, who has spoken for half an hour, allow other members to have their turn? These interruptions are very disturbing, especially when one is dealing with a question of law. Therefore, without expressing any opinion on the question whether the judgments of a provincial court in civil matters should be appealed to the Supreme Court or not, I say that it is a question for the province to settle for itself, and that it would not be appropriate for this Parliament to settle that question; moreover, that, instead of curtailing the expense, it might open the door to increasing the expense; because, if we deny litigants the right to appeal to the Supreme Court, their only recourse will be an appeal to the Privy Council, and the attempt will be made to appeal many cases to the Privy Council instead of to the Supreme Court, where the costs are much lower.

There is another very serious objection to the Bill as it is drawn. It is sought to abolish the jurisdiction of the Supreme Court in all cases where the matter in dispute relates to property and civil rights in any of the provinces. There are a great many cases in which matters of commerce and matters of civil rights are involved, and, in such cases, because a matter of civil rights would be involved, although it might be rather insignificant, the appeal on the commercial matter would also be abolished. Surely that is not the intention of the honourable gentleman.

Then, take the second branch of clause 1, which relates " to matters of a merely local or private nature and coming within the exclusive jurisdiction of the legislature of any of the provinces according to the meaning of the British North America Act." There are cases, and they are in the majority, in which matters coming within the exclusive

jurisdiction of the province, and also matters coming within the exclusive jurisdiction of the Parliament of Canada, arise. The proposal of the Bill would not be practicable; it would tend to create a great deal of disturbance and it would be impossible of application. I hope the honourable gentleman will not insist on the second reading of this Bill. For my part I shall have to enter my vote against it.

Hon. Mr. LYNCH-STAUNTON: The honourable gentleman who introduces this Bill says that it is drawn by a lawyer. To my mind it means, in short, that the jurisdiction of the Supreme Court shall be abolished in all cases excepting those which come within the jurisdiction of the Exchequer Court of Canada, because, as has already been said, there are two classes of cases in which civil property and civil rights are involved. No action which involves anything substantial excludes property and civil rights; so all actions affecting property, all actions in which there is anything to fight about except theory, are covered by this proposed legislation. The Bill intimates in clear language that it is intended to abolish appeals to the Supreme Court in all provincial actions, because it goes on to declare that it shall not apply to cases decided in the Exchequer Court. Some people think it would be well to abolish the Supreme Court; they think there are too many appeals; but this House should understand that if it votes in favour of this Bill it is going to abolish the Supreme Court in so far as it affects litigation originating in any provincial court. It does not say that the Act shall apply only to civil rights within the jurisdiction of the province, but to all civil rights. Civil rights arise out of trade and commerce; civil rights arise out of taxation; civil rights arise out of navigation and shipping. According to the criminal law and practice in all the provinces, there are very few cases now appealable to the Supreme Court; by the Code they are all terminated in the provincial courts. My view is that any action instituted in a provincial court would have the last appeal in a provincial court, with the right to go to the Judicial Committee of the Privy Council, if this Bill were passed.

Hon. Mr. CASGRAIN: I do not wish to press the Bill. I presented it at the request of some legal gentlemen. It was drawn by Hon. Mr. Désiré Girouard, for many years a judge of the Supreme Court of Canada; it is not the work of a land surveyor. The provincial legislatures might raise the amount subject to appeal, or fix it so high that cases could not be taken to the Supreme Court. But it was thought that there was a very strong feeling, especially in Quebec, against appeals to the Supreme Court. I think that, when a ditch has to be made in one of the provinces, legal gentlemen should put their heads together and decide on some judicial system in the provinces which would be able to say who is going to pay for it, without having to go to England to find that out. With the permission of the House, I will withdraw the Bill.

The Bill was withdrawn.

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

THE SENATE.

Thursday, July 19, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

RAILS FOR WAR PURPOSES.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. Have any rails been taken up on the railways in Canada to be used for war purposes?
2. If so, how many miles of tracks were thus taken up?
3. Where are these miles, if any, located?
4. From what railways were these rails taken?
5. Does the Government know if the whole or some of these rails thus taken up are still in Canada?
6. Did the Government find it impossible to procure rails for war purposes without tearing up rails already laid?
7. Will the Government have also to tear up rails on existing railways to lay the 92 miles of rails announced by the Government to be placed on the Hudson Bay Railway this year?
8. If not, where will the Government procure rails for these 92 miles of the Hudson Bay Railway?
9. If the Government can procure rails for the Hudson Bay Railway without tearing up rails now in use, why not for war purposes?

Hon. Sir JAMES LOUGHEED:

1. Yes.
2. We are under agreement with the British authorities to furnish 600 miles of track with the necessary accessories.
3. Shown on plan herewith.
4. Answered by No. 3.

5. Military reasons preclude answering.
6. Yes.
7. No.
8. When the Government made the announcement that 92 miles of rail were to be laid on the Hudson Bay railway this year, the Algoma Steel Company had been under contract since July 20, 1916, to roll this rail, but it is now doubtful whether they will be able to procure the steel to do so, owing to the Imperial Munitions Board requiring same for the manufacture of munitions.
9. Answered by No. 8.

JUDGES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into Committee on Bill 66, an Act to amend the Judges Act.—Hon. Sir James Lougheed. Hon. Mr. Watson in the Chair.

Hon. Mr. POWER moved that the following be inserted as section 5:

Sections 20, 22, 25, and 26 of the said Act are repealed, but such repeal shall not be construed to affect the pension of any judge who has resigned or been retired since the passage of this Act.

He said: The sections that it is proposed to repeal were taken from an Act passed in the year 1903. They provide that if a judge has served for twenty or twenty-five years, and has attained the age of seventy or seventy-five years, he may retire on full pay. I do not think there is such a law anywhere else in the civilized world. Previous to that time the law was quite generous to the judges. It allowed a judge to be retired on two-thirds of his salary after fifteen years of service. It was found that certain judges who had been on the Bench for a long time did not retire, and in order to induce them to retire the Act of 1903 was passed, providing that they might retire on full pay. The object of the Bill, of course, was to get gentlemen off the Bench who by reason of age or infirmity were unfitted for their work as judges; but the remedy proved to be much worse than the disease. Up to that time, if a judge had spent fifteen years on the Bench, and felt that he was becoming incompetent, he gained nothing by remaining on the Bench, and naturally he retired, as a rule, on two-thirds of his salary. To-day, when a judge finds himself becoming incompetent, instead of resigning, as he ought to do, he determines to hold on until he has put in his twenty or twenty-five years, so that he may retire on full pay. In the province from which I come we had the spectacle of three gentlemen drawing the pay of Chief Justice at the same time; one had retired under the fifteen years' limit, another had served for twenty-five years, and the third was the acting Chief Justice. I think that this is a particularly objectionable state of affairs, especially when we have the Governor in Council making an appeal to us to save money.

One of my honourable friends, who is tender-hearted, says it would be rather hard on the judges who are now in office. The judges who are now in office have nothing to complain of. Any person who is appointed to an office under the Crown takes that office subject to the possibility of a change in the law. The gentlemen who were in office as judges before 1903 got the advantage of the concession made in the statute of that year. Of course, the judges who are now in office will not fare quite as well as those who have been retired; but, if a judge does not wish to retire on two-thirds of his salary, he can remain in office as long as he pleases, and draw full pay. I think the argument is altogether in favour of putting the judges on substantially the same footing as other civil servants. No other civil servant can draw a pension in excess of two-thirds of his salary. The clause which I propose provides that such appeal shall not be construed to affect the pension of any judge who has resigned or been retired before the passing of this Bill.

Hon. Mr. CASGRAIN: Is there anything in the Bill affecting the present Minister of Justice?

Hon. Mr. POWER: He has retired from the Bench on a two-thirds pension.

Hon. W. B. ROSS: I have very much pleasure in seconding the motion of the honourable member for Halifax. Section 20 of the Judges Act deals with the superior court judges. Other sections deal with the railway commissioners and judges of the county courts. Section 20 superadds to the old law a provision that had no existence until chapter 138 was passed. It reads as follows:

If any judge of the Supreme Court of Canada, or of the Exchequer Court of Canada, or of any superior court in Canada, resigns his office, His Majesty may, by letters patent under the Great Seal of Canada, reciting such judge's age and period of service, grant to him an annuity equal to the salary of the office

held by him at the time of his resignation, to commence immediately after his resignation, and to continue thenceforth during his natural life, if such judge has—

(a) attained the age of seventy-five years, and continued in office as judge of one or more of the said courts for twenty years and upwards; or,

(b) attained the age of seventy years, and continued in office as judge of one or more of the said courts for twenty-five years or upwards; or,

(c) continued in office as judge of one or more of the said courts for thirty years or upwards.

The evil that the honourable member for Halifax points out is that judges who have become incompetent and are entitled to superannuation on the basis of two-thirds of their salary are led to hold on until they complete the necessary number of years to retire on full salary. When that sort of thing is going on among the judges of the superior courts, how can we expect common honesty from the men who are working in the drains for $1.50 a day? It is a great scandal in connection with the judiciary, and no injustice will be done by abolishing the practice. Two-thirds of a judge's salary is a very handsome retiring allowance.

Hon. Mr. BOSTOCK: Has my honourable friend considered the case of a judge retiring and drawing his pension and then engaging in some other business? If I understand the Act, it is intended to provide that, after a judge has given a certain number of years of service to the country, he shall be entitled to retire and to live comfortably for the rest of his days. I do not think it was intended to provide a salary for a judge who was competent and who might retire simply in order to engage in some other walk of life; yet under the Act this can be done. There are some cases in which it has happened, I believe, and which have caused very severe comment.

Hon. W. B. ROSS: I have fully considered that point. The honourable gentleman should not mix two different things. That ought to be dealt with under another section of the Act. It is not connected with section 20 at all. The objection to section 20 is that it enables judges to retire on full pay. The salaries of our own judges are large; and two-thirds would be a very generous allowance. This provision tempts them to hold on after their usefulness is gone. It is a fact within my own knowledge, and it must be within the knowledge of others, that judges hold on for three or four or five years after they have become stone deaf. If anything is said, the explanation is: "Oh, I just want a couple of years more, then I shall be able to retire on my full salary." It places a direct premium on not doing the right thing.

I am going to make another motion with regard to the case of commissioners. A judge may sit as a commissioner and draw fees in addition to his regular salary. A great virtue was made of one of the railway commissioners giving for patriotic purposes $15,000 which he had received as special fees. If he was engaged in a special investigation, what was he doing in regard to the regular duties of his office?

Hon. Mr. CASGRAIN: Why should not the system of pensions be placed on all fours with the system prevailing in England, under which it is provided that if a person receives any emoluments from the Imperial Government, even in the colonies, in addition to his pension, the amount of those emoluments shall be deducted from the pension, and if the emoluments are greater than the amount of the pension they wipe it out altogether.

Hon. Sir MACKENZIE BOWELL: It seems to me that the gentlemen who have spoken on this question have overlooked the main reason which was advanced for passing the clause allowing the judges to retire on full salary at certain ages and under certain circumstances. I remember very well taking the same objection to the passage of the clause which my honourable friend has taken to-day; but it was met with the argument that there were certain judges on the Bench who were totally unfit to perform the duties of their office, and who did not perform them, and that it was necessary to amend the law in order to induce them to retire. I may say, without violating any confidences, that the Minister of Justice at that time canvassed me to support the legislation, as I happened to be leading the Opposition in the Senate. I answered in very much the same strain as my honourable friend from Halifax. I thought that there ought to be some means of getting rid of a judge who was unable to perform his duties; but the answer was that the appointment of the judge was independent of the Crown, and independent of the legislature, for so long as he desired to remain on the Bench. Certain provisions with reference to county court judges

were made by Sir John Thompson when Minister of Justice. In the district in which I lived there was a county judge who, owing to the loss of his reason, was totally unfit for the duties of his office. The Bill introduced to meet his case and all similar cases provided that a judge of the superior court should be appointed to make an investigation, employing medical assistance, in order to ascertain whether the man was in his right mind, and, if it was found that he was not fit for his office, the Government could remove him and give him a competency for the balance of his life. It was argued that that could not be done in the case of the judges of the superior court, for the reason that the commission appointing them placed them beyond the power of the legislature for the time being, or of the Crown. These were really the reasons that were given at the time for the passage of that clause in the Act which my honourable friend desires now to have repealed. As a layman, I did not think it was just to other employees. I thought it was placing upon the statute-book something that was not equitable in its character, and for a purpose which should not be approved by the legislature. Personally, speaking as a layman, I am very glad, from the views that I have always held upon this question, that my honourable friend from Halifax (Hon. Mr. Power) and my honourable friend from Middleton (Hon. Mr. Ross) have taken the view that the judges of this country should be placed in the position which they held prior to the passage of that Act—that they should receive a two-thirds retiring allowance, which to my mind is ample compensation for the services they have rendered.

Hon. Mr. POIRIER: On principle I fully agree with the amendment moved by my honourable friend from Halifax (Hon. Mr. Power) and seconded by another Haligonian (Hon. Mr. Ross); but there are certainly difficulties in the way. The difficulty which has been referred to by my honourable friend from Hastings (Hon. Sir Mackenzie Bowell) can be remedied and ought to be. Abuses such as those which have been mentioned have also existed, and most scandalously, in my province. Could not the points that have been raised be met effectually by amending the law so as to provide that after a judge of any Supreme Court has reached the age of 75 he could be retired by an Order in Council? The means would thus be placed in the hands of the Executive whereby a judge who had become incompetent, and who, if he could draw his full salary, might—if I may use the expression—stick to his position, could be quietly and gently removed and be given whatever allowance the law accords, either full pay or two-thirds. I would prefer an allowance of two-thirds. Such an amendment would meet the very serious objection raised by my honourable friend. The inability of the Government to remove a judge is at present the cause, I will not say of mischief, but of much unpleasantness.

Hon. Mr. LANDRY: Do I understand that the amendment my honourable friend from Halifax proposes affects the judges who are now retired on a pension equal to their full salary?

Hon. Mr. POWER: No.

Hon. Sir JAMES LOUGHEED: I should like to point out to honourable gentlemen, particularly in view of the fact that the House seems to be in a very drastic mood in proposing to deal with the judiciary, that if we were confronted with any difficulties when these sections were passed, their repeal would simply mean a renewal of the same difficulties. As the honourable gentleman who has introduced this amendment has pointed out, there were certain abuses at that time, and these sections were introduced into the Act to remedy them. I have no doubt that the human nature in the judges of to-day is much the same as human nature was at the time that these sections were passed.

Under the British North America Act, as honourable gentlemen know, a judge is appointed for life or good behaviour. We cannot interfere with the term of his office. Hence we have to work out some scheme by which a judge whose usefulness has become exhausted can be satisfactorily dealt with. We have already made provision for a superannuation allowance of two-thirds pay being granted to a judge at the expiration of 15 years; but the judge is not bound to accept two-thirds pay at the end of 15 years: he may continue in office for the rest of his life, and we cannot interfere with him. It seems to me that it would be necessary to have the British North America Act amended, so that an age limit might be fixed for superior court judges.

Hon. Sir MACKENZIE BOWELL: A limit of age or incapacity.

Hon. Sir JAMES LOUGHEED: The difficulty would be to determine what is incapacity. That is a feature as to which

there might be a difference of opinion, as we have our differences of opinion to-day.

Hon. Sir MACKENZIE BOWELL: I suggested that the honourable leader of the Government should say incapacity. He says age is one factor. I take exception to that.

Hon. Sir JAMES LOUGHEED: County court judges are in an entirely different position. We can legislate as to the length of time they may remain in office, and we have already done so.

There is another feature to be considered in connection with the Act as it now stands on the statute-book. When those amendments were passed in 1903, they became to all intents and purposes conditions upon which a judge accepted office. That is to say, he had at that time, and has had since, the right to consider, before he accepted office, whether it would be in his interest to do so, in view of the inducements offered. He knew that at the end of 15 years he would be entitled to accept a superannuation allowance of two-thirds of his salary and retire. There was also the other condition, that if he continued to act for the additional period provided for in the statute he would become entitled to a full retiring allowance. Now, the question naturally arises, would it be equitable to those judges who accepted office subsequently to the passage of that Act to repeal those provisions?

Hon. Mr. THOMPSON: Does the honourable gentleman not think that the judges would resign immediately if we passed the amendment?

Hon. Sir JAMES LOUGHEED: I am not prepared to say what they would do; but there is no doubt an expectation on the part of many of the judges who have accepted office since that time that they may avail themselves of the advantages of the Act. If we now withdraw those advantages, it is a question if we are not interfering with the vested rights of the judges, who accepted office under certain conditions. I am not pronouncing upon the desirability of continuing those conditions upon the statute-book; I am simply pointing out the relation of Parliament to the judges who have accepted office under those conditions. It is for the Senate to consider whether, in view of these considerations, the statute should not be left undisturbed.

Hon. W. B. ROSS: I think the honourable leader of the Government has missed the point made by the honourable member for Halifax. It is admitted that prior to 1903 there existed the difficulty of some of these judges continuing in office after they had become incompetent. Then some one thought that this wise section 20 would obviate that difficulty; but the remedy is worse than the disease. The point made by the honourable gentleman from Halifax is that in trying to retire one or two incompetent judges you induce the whole body of judges to continue in office in order to qualify for the full pension under the terms of section 20.

I would like to take the opportunity of saying also, with regard to the appointment of judges during good behaviour, that there is a fallacy abroad. It is generally supposed that "during good behaviour" is a moral qualification—that a judge must not get drunk or otherwise misbehave. That is not the meaning of it at all. The phrase "good behaviour" is a free translation of a Latin phrase contained in an old form of commission which was in use down to comparatively recent years. In the time of William III. and the kings who came after him judges were appointed for good conduct. When that principle was introduced, the phrase used in the appointment of a judge was "diu bene gesserit"—he was appointed for so long as he should well conduct his office. That phrase has been translated "during good behaviour."

Hon. Mr. THOMPSON: Let us put it back into the Latin.

Hon. Mr. ROSS: But the good behaviour relates to the discharge of the duties of the office, and the moment a man becomes insane or deaf he is not giving good service—good behaviour; he is not "well conducting the duties of the office." That point came up in England within perhaps the last ten years, when Judge Grantham, as some honourable gentlemen will remember, got into trouble by making a political speech when he was down in the country trying an election case, and the Attorney-General of England made a statement with regard to this very subject. He said that it had been before Parliament three times: it was dealt with once by Mr. Gladstone, once by Lord Russell, and once by Lord Palmerston. He said that Lord Palmerston had written to a Baron Smith in Ireland telling him that he thought he ought to retire; for the Government and the Chancellor in England do suggest to judges, when they become incapacitated, that they should retire. The Attorney-General stated that Baron Smith

had written back that he had been appointed for good behaviour and not for good health, and Lord Palmerston thereupon replied, "You had better translate the phrase 'diu bene gesserit'." Baron Smith took the hint and immediately resigned. I do not agree to the proposition that a man can be appointed a superior court judge in Canada and remain in office so long as he lives, even if he becomes insane or blind or absolutely incapable, or incapable to the extent of not well administering the duties of his office. His life may be bad: he may get drunk occasionally, and do many other objectionable things, and he could not be impeached for them; but the moment he becomes inefficient he is guilty of fraud if he remains in office, because it is a fraud to draw a salary after becoming unfit to discharge the duties of the office. If Parliament had the courage which it ought to have, it would provide that when a judge became incapable the Minister of Justice should suggest to him that he resign, and if he did not do so he could be impeached and removed from office.

The question of the allowance of two-thirds of the salary has as much to do with the other sections referred to in the amendment as with section 20, or rather more, because section 20 stands by itself, and I should like to see it disposed of first. Then, if there are complaints with regard to the other sections, they can be dealt with in the proper place.

Hon. Mr. POIRIER: I am fully aware that judges in Canada, as in England, are appointed for life; but what I meant, in suggesting that the Government should have power to retire judges when they reached a certain age, was not that the British North America Act should be amended, but that the Government should be enabled, in some easier if more indirect way—for instance, by retrenching their pay—to force them out of the office which they do not adequately fill. I believe the means of retiring incompetent judges can be found without going to the trouble, if trouble there is, of applying to the Imperial Government for a change in the constitution of Canada.

Hon. Mr. THOMPSON: I do not know whether I would approve of the Government having the power to retire or dismiss judges. If the Government had that power it might be used as a matter of patronage, or might be exercised at times when it would be questionable whether or not it was right to exercise that power. I think the cure suggested by the honourable member from Westmorland (Hon. Mr. Poirier) is very much worse than the disease. I apprehend that gentlemen at present occupying judicial positions throughout the country would not immediately ask to have their appointments cancelled. If they did that, I can imagine that there are many gentlemen at the Bar who would think it was a very happy event for them. At the time this legislation was passed there was plenty of money in Canada. About that time a sort of annuity was granted to gentlemen who had been members of the Government of Canada for five years or more. I am not sure what amount they received.

Hon. Sir MACKENZIE BOWELL: Half the amount of the salary which they had enjoyed during their term of office.

Hon. Mr. THOMPSON: That also was claimed to be a vested right. Parliament stopped that, and some gentlemen thought that they had been harshly dealt with; but the practice was not in line with what the country believed to be just. I am quite sure that the amendment now suggested by a leading member of the Bar indicates the way in which we should move in the matter.

Hon. Sir MACKENZIE BOWELL: The honourable gentleman is not strictly correct in his statement with regard to the pensions which were allowed to retiring ministers. As I understand, there was no complaint that any minister was improperly treated. The complaint was that gentlemen who had been in the Government only five years were treated as generously as those who had given their services for fifteen or twenty years.

Hon. Mr. DANIEL: The amendment proposed by the honourable member from Halifax (Hon. Mr. Power) is to my mind a very important one. I think it is the usual practice to give notice of such amendments. The honourable member from Middleton (Hon. Mr. Ross) has given notice of his amendment. We have had time to think it over and we know what it means. This is not the case with the amendment which is now before us. The honourable gentleman from Halifax moves an amendment to repeal four sections of the Judges Act. With the exception of two or three gentlemen who may have thought of this question before, I do not suppose that there is

another member of the Senate who is sufficiently acquainted with the Judges Act to know what would be the effect of repealing those sections. I think the honourable gentleman might let his amendment stand as a notice of motion and bring it up at a future time.

Hon. Mr. CLORAN: When the honourable the leader of the Government stated that this question comes under the provisions of the British North America Act he was quite right, but he failed to give an adequate explanation of how those provisions were to be carried out. He said that judges were appointed for life, subject to good behaviour.

I think the committee owes a debt of gratitude to the honourable gentleman from Middleton (Hon. Mr. Ross) for the clear statement which he has made in regard to the meaning of good behaviour. He has brought the question right home, and it does not take twenty-four hours to find out what it means. Good behaviour is not dependent on a man going to mass or to the kirk or to vespers; good behaviour means that a judge shall be able to fulfil the duties of his office; otherwise it would signify nothing. It is true that judges are appointed for life; but cannot Parliament impeach a judge and have him removed from office? I understand that this can be accomplished by a two-thirds vote. Who is to be the judge of good behaviour? Surely not the judge himself. The Minister of Justice should say whether a judge is competent to fill the office which he holds. I would leave the matter in the hands of the Justice Department, which is the most competent body to deal with it. The Department of Justice is not going to remove a judge for paltry reasons; but if the department finds that he is incompetent and unable to fulfil the duties of his office, then it should exercise its right—without referring to Parliament at all—and state that he is lacking in good behaviour—meaning not moral conduct, but competence to fill the office. I do not see any need of amending the Judges Act as to the paltry question of salaries every five or ten or fifteen years. It is humiliating to a man of honour, to a man who is willing to render service to his country, to be pointed at and to have said of him, "Oh, you are sitting on the Bench to get a few dollars more." The judges will maintain their own dignity. Very often they cannot maintain their efficiency, but the Department of Justice ought to be in a position to deal with that branch of the question.

I am in favour of the amendment offered by the honourable gentleman from Halifax and endorsed by the honourable gentleman from Middleton. I quite disagree with the honourable gentleman from St. John (Hon. Mr. Daniel) that it would take a week, or two days, or twenty-four hours, to find out what the amendment means. Some brains may be dull and some bright; I do not know whether mine is bright or dull, but I do not need twenty-four hours to find out what the amendment means, especially after the clear statements made by the honourable gentlemen who have this question in hand.

I throw out the suggestion that, if it is at all possible, Parliament should be relieved of the disagreeable duty of regulating the financial affairs of the courts of this Dominion, whether county court, superior court, or appeal court.

Hon. Mr. POWER: The honourable gentleman thinks that the Minister of Justice should deal with this question himself.

Hon. Mr. CLORAN: If the honourable gentleman thinks that, I did not make myself clear. What I say is that the behaviour of the judges should be left to the Minister of Justice.

Hon. Mr. POWER: Nobody is questioning that, but honourable gentlemen must remember that the Minister of Justice cannot remove a judge from the Bench. There must be an address from both Houses of Parliament, and under the old dispensation that was looked upon as being impracticable. There were judges whom the Minister of Justice wished to have removed from the Bench, but he did not care to undertake to get addresses from both Houses of Parliament for the purpose of doing it. The measure which it is now proposed to repeal was introduced in order to get over the difficulty. The honourable gentleman from Middleton (Hon. Mr. Ross) has made perfectly clear, what I stated but perhaps did not make perfectly clear, that since 1903 this law has simply aggravated the evil which it was intended to cure. Whereas previously only an occasional judge held on to office, under this law nearly every judge holds on until he is able to retire on full pay. Some judges remain on the Bench for five or six years after they become incapable.

Referring to the objection made by the honourable gentleman from St. John (Hon.

Mr. Daniel), I think that, at an earlier stage of this Bill, I outlined the amendment which I have put in the hands of the Chairman. I think it is so clearly in the interest of the administration of justice and in the interest of the economy which we are recommended to exercise with reference to public votes that there is no necessity for any further discussion on the question. I would be quite satisfied to rest this matter altogether on the speech of the honourable gentleman from Middleton.

Hon. Mr. DANIEL: Will the honourable gentleman kindly inform this committee what is contained in the four sections of the Judges Act which he wishes to repeal?

Hon. Mr. POWER: The honourable gentleman from Middleton read the section.

Hon. W. B. ROSS: I read section 20, which deals with Superior Court judges. The other sections deal with the Railway Commissioners and the County Court judges.

Hon. Mr. DANIEL: How do they deal with them?

Hon. Mr. ROSS: Section 22 deals with the annuity of the Chief Commissioner of the Board of Railway Commissioners; sections 25 and 26 deal with County Court judges.

Hon. Mr. LYNCH-STAUNTON: The proposal before the Senate is to compel the judges, if possible, to retire at a given age.

Hon. Mr. POWER: Not at all.

Hon. Mr. LYNCH-STAUNTON: At all events, there is certainly a great objection to a judge remaining on the Bench after his usefulness is gone. I know of many cases of judges continuing in office for the purpose of obtaining their full retiring allowance. The honourable the leader of the Government has said that under the British North America Act Parliament has no power to fix an age limit for the judges—that they must be and are appointed for life. Of course, that does not apply to the inferior courts. It seems to me that if an Act were passed providing that a judge's salary shall be so much until he arrives at the age of seventy, and that thereafter it shall be one dollar per annum, we would obtain the object desired. There is no doubt that a great number of judges, after they have passed seventy years of age, are not in full possession of their faculties and their physical strength, and are therefore not competent to perform the duties of their high office, and as a result the public loses confidence in the administration of justice. On the other hand, there are judges—we have them in Ontario—who are quite as efficient between the ages of seventy and seventy-five, and even later in life, as they were in their earlier years. I have had a long experience at the Bar, and I have in mind men, before whom I have practised for over twenty years, who are now as competent as ever they were; I have in mind others who are not, men who should not be administering justice, and I take it that the honourable gentleman's proposal is to remedy this condition of affairs.

In the province of Ontario it is very difficult—in fact, it is almost impossible—to induce a leader of the Bar to accept an appointment to the Bench, because the emoluments at the Bar are many times greater than the rewards on the Bench. I know a distinguished judge who I am sure accepted the office because of the honour, as he was, to my knowledge, earning a great deal more at the Bar than he is on the Bench. When the time comes for that gentleman to retire I consider that it would be a gross injustice to cut his retiring allowance down to two-thirds of his present salary. These gentlemen do not seek; they are sought. For many years I have been of the opinion that there should be an age limit for judges, and that when a man reaches that limit he should be retired on a sufficiently large allowance to keep him in comfort according to his station in life. If that is not done, you will not obtain, at least in Ontario, the best talent to administer justice. When I commenced to practise law, an appointment to the Bench was considered a prize; nowadays it is not a prize for a man who has been successful at the Bar, and judicial appointments are not sought by the leading lawyers in Ontario.

Hon. Mr. THOMPSON: The honourable gentleman has already stated that he knew of men who were administering justice in Ontario who ought to be retired.

Hon. Mr. LYNCH-STAUNTON: Yes.

Hon. Mr. THOMPSON. The last case to which the honourable gentleman referred is the exception, not the rule.

Hon. Mr. LYNCH-STAUNTON: Although I know several judges who, both physically and mentally, are eminently fitted to discharge their duties after 70 years of age, I have had experience of judges who were not, and in my opinion all judges should be retired at that age.

Hon. Mr. POWER: We cannot alter the British North America Act.

Hon. Mr. LYNCH-STAUNTON: No, but we should not cut down the salaries of men who were induced to go on the Bench.

Hon. Mr. THOMPSON: Did I not understand the honourable gentleman (Hon. Mr. Lynch-Staunton) to suggest that after they reached seventy years of age they should be paid one dollar a year?

Hon. Mr. LYNCH-STAUNTON: Let me explain. It should be provided that if they remain on the Bench after they are seventy they should get one dollar a year and that if they retire they should receive their full salary.

Hon. Sir JAMES LOUGHEED: Without saying anything further upon the subject, I would ask my honourable friend to allow this matter to stand until I can take it up with the Department of Justice. I have discussed the other phases of the Bill with the Minister of Justice. Ample time will be given for dealing with the Bill.

Hon. Mr. POWER: I will let this amendment stand and we can take up the other.

The proposed amendment was allowed to stand.

Hon. W. B. ROSS moved that the following be added to the Bill as section 6:

Section 33 of the said Act is amended by adding thereto the following subsection:

2. And every such Judge shall, in the month of December in every year, file a statement with the Minister of Justice that he has complied with the terms of this section, or, if not, in what manner he has departed therefrom. No salary shall be paid to any Judge failing to file such statement.

He said: For the benefit of members of the committee who are not conversant with it, I will read section 33 of the Act:

No judge of the Supreme Court of Canada or of the Exchequer Court of Canada, or of any superior or county court in Canada, shall either directly or indirectly, as director or manager of any corporation, company, or firm, or in any other manner whatever, for himself or others, engage in any occupation or business other than his judicial duties.

That section was passed at the time of the general increase in the salaries of judges. The increase amounted to about fifty per cent; that is what it was in Nova Scotia. The salaries of puisne judges in that province had been $4,000 a year and were increased to $6,000. At that time the Government said: "In giving you this handsome increase we put upon you the disability that you shall not engage in the shipping business, or the shoe business, or any other, but that you shall devote yourself entirely to the duties of your office." I have no objection at all to section 33. I think it is a wise section and is well drawn. When I spoke on this question a few days ago my complaint was that section 33 is not observed by some of the judges. I believe that over 90 per cent of the judges are honourable and honest men and do observe the terms of this section; but there are a few men who are disregarding it, and these are the men I am trying to reach. I mentioned two cases. I know of one case where a judge who began at $4,000 and is now receiving $6,000 is engaged in a business from which he draws $2,000 a year, and, to my own knowledge, that outside work interferes with the discharge of his judicial duties.

Now, I doubt very much if subsection 1 of section 33 is the only way of dealing with cases of that kind. I find that a good many members of this House think that to require judges to make a declaration annually is a sort of reflection upon them —that it would be somewhat infra dig. If that is so, I am inclined to think that section 33 itself is a reflection upon them. A record of attendance is taken at the door of this Chamber every day, and each senator before he draws his salary at the end of the term must make a statutory declaration as to the number of days he has attended. I cannot see that we cast any imputation upon a judge when we ask him at the end of every year for a similar statement, that is, a statement that he has devoted himself entirely to the duties of his office, or, if he has not done so, in what way he has departed therefrom.

But, as I said the other day, there is another way to deal with this matter. I have no doubt at all that an impeachment would lie against a judge doing what this man whom I have specified is doing—and perhaps that course will be taken if these amendments are not adopted. I think it is a pity to have to go through the cumbersome process of an impeachment if the matter can be remedied in a shorter and more direct way.

There is another clause which I should like to see added. Section 33 provides that a judge shall not engage in any other occupation. I have looked up all the dictionaries as to the meaning of "occupation." It is quite true that a judge may discharge small duties, such as the duties of an executor, or a trustee for a church, without violating section 33; but, when he engages in another occupation, that is, when he takes

up any substantial business and makes a part of his annual income from it, he is violating the Act, because what he is doing is an occupation—something by which he is earning his living. Solitary acts by a judge, such as delivering a lecture, or acting as trustee for his father's estate, could not in any sense be construed as being an occupation.

The practice has been followed by the Dominion Government and governments of different provinces—and it is an objectionable practice—of appointing judges as members of commissions of all kinds. In some of the provinces there is rather keen competition among the judges for appointments to commissions. A good sum of money goes with such an appointment; and I believe that the practice of appointing judges to commissions is doing more than anything else to lessen confidence in the judiciary of this country—and I know there are persons with perhaps more experience than I who concur fully in that opinion. I should like to have a section to this effect added:

No judge of any of the courts mentioned in section 33 of the said Act, who may be appointed by competent authority—

—that is to cover all the Governments, Dominion and provincial—

—who may be appointed by competent authority a member of any commission, or to any duty outside his usual judicial duties, shall receive any pay for such services, but may receive necessary travelling and living expenses.

If a judge is drawing twenty or thirty dollars a day as a judge and is sent out to investigate some labour trouble or some political squabble, there is to my mind no reason why he should, while continuing to receive his salary as a judge, get another $30 a day as a commissioner.

Hon. Mr. THOMPSON: But you would approve of allowing him travelling expenses?

Hon. Mr. ROSS: A man cannot be in two places at the same time, and if he accepts appointment as a judge on the condition that he give his whole time to the office, there should be no addition to his salary when he accepts outside work.

Mr. CHAIRMAN: It is proposed that the amendment read as follows:

Section 33 of the said Act is amended by adding the following subsection thereto:

"2. Every such judge shall, in the month of December in each year, file a statement with the Minister of Justice that he has complied with the terms of this section, or, if not, in what manner he has departed therefrom. No salary shall be paid to any judge failing to file such statement. Such statement shall be in the form of a schedule to this Act."

Hon. Mr. POWER: I am willing to go some distance with the honourable gentleman from Middleton in this matter, but it is going perhaps a little too far to require that every judge shall in the month of December submit this certificate. I think that to require the thousands of judges scattered over this country to submit in the month of December a statement to the effect that they have been doing their duty is perhaps a little too drastic. The obligation to submit such a statement should, in my opinion, be limited to cases where a complaint has been made to the Minister of Justice against a judge and the minister calls upon the judge to make such a statement. My suggestion would be to make my honourable friend's amendment read somewhat like this:

Every such judge shall, within one month from the date of a notice to that effect from the Minister of Justice or his deputy, file with such minister a statement to the effect that he has complied with the terms of this section, or, if not, in what manner he has departed therefrom; and the statement shall be in the form of a schedule to this Act. No salary shall be paid to any such judge during the time during which he fails to file such statement.

My idea is that the statement need not be filed unless it is asked for.

Hon. W. B. ROSS: The only thing I would say about that is that I desire to simplify the matter as much as possible. It is a very short statement.

Hon. Mr. SPROULE: I desire to raise the point of order whether it is competent for this House to amend this Bill as proposed. In Bourinot, fourth edition, it is set forth that:

All aids and supplies granted to His Majesty by the Parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint in all such Bills, the ends, purposes, considerations, conditions, limitations, and qualifications of such grants which are not alterable by the Senate.

The limitations, as I understand, are set out in the Appropriation Bill and in the Act which grants the judges' salaries. That is, the salary of a judge is granted by statute, and that, in one sense, must be a money Bill. It is granted upon certain conditions, and now we propose to amend those conditions by providing that, in the event of

a statutory declaration not being made that the judge has observed all the provisions of the law under which he is acting, his salary shall be cut off. It seems to me questionable whether we are not going further than we are justified in doing, if we are to be guided by the rule which I have quoted.

The CHAIRMAN (Hon. Mr. Landry): I quite agree with the honourable gentleman. My opinion is that this is a money Bill. We might deal with it; but, if the Commons asserted their right, we should have to drop any amendment we might have made. I may say that at one time an allowance was granted to retired ministers, as honourable gentlemen may remember, and some years ago an attack was made in this House upon that retirement allowance. The Senate on that occasion decided that it was within its right in dealing with such a matter. I was against that decision, and I am now giving my own opinion that the Bill to amend the Judges Act is a money Bill. However, I will leave the decision to the committee.

Hon. Mr. THOMPSON: Perhaps we had better leave the question whether we are going farther than we ought to go in this respect to be determined by the Commons. I do not think that we should first decide as to the rights of the Senate.

Hon. W. B. ROSS: It is perfectly certain that this Bill does not impose any new tax, and in that sense of the term it is not a money Bill. I would not like to start an argument on what is a money Bill; but my idea is that it is one which imposes something in the nature of a charge. This amendment is to provide relief from a charge. But let the Commons raise that point.

Hon. Mr. POWER: I think the honourable gentleman from Grey (Hon. Mr. Sproule) might with a better show of reason have objected to the amendment that I proposed. I fail to see that there is any objection to the clause with which we are now dealing, which simply refers to the filing of a certificate. It was said in the House of Lords in a somewhat similar case that if that House was not allowed to deal with a question of this sort they might as well abandon their business altogether. In this particular case we are undertaking, not to interfere with the revenue, but to save a little.

Hon. Mr. SPROULE: My objection was intended to apply to all these clauses. I think they are of a similar character and purport. The honourable gentleman from Middleton (Hon. Mr. Ross) said that a money Bill is a tax. A money Bill has the double purpose of taxation and appropriation. After a tax has been levied, and is payable out of the Consolidated Revenue Fund, Parliament appropriates it by voting so much of it to pay the salaries of the judges. In the statute providing for the appointment of judges, the limitations, conditions, and provisions have been laid down, and now we propose to change those limitations or conditions or provisions. To that extent, in my judgment, if the rule which I have quoted holds good, it is not competent for the Senate to change the conditions of appointment.

Hon. Mr. BOSTOCK: Does my honourable friend mean to say that we cannot deal with any clause of a Bill relating to matters of that kind? If I remember rightly, it has been held that when a Bill contains certain money clauses, those clauses cannot be dealt with by the Senate, but the other clauses of the Bill can be dealt with. When a Bill contains any clause for imposing a charge of any kind, that particular clause is passed without alteration when the Senate is dealing with the Bill; but the other clauses of the Bill can surely be dealt with by the Senate.

Hon. Mr. POWER: Inasmuch as the leader of the Government desires to consult his colleagues, and inasmuch as the question of the competency of this House to deal with this measure has been raised, I think that perhaps it would be well if the committee were to rise and report progress and ask leave to sit again; and when we meet again the leader of the Government will be prepared to tell us what his colleagues think. In the meantime, we shall have an opportunity of looking up the question of parliamentary procedure that has been raised by the honourable gentleman from Grey (Hon. Mr. Sproule). If my honourable friend from Middleton (Hon. Mr. Ross) does not object, I would move that the committee rise and report progress and ask leave to sit again.

Hon. Mr. THOMPSON: Before the motion is put, I think it is the duty of the Senate to determine the question of prerogative. I do not think we should leave that to the House of Commons.

Hon. Mr. POWER: We want to look up the authorities.

Progress reported.

MEAT AND CANNED FOODS BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 73, an Act to amend The Meat and Canned Foods Act. He said: This Bill consists largely of provisions for the inspection and canning of shellfish and lobsters. About two years ago the administration of the Meat and Canned Foods Act was handed over to the Department of Marine and Fisheries.

Hon. Mr. BOSTOCK: This comes under the jurisdiction of the Department of Agriculture.

Hon. Sir JAMES LOUGHEED: At that time it did, but it is now administered by the Department of Marine and Fisheries, which is more closely in touch with the subject-matter of the Bill. The Bill provides for the inspection of canneries and the labelling of shellfish when canned. Certain exemptions are provided for. It is unnecessary to say that it is desirable that the most stringent inspection should be established in matters of this kind. The question of canning lobsters is dealt with particularly in clause 12d. Honourable gentlemen who come from the Maritime Provinces will have a wider knowledge of that than I have. The question of British Columbia salmon is dealt with in clause 12e.

Hon. Mr. BOSTOCK: The honourable leader of the Government has said that this Bill is in the hands of the Department of Marine and Fisheries. I cannot find anything transferring it to that department. The Minister of Agriculture is referred to in the original Act.

Hon. Sir JAMES LOUGHEED: Two years ago the administration of the Meat and Canned Foods Act, so far as canned fish and shellfish were concerned, was transferred to the Department of Marine and Fisheries by Order in Council.

The motion was agreed to, and the Bill was read the second time.

FISHERIES ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 74, an Act to amend The Fisheries Act, 1914. He said: This Bill makes provision for licensing canneries and giving a greater latitude to the establishment of fish oil factories, which, under the present law, cannot be within fifty miles of each other. The Bill also deals with the question of regulating fish guards, particularly in British Columbia, Alberta, Saskatchewan, and Manitoba, owing to the construction of irrigation ditches and flumes. It also proposes to change the name "dogfish" to "grayfish," in order to bring it into harmony with legislation which has been passed in the United States. It is said that a rose by any other name would smell as sweet, and I have no doubt that the "dogfish" will taste quite as well when the name is changed to "grayfish." It is proposed in the Maritime Provinces that closer attention should be given to inducing the public to indulge in these luxuries.

Hon. Mr. BOSTOCK: I rise for the purpose of congratulating the Government on having made the amendment which is contained in clause 4 of this Bill. The question of placing screens in the irrigation ditches and channels of the West has been a very acute one for a number of years. The farmers who were irrigating found that the placing of these nets and screens in the headgates of their irrigation ditches was a very great source of trouble and annoyance, and I do not think they produced the desired effect. Honourable gentlemen will probably understand that the streams very often go dry late in the year, and although screens may be placed in the headgates in the early part of the year to prevent the fish going down into the irrigation ditches, if the fish remain in the screens they are killed when the streams dry up, and consequently the object of putting the screens in the ditches is defeated. I hope, therefore, that we shall be relieved of these troubles in the future. In certain places, of course, where water remains in the streams all the year round, it might be advisable to put the screens in, and I hope that the Department of Marine and Fisheries will try to devise a screen which will be of some use, and which can be put in without it being necessary to watch it pretty nearly every hour of the day. I think the honourable gentleman who has lately been appointed to the Senate and who comes from a part of British Columbia where irrigation is carried on (Hon. Mr. Shatford) will agree with me that this is a very wise provision.

The motion was agreed to, and the Bill was read the second time.

SAINT JOHN AND QUEBEC RAILWAY BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 91, an Act to amend the Saint John and Quebec Railway Act, 1916. He said: The object of this Bill is to extend the time for the completion of this road so that the Government of New Brunswick may take advantage of certain subsidies which have been voted on its behalf by the Government of Canada. Part of this road has already been constructed.

Hon. Mr. BOSTOCK: How much of it has been constructed?

Hon. Mr. THOMPSON: It runs more than 10 miles above Woodstock and 42 miles below Fredericton. It is constructed from Centreville to Gagetown.

Hon. Mr. BOSTOCK: Does this road operate in connection with the National Transcontinental?

Hon. Sir JAMES LOUGHEED: It is owned by the New Brunswick Government.

Hon. Mr. DANIEL: It is operated by the Intercolonial railway.

The motion was agreed to, and the Bill was read the second time.

INTEREST ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 99, an Act to amend the Interest Act. He said: In the province of Manitoba judgments carry only 4 per cent interest, whereas, according to legislation of this Parliament, judgments in the other western provinces carry 5 per cent interest. The Bill is intended to bring the four western provinces into harmony by permitting of judgments in the province of Manitoba bearing the same rate of interest as those in the other three provinces. The province itself has not authority to legislate upon this subject, as the question of interest is one peculiarly within the jurisdiction of the Dominion Parliament.

Hon. Mr. BOSTOCK: Is the Provincial Government in favour of this measure?

Hon. Sir JAMES LOUGHEED: I understand that it is introduced at their instance.

The motion was agreed to, and the Bill was read the second time.

ADJOURNMENT OF THE SENATE.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, as there is nothing on the Order Paper for to-morrow, if it is agreeable to honourable gentlemen, I move that when this House adjourns to-day it do stand adjourned until next Tuesday evening at eight o'clock. I would also move, with the permission of the House, that during the adjournment the committees have authority to sit.

The Senate adjourned until Tuesday, July 24, at eight o'clock in the evening.

THE SENATE.

Tuesday, July 24, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATOR INTRODUCED.

Hon. George W. Fowler, of Sussex, New Brunswick, was introduced by Hon. Sir James Lougheed and Hon. Mr. Daniel, and took his seat.

JUDGES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into Committee on Bill 66, an Act to amend the Judges Act. —Hon. Sir James Lougheed. Hon. Mr. Watson in the Chair.

Hon. Sir JAMES LOUGHEED: At the last session of the committee, my honourable friend from Grey (Hon. Mr. Sproule) raised the point of order that this Bill was a money Bill and that the Senate had no authority to amend it. The honourable gentleman from Stadacona (Hon. Mr. Landry) was in the Chair at the time, in the absence of my honourable friend the Chairman of this evening, and he was inclined to consider that it was a money Bill. I would suggest that we might proceed with the consideration of the amendments which have been moved. If my honourable friend (Hon. W. B. Ross) who has moved the amendment under consideration desires to say anything upon the point of order, there is no reason why it should not be taken up. The question may possibly be appealed to the Speaker, who might then require a little time in which to deal with it.

Hon. W. B. ROSS: There are two amendments, one moved by the honourable member from Halifax (Hon. Mr. Power), for the repeal of four sections of the Judges Act, and my amendment to section 33 of the Act. The amendments are not quite on the same footing. The amendment moved by the honourable member for Halifax does not attempt to impose any tax or burden on the people of Canada. On the contrary, the effect of it would be to relieve them, indirectly at all events, of the payment of certain sums of money in certain cases. The amendment which I moved was not a fiscal proposition in any sense of the term, but was merely intended to provide a method for the more careful observance of section 33 of the Act. The standard authority on these matters, Sir Erskine May, at page 574 of his book, gives the origin of the objection on the part of the House of Commons to the House of Lords dealing with a fiscal question. The House of Commons claims that it is its privilege to decide these matters and that the House of Lords cannot initiate them and cannot amend them. May says:

> The Commons, having during nearly three centuries claimed the right to include the members of the House of Lords in the taxation levied upon the subjects of the Crown advanced this claim still further in 1671 by resolving "that in all aids given to the King by the Commons, the rate or tax ought not to be altered by the Lords"; and, on the 3rd July, 1678, by a second resolution, "that all aids and supplies, and aids to His Majesty in Parliament, are the sole gift of the Commons; and all Bills for the granting of any such aids and supplies ought to begin with the Commons; and that it is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords."

That is the position, that, whenever there is a tax or any charge levied upon the people, the House of Commons must state the amount, on whom and on what it is to be levied, how it is to be collected, and how it is to be disposed of. But when you come to deal with acts which are not fiscal acts, whose object or intention is not to levy a tax at all, but which relate to questions of administration, you find the position is different. May says:

> The Commons, in dealing with amendments by the Lords to Bills for the administration of local and other rates and charges, which touched matters of privilege, have had regard to the principle that, if the Lords' amendments deal with legislative and not fiscal objects, a rigid adherence on the part of the Commons to their privileges might exclude the Lords from the practical consideration of such Bills.

Hon. Sir JAMES LOUGHEED.

Then, he says, on page 514:

> In 1849, the Commons adopted a standing order, based on a resolution passed in 1831, which gave the Lords power to deal, by Bill or amendment, with pecuniary penalties, forfeitures, or fees, when the object of such penalties or forfeitures was to secure the execution of an Act; and when the fees imposed were not payable into the exchequer, or in aid of the public revenue.

As I understand it, the meaning is this. My amendment to section 33 provides that the judges shall file a certain statement, and if they do not file that statement they shall not be paid their salary until they do. That is not for the purpose of raising revenue, but it is to carry out, to work out, section 33. Now, according to Sir Erskine May, instead of saying that they should not draw their salary, we could have taken another course, that of saying they should be fined $500. That would be perfectly within our rights; but, if we had gone on to say that that $500 should be payable into the consolidated fund, or that half of it should be given to the informant and half should go into the consolidated fund, that would be invading the privileges of the Commons. If we stopped short at imposing a penalty of $500, we should be perfectly in order. Now, we do not go that far; we simply say that we want section 33 carried out—we want a statement filed, and if the statement is not filed, the salary of the judge shall not be drawn. It is not a fiscal Bill in any sense of the term, and is not an invasion of the rights or privileges of the Commons in any particular whatever.

Hon. T. S. SPROULE: I regret that I cannot agree with my honourable friend who has just taken his seat, that the proposed amendment does not infringe in any way upon money bills. We take up the statute for the appointment of judges. By it a given salary is attached to the office of judge. That salary is appropriated out of the consolidated revenue. If the Act came before us, I am quite sure there is no honourable senator in this House but would admit that that was a money bill—that it involved the appropriation of money payable out of the Consolidated Revenue and that we could not change that in any particular; because we would have no right to interfere with the appropriation of money raised by the levying of a tax. The statute provides that the incumbents of these offices shall receive so much money. Now, if the rule distinctly laid down be applied to this case, that Bill fixing the salaries of the judges at a certain

figure was a money bill and we could not amend it. But if the next year we take up that same statute and tack on a provision saying that if the judges do not do so and so they shall not receive their salary and cannot claim it, would that not be interfering with the rights of the Commons, who alone have the right to amend in that way a money bill? I quote from Bourinot, fourth edition, page 491, on Appropriation and Taxation Bills:

A rule of the House of Commons declares explicitly:

"All aids and supplies granted to His Majesty by the Parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint in all such Bills, the ends, purposes, considerations,"—

What is the consideration in this amendment? The consideration is that in the event of the judges refusing to make that statutory declaration they shall not be entitled to the money that has been voted to them under a money Bill.

—"conditions, limitations, and qualifications of such grants which are not alterable by the Senate."

Whether I am right or wrong—although I have gone over this a good many times—I never could see the difference between our taking away the rights of any one who was entitled to money under a specific grant from the Crown, whose appointment was made by statute, and changing that statute, which is a money bill, by limiting his right to a salary. We propose to limit that right or to make considerations upon which the salary shall be received. We are making conditions or limitations which, if my interpretation of the rule is correct, we have not the right to make.

Hon. Mr. CLORAN: Honourable gentlemen will remember that the Bill entitled the Judges Act was introduced by the then Minister of Justice, Sir Charles Fitzpatrick. There were provisions in that Bill which did not please the Government side of the House, and to which grave objection was taken by Liberal members. The Minister of Justice at that time wanted to protect one of the governors of the province of Quebec by having him included under the provisions of the Bill so as to benefit equally with the judges who were to come under its provisions. The ex-governor of Quebec had been on the bench for a few years. He had previously been a minister of the Conservative Government of the province under the Hon. Mr. De Boucherville. He became governor of the province and was, I believe, in hearty sympathy with the ex-Prime Minister (Hon. Sir Mackenzie Bowell) who is now in his seat in this House—if not in hearty conspiracy with him—in regard to the Baie des Chaleurs railway. The honourable gentleman and the ex-governor had a committee appointed here to investigate the affairs of the Quebec Government regarding the Baie des Chaleurs railway deal, whereby one Conservative, another ex-governor, Robitaille, got $75,000 and Mr. Armstrong got $100,000. The result was that the honourable gentleman, who was no longer Prime Minister, but was at the time leader of the Senate, got a committee appointed to probe into this matter, with the aid and conspiring influence of the then governor, Raoul Angers. The outcome was that the Quebec Government was driven from power. When the Minister of Justice, Sir Charles Fitzpatrick, came before Parliament, a Liberal Parliament, and asked that a generous pension be granted to that man, we resisted, and finally triumphed in our resistance, although the Bill was a money Bill like the one now before the House. We amended government Bills in those days. In the Railway Bill we put, I think, over ninety-nine amendments, and it was a money Bill from first to last. All Government measures in those days underwent a rigid scrutiny and criticism by the supporters of the Government. These facts are well known, though not to all honourable gentlemen in this House. Some honourable gentlemen are too young to know of these things; but they are facts contained in the records of this honourable House. At the time to which I have referred I contested the right of Bourinot or of Erskine May or of any other authority to limit the powers of this legislative assembly. This House might as well go out of existence now if we can deal only with Bills which are not money Bills. Every Bill that comes before this House is a money Bill, because it takes money to put it through. I hold that under the law a Bill should be considered a money Bill only when it involves taxation and increasing the burdens of the people. My view is the sound one and is upheld by many. We have no right to initiate Bills of taxation, which are the only money Bills aimed at in the constitution which governs this country and this Parliament. It would be easy for any minister or member of the House of Commons to introduce a small clause with reference to the expending of

$5 or $10 in order to prevent this House from considering or amending a Bill. The position is absurd. It would stultify the Senate; it would make its existence intolerable. We should have no right to consider or amend any Bill which contained a provision for the expenditure of any money, from a farthing up to a pound. Honourable gentlemen, can you not see the ridiculousness of the proposition? It is absurd on the face of it. I care not how much honourable gentlemen may quote Erskine May and Bourinot as compared with the intelligence of to-day? I am with Lloyd-George: down with precedents! Why should the intelligence of to-day be guided by intelligence which has been dead for centuries and knew nothing of our present conditions? I am glad to know that the Prime Minister of England is in agreement with the thought that the conditions of to-day ought not to be dictated by the intelligence of the past. We have all respect and reverence for it; but let us put our own intelligence and experience, our own knowledge and observations, to the test. That will be better than quoting dead men's opinions or following dead men's dictation. I hold that this is not a taxation Bill and is therefore not a money Bill—that a Bill can be a money Bill only when taxation is involved and included therein. These are views which I put forth ten years ago, when the original Bill was brought up and amended in the Senate—the Liberal Senate of that time. The facts which I have given held good then, and they ought to hold good now and for the future. This body, as I say, would become absolutely useless if we were to be confined to discussing only Bills that involved no money expenditure—I do not say taxation, but money expediture. Honourable gentlemen, this is a serious question, and it is time for this honourable House to take a stand in the matter and declare that a Bill is a money Bill only when it involves taxation and increasing the burdens of the people.

Hon. Mr. CASGRAIN: May I ask the honourable leader of the Government if this Bill was introduced in another place by resolution?

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend that the amendments do not refer to any of the clauses in the Bill which has come before us and is now under consideration; but it is proposed to amend certain clauses in the Act which this Bill proposes to amend. The Bill was introduced by resolution.

Hon. Mr. CLORAN .

Hon. Mr. CASGRAIN: Then it is a money Bill.

Hon. Mr. DANDURAND: Honourable gentlemen, within my recollection we have twice dealt with the Judges Act and amended it. The records will show that in 1899 or 1900 a number of amendments to that Act were made. Among those amendments was one increasing by three the number of judges in the city of Montreal, and the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell), then the leader of the Opposition, moved to strike out that clause. If my memory serves me, a number of amendments were made reducing the charges provided for in the Bill, although it had been presented by a resolution in the other House. No objection was taken in the House of Commons to the Senate making these amendments—and my honourable friend from Grey (Hon. Mr. Sproule) was in that House at that time. Again, in 1903, as one honourable gentleman has said, a Bill amending the Judges Act was proposed, and clause 7 of that Bill provided that the Government should have the right to allow a pension to a judge who, not having served fifteen years, had been for a certain time governor of one of the provinces. It did not say for a time sufficient to complete the fifteen years, it gave no definite time. The Senate took objection to this clause, and the leader of the Government moved to drop it. The honourable member for Belleville raised the point and the Speaker, my honourable friend from Halifax (Hon. Mr. Power), when appealed to on the point of order, thought that possibly we were amending a Bill which should be held sacred in this Chamber as being a money Bill. The majority of the House held differently, owing largely to the precedent which had been established in 1899 or 1900. So, twice the Senate of Canada has altered the same Act by amendments which did not increase the charges upon the people, but, on the contrary, decreased those charges. It was held that we could amend the Act in several respects. My honourable friend's amendment, however, strikes me as being tantamount to an impeachment of the judges, because, if we withheld their salaries by any kind of legislation, we would have them under our control. This is a question to which I have not given very much thought. I am not in favour of the amendment as it stands, but I am against the point of order.

Hon. Mr. LANDRY: The honourable gentleman who has preceded me (Hon. Mr.

Dandurand) has quoted two precedents. I do not know who made the first ruling.

Hon. Mr. DANDURAND: Hon. Mr. Pelletier.

Hon. Mr. LANDRY: I have it in my hands, and it is as follows:

It has been maintained, during the discussion of the point of order, that the Senate had no right to interfere with Bills which increase the expenditure of money, but would have a right to amend such Bills in order to decrease or prevent the expenditure of money. I admit that, at first sight, I was of that opinion, but the authority of May, cited by the Hon. Secretary of State, at page 542, after saying that the House of Lords is excluded, not only from the power of initiating or amending Bills dealing with public expenditure or revenue, but also from initiating public Bills which would create a charge upon the people or which would deal with the administration or employment of those charges, add:—

"It follows accordingly that the Lords may not amend the provisions in Bills which they received from the Commons, dealing with the above-mentioned subjects, so as to alter, whether by increase or reduction, the amount of a rate or charge, its duration, mode of assessment, levy, collection, appropriation or management, or the persons who pay, receive, manage or control it," etc., etc., etc.

To this the honourable the leader of the Opposition said that there is in that amendment neither a question of increasing or reducing the expenditure of money, but of transferring the grant of land from one line to another. But in reading the amendment as it is, I cannot now come to any other conclusion than that this amendment would really interfere in the disposition of public money, and the very words of the amendment say:— "And the company's lands subsidy shall apply to the line hereby authorized."

By this, the amendment goes to say that the disposition of the land grant will be changed. And, as the honourable gentleman from Montarville pointed out, if this amendment is carried, then the land already granted will be removed from its destination or appropriation, that it is from one line to apply it to another, and then there will be no grant of land for one line which had it before— and as I am of opinion that public land ought to be considered as public money, I cannot come to any other conclusion than that the point of order is well taken, and that the amendment is out of order.

Hon. Mr. DANDURAND: That does not refer to the Judges Act and does not bear on the precedents which I have mentioned.

Hon. Mr. LANDRY: No. The Judges Act is not involved in the decision then given. It was a Bill to pay ex-ministers of the Crown.

In 1903, the Honourable Mr. Power, then Speaker of the Senate, ruled out of order an amendment to a money Bill, on the ground that it was reducing the expenditure asked for by a certain Bill and that such an amendment was attacking a clause which might have been a Bill by itself.

Hon. Mr. POWER: That is good law.

Hon. Mr. LANDRY: That was a good decision. Like my decision, it was appealed against and was reversed. I think that the amendment which is proposed to-day attacks a money Bill; but I would not go so far as to say that the Senate has no right to amend the Bill.

Hon. Mr. CLORAN: Oh, oh.

Hon. Mr. LANDRY: Let the honourable gentleman wait until he understands what I am going to say. If the amendment attacks a money clause, in my opinion it is out of order; but if it relates to a clause which may by itself form part of an independent Bill, then I think the amendment is in order, subject to the decision of the House of Commons. If the House of Commons claim their privilege, then we must drop the amendment. In the case quoted by my honourable friend, though the decision of the Speaker had been overruled, if the House of Commons had claimed its privil ge, the clause would have been restored; but the House of Commons chose not to claim its privilege, and the Bill was amended as the honourable gentleman says.

Hon. W. B. ROSS: I submit that the question is solely one of intent. What are we trying to accomplish by these amendments? Are we trying to carry out the administration of justice more effectively, or are we, under cover of a motion, trying to deal with a fiscal matter which is the privilege of the House of Commons? All I ask is for any man to take these amendments and give them an impartial reading, and say what is intended. If their purpose is to better the administration of justice, they are not an infringement on the rights and privileges of the House of Commons. If they were a subtle way of dealing with a fiscal matter, I think they would be out of order. That was not my intention, and I do not believe that it was in the mind of the honourable gentlemen from Halifax (Hon. Mr. Power). There is abundant authority, if that is a fair reading, for saying that the amendment is quite in order.

Hon. Mr. POWER: I do not question the decision read by the honourable gentleman from Stadacona (Hon. Mr. Landry), but I think that what the honourable gentleman from Middleton (Hon. Mr. Ross) has just said touches the heart of the matter. What is the intent of the amendment? Is it to interfere with the appropriation of public money? It is not. The object is simply to impose a penalty on a judge if he miscon-

ducts himself. If a judge violates this law, instead of being fined, as the honourable gentleman has suggested, he would lose his pay for the time during which his negligence continued. Unlike my honourable friend from Victoria (Hon. Mr. Cloran), the honourable gentleman from Grey (Hon. Mr. Sproule) has a great respect for past decisions; but I do not think that he would claim that there is any real violation of the rights of the House of Commons, or of parliamentary law, in saying that this penalty shall be imposed, even though it happen to affect in an indirect way the Consolidated Revenue Fund. It is laid down in Bourinot and May that the upper House has the right to impose penalties. Any action on their part in dealing with penalties does not come within the prohibition against dealing with money bills.

Hon. Mr. LANDRY: The honourable gentleman says that we have the right to impose penalties?

Hon. Mr. POWER: Yes.

Hon. Mr. LANDRY: We have a right to pass a Bill, but with blanks to be filled by the Commons as to the amount.

Hon. W. B. ROSS: We have the right to impose penalties and forfeitures, and to name the amounts, but we cannot name their destinations. We cannot appropriate them.

Hon. Mr. LANDRY: We have no such powers.

Hon. Mr. POWER: I have not had time to look up this question, but there is one point made by the honourable gentleman from Stadacona (Hon. Mr. Landry) which I think very important. It is not for the Senate to say or do anything which diminishes its own powers. Here is a question upon which there is some doubt, and the Senate should uphold and insist upon exercising its powers, or insist that it has the powers. Then, if the House of Commons chooses to raise the question of our interfering with its exclusive privileges, that is another matter. As I understand it, we are dealing with the amendment of the honourable gentleman from Middleton (Hon. Mr. Ross).

The CHAIRMAN (Hon. Mr. Watson): I am somewhat taken by surprise by this point of order. I was not in the Chair when it was raised, and I would not be disposed to give a decision after hearing the opinions of ex-Speakers. I would prefer that some one move that we rise and report progress, and refer the matter to the Speaker for his decision.

Hon. Mr. BEIQUE: In reality we are not dealing with the Bill. We are dealing with two proposed amendments, one by the honourable gentleman from Halifax (Hon. Mr. Power), and one by the honourable gentleman from Middleton (Hon. Mr. Ross). I was not here the other day, but I understand that the point of order was raised with regard to these amendments. Let us consider the amendments as if they were made independently of the Bill. Would it be contended that it was a money Bill if either of the amendments had been made the subject of an Act? Clearly, it would not. Will it be contended that this House has not the right to deal with a public servant? Surely not. We have amended the Railway Act. Under that Act we have the Board of Railway Commissioners. Will it be contended that this House has no right to pass upon the duties of the members of the Railway Board? Surely not. To do so would not be dealing with a money Bill at all, but clearly with a matter pertaining to the appointment of officers and their duties. I think that we are carried too far by this doctrine, which has been referred to by the honourable member from Grey (Hon. Mr. Sproule), as to appropriation Bills. That is not the question before the House. The question is merely whether either of the amendments could be brought up as the subject-matter of a Bill. Therefore, I submit that these amendments are clearly in order, and, even if there were any doubt, I think that the facts which the honourable member from De Lorimier (Hon. Mr. Dandurand) has drawn to the attention of this House should be conclusive. On two different occasions it was decided by this honourable House that Bills of this kind were not money Bills and therefore were within the powers of this honourable House, and that decision was acquiesced in by the House of Commons.

Hon. Sir MACKENZIE BOWELL: The honourable gentleman from De Lorimier (Hon. Mr. Dandurand), in the remarks that he has made, referred to two cases with which he has connected my name. I confess that the first one to which he referred has passed from my memory, or I have not been able to catch the full tenor of his remarks; but of the second case to which he referred I have a distinct recollection. Judges are appointed to perform certain duties. The Bill which was sent to the

Senate for its approval provided for the allowing of five years' time, which had been spent by the gentleman concerned as governor of a province, as if he had during that time performed the duties of a judge. That was asking the Senate to affirm something which was not true. Judges are appointed, as the honourable gentleman knows well, for a certain number of years, to perform certain duties. It was at that time proposed by the Government not to curtail the length of time that a judge was considered to be in the performance of his judicial duties, though five years of that time was spent as governor of a province, and as governor he performed none of the functions pertaining to the office of judge. I remember distinctly making strong objection to the proposal, on the ground that it was affirming what was not correct, and that a man who had received a salary as governor of a province, performing not the duties of a judge but those of an administrator, was not entitled to be allowed five years as part of the fifteen years in the capacity of judge.

As to the present point before the House, there is, I must confess, a very nicely drawn distinction as to what were to be considered the functions of the Senate in the case of money Bills. My own impression is, and has been, that money Bills are Bills proposed by the Government of the day which appropriate certain moneys to be paid to Government officials or others. We have no power, as I have always understood, to amend a money Bill, but we have the power to reject the Bill altogether; and if the amendment proposed by my honourable friend from Middleton (Hon. W. B. Ross) is declared out of order, I would suggest to him the propriety of withdrawing it and introducing a special Bill imposing a penalty upon any judge who fails to perform certain duties which the honourable gentleman thinks ought to be performed. There is nothing in the law to prevent the Senate from passing a Bill imposing a penalty upon any individual for certain offences, and we might declare the non-performance of duty or the performance of certain acts by a judge as illegal, and impose a penalty upon him. I see no reason why a judge should be exempted from doing his duty, any more than any other citizen.

With reference to the amendments proposed by the honourable member from Halifax (Hon. Mr. Power), I do not see that they come within the same category. The Senate has the right to pass a Bill to repeal any portion of the law as it stands on the statute book, and I would suggest to him to push his amendment to a vote, if necessary.

Hon. Sir JAMES LOUGHEED: Inasmuch as the chairman of the committee has indicated an unwillingness to pronounce upon this point of order, I think it would be desirable that the committee should rise and report progress, so as to permit him to appeal to the Speaker on this particular question. It appears to me that this is one of those border-line cases which in May and other works upon parliamentary procedure are termed "privileged amendments." We know that there is that class of amendment to legislation which arises in the House of Lords and which the Commons do not regard as an infringement upon their privilege. That class of amendment is referred to particularly in May, at page 576, which says that if otherwise unobjectionable the Commons shall accept amendments by the Lords which, though not strictly regular, do not materially infringe upon the privileges of the Commons, and they justify their action by an entry in the Journal under a direction from the Speaker, explaining the motive for their agreement, and stating, for instance, that the amendments are verbal. Then, again, this statement is made by May:

> The difficulty also of separating those amendments from other legislative provisions or amendments, to which there was no objection, has frequently prompted their acceptance by the Commons.

This further statement is made:

> More especially when those amendments effect charges upon the people incidentally only, and are made for the purpose of giving effect to the legislative intentions of the Commons.

Now, is it quite clear that the fiscal considerations, so to speak, are only incidental to the legislative provisions of the Act with which we are dealing, and it seems to me that it is a matter for the Commons to say, once we legislate, or once we send our amendments down, whether or not they regard those amendments as an infringement of their privileges. If they indicate that they regard the amendments as infringements, then it will probably be for us to reconsider the position which we have taken. But so frequently do financial considerations enter into general legislation that it is utterly impossible to draw the line clearly and distinctly; and we sometimes have to venture, in the public interest, to make an amendment,

and deal with it as a privileged amendment, feeling that we are not encroaching upon the privileges of the Commons. I therefore move that the committee now rise and report progress, in order that the Chairman shall have the opportunity of appealing to the Speaker for a pronouncement upon this point of order.

Progress was reported.

Hon. Mr. WATSON, from the said committee, reported also that the point of order had been raised, that the Bill, being a money Bill, cannot be amended; and desired the honourable the Speaker to rule on the point of order.

FISHERIES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 74, an Act to amend the Fisheries Act, 1914, Hon. Mr. Gordon in the Chair.

On section 4—fish guards only where minister deems it necessary:

Hon. Sir JAMES LOUGHEED: That has relation peculiarly to the western provinces, where flumes have to be used, and where unnecessary expense is sometimes incurred in protecting the flumes against the entry of fish.

Hon. Mr. BOSTOCK: I have often tried to get the Department of Marine and Fisheries to design a proper trap or guard to be put at the front of the headgates. I do not know whether my honourable friend would have sufficient influence with his colleague in the Cabinet to induce him to take up that question. I think it would be a valuable piece of work.

Hon. Sir JAMES LOUGHEED: The difficulty is, I am sorry to say, we are not fertile in inventing traps.

Hon. Mr. BOSTOCK: But the department has several officers who could probably devote some valuable time to assisting men who are interested in the question in designing a proper kind of trap. It is very difficult to get one that is satisfactory.

Hon. Sir JAMES LOUGHEED: It is.

The section was agreed to.

On section 5—name of "dogfish" changed to "grayfish":

Hon. Sir JAMES LOUGHEED: Honourable gentlemen will see that it is proposed to change the name "dogfish" to that of "grayfish." That has been done in the United States, where the dogfish is now known under the respectable name of "grayfish," and there is no reason why we should not protect the interests of the dogfish equally well in Canada; consequently we propose doing the same as has been done in the United States.

Hon. Mr. BOSTOCK: I have only one suggestion to make in this respect. I see that it is proposed that this alteration should be inserted in the original Act as "62a." As this is more or less in the nature of a definition, would it not be much better to put it at the beginning of the Act? It seems to be a rather curious place to put a definition of that kind, practically in the middle of the Act.

Hon. Sir JAMES LOUGHEED: That possibly is the only place where the name is mentioned.

Hon. Mr. BOSTOCK: I have looked at the Act, and find that the dogfish is referred to in clause 9.

Hon. Sir JAMES LOUGHEED: I will look into that point before the Bill is given a third reading. We want to give every opportunity to the dogfish to be properly recognized.

The section was agreed to.

On section 5—returns of quantity of fish caught, etc.:

Hon. Mr. POWER: Before that is adopted, Mr. Chairman, I think we ought to consider it a little. This clause provides that:

> The owner or manager of every fish-curing or canning establishment or fresh fish business, and the captain or owner of every fishing vessel, and the owner of every fishing boat, fishing trap, weir or other fishing instrument in Canada, shall, at the request of the minister or a fishery officer furnish a true return covering the period specified by the minister or such fishery officer containing the whole or any one or more of the following particulars.

The fishermen of this country are not men who are in the habit of keeping very careful accounts or of filling up forms; and, while it might be well enough that the captain of a schooner or of a steam fishing vessel should make these returns, I think that to call upon a shore fisherman, who goes out in his little whaler or flat and catches a few fish, to make up this elaborate statement, is, I do not say cruelty to dumb animals, but cruelty to a very deserving class of men who do not deserve to be treated in that way. I appeal to any honourable gentleman who is familiar with

the fishermen around our shores if there is not very much force in what I say. Honourable gentlemen had better think over that point.

Hon. Mr. DANIEL: I hardly agree with the honourable gentleman from Halifax (Hon. Mr. Power), that the fishermen are not of a sufficiently educated character to be able to fill up forms of this kind.

Hon. Mr. POWER: I did not say exactly that.

Hon. Mr. DANIEL: I think he is entirely mistaken. I have come across a great many fishermen; the fishermen of the Bay of Fundy are those I know the best; and I do not know a more intelligent set of men.

Hon. Mr. POWER: That goes without saying.

Hon. Mr. DANIEL: They are well educated, and just as well able to fill up a form as is the captain of any schooner—and most of them are, I think, a little better able. If inability on the part of the fishermen is the objection, I do not think that objection holds good. As to the quantities, I do not suppose that it would be necessary to count every fish in a boat load; there are wholesale methods of determining quantities of fish. I do not think there is much in the objection as to the difficulty of furnishing returns.

Hon. Mr. POWER: The honourable gentleman has tried to represent that I was reflecting upon the intelligence of the fishermen. Nothing of the sort; but I say this, that if the honourable gentleman himself were earning his living at fishing, in a flat, for instance, I think he would find it rather inconvenient to try to fill out all the returns that are called for here. The honourable gentleman can fancy himself in that position. He has gone out at three o'clock on a spring morning and hauled his trawls and brought his fish in; then he has to make a return giving the following information:

The value of the fish caught, bought, packed, or canned; the number of fishermen employed and their nationality; the number of shore workers employed; the number and value of the fishing vessels and boats employed; the quantity and value of fishing gear used; the number and value of buildings and fixtures used.

Hon. Mr. DANIEL: Each individual is to give the value of his own buildings only. That provision refers to canning establishments. The owner knows what they are worth.

Hon. Mr. POWER: I am not objecting to this information being required from a cannery, but it is required from all fishermen. Listen to this:

Such other details and particulars as may be required by the minister or such fishery officer.

You do not know what sort of voluminous and circuitous returns would be called for.

Hon. Mr. DANIEL: There are many questions asked in regard to the value of this, that, and the other thing. I think the honourable gentleman from Halifax is as likely as not to ask what is the value of the buildings used in certain canneries, what is the value of the boats used, and how many fishermen are employed. How can the Government give that information unless it is furnished by the individuals themselves? If we are going to have full and reliable statistics in regard to the fisheries we must get the information from those engaged in the business.

Hon. Sir JAMES LOUGHEED: The law requires that fishermen should furnish this information, but it has not been obligatory and has not been enforced. We have been discussing in all seriousness the undesirability of having any provision in the Judges Act which is not obligatory and enforcible. This is practically the same principle. It is manifest that the fisheries of Canada are one of the greatest resources which we possess, and statistical information is absolutely essential to the promotion of the development of any of our natural resources; and unless we are able to secure the fullest information with regard to all industries we are not going to make very much headway. I think it is safe to say that the Minister of Marine and Fisheries is not going to make these provisions unnecessarily oppressive. These provisions are in the public interest, and only contemplate the securing of this information from fishermen who are extensively engaged in the business.

Hon. Mr. BOSTOCK: Will all the men who fish for the different canneries in British Columbia be required to put in a return, or will it be sufficient if the canneries put in a return?

Hon. Sir JAMES LOUGHEED: That will have to be worked out by regulation; it would be impossible in a clause of this kind to define all the machinery that will be necessary to make the Act effective.

The Bill was reported without amendment.

THE ST. JOHN AND QUEBEC RAILWAY ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 91, an Act to amend the St. John and Quebec Railway Act, 1916, Hon. Mr. Sproule in the chair.

Hon. Mr. BOSTOCK: How much of this line has been completed?

Hon. Sir JAMES LOUGHEED: I understand that a fairly large portion of the road is constructed, but I could not tell my honourable friend the mileage.

Hon. Mr. BOSTOCK: Is it in operation?

Hon. Sir JAMES LOUGHEED: Some of it is. It has been taken over by the Government as it has been constructed, and is being operated by the Intercolonial railway.

Hon. Mr. McSWEENEY: It is completed from Centreville to Gagetown, and there is 45 miles or thereabouts to be completed. How much time do they ask for?

Hon. Sir JAMES LOUGHEED: They ask for an extension of time from the 1st day of August, 1917, to the 31st day of December, 1918.

Hon. Mr. McSWEENEY: They have built 120 miles; they might as well finish it.

Hon. Sir JAMES LOUGHEED: I suppose the province has no objection to taking the subsidy?

Hon. Mr. McSWEENEY: It seems not; but unfortunately, the amounts granted have not been sufficient.

The Bill was reported without amendment.

INTEREST ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 99, an Act to amend the Interest Act. Hon. Mr. McSweeney in the Chair.

Hon. Sir JAMES LOUGHEED: The object of this Bill is to bring Manitoba into the same category as British Columbia, Saskatchewan, and Alberta with reference to the rate of interest collectable upon judgments.

Hon. Mr. CASGRAIN: What is the rate?

Hon. Sir JAMES LOUGHEED: It is four per cent in Manitoba at the present time, but in the other provinces it is five per cent. Inasmuch as Manitoba was not included when the Interest Act was passed, it is desirable that it should be placed in the same position as the other provinces.

Hon. Mr. DANIEL: Has Parliament the power to fix the rate of interest in any province of Canada?

Hon. Sir JAMES LOUGHEED: The exclusive authority rests with this Parliament.

Hon. Mr. DANIEL: I think I am correct in saying that the legal rate of interest in New Brunswick is six per cent. The rates should be uniform.

Hon. Mr. SPROULE: Am I correct in understanding that a province has a right to deal with usury and to fix the rate of interest in contravention to the authority of the federal Parliament, which alone has the right to deal with usury? There is a federal statute which provides that to make a contract binding as between individuals, where the rate of interest is not named, the rate shall be 5 per cent? If I understand it correctly, that must apply to every province in the Dominion. Therefore, under what authority does the province of Manitoba or any other province make a different rate of interest?

Hon. Sir JAMES LOUGHEED: I think my honourable friend misapprehends the object of this Bill. The province of Manitoba has not legislated at all and would have no authority to legislate on the matter, but the Interest Act provides that a certain rate of interest shall be chargeable upon judgments in the three western provinces exclusive of Manitoba.

Brigadier General Hon. Mr. MASON: Will this apply to all overdue debts?

Hon. Sir JAMES LOUGHEED: No, I should say it would not be retroactive.

Brigadier General Hon. Mr. MASON: Will it apply to overdue debts if there is no specific rate of interest arranged for?

Hon. Sir JAMES LOUGHEED: It only deals with judgments in the province of Manitoba.

The Bill was reported without amendment.

CONSERVATION OF CANADIAN TRADE.

Hon. Mr. NICHOLLS moved that the First Report of the Special Committee appointed to inquire into and report upon the best method or methods of conserving and

increasing our domestic and overseas trade, etc., be concurred in.

Hon. Mr. BOSTOCK: I am sorry to have to object to the report of my honourable friend, but I do not think that we would be justified in allowing it to go through as it stands. It says:

The committee recommend:

1. That the quorum of the committee be reduced to three members.
2. That the committee have power to send for persons, papers and records.
3. That the committee be authorized to sit during the sittings and adjournments of the Senate, and during the recess of Parliament.

Although we may have the best intentions in the world and the greatest desire to help my honourable friend, I am afraid that we could not agree to adopt a report which recommends that the committee be authorized to sit during the recess of Parliament.

Hon. Mr. McLENNAN: Is it inexpedient? It was my suggestion that we might get forward more rapidly with this work, which, if it is to be effective, will require a good deal of time while Parliament is not sitting.

Hon. Mr. NICHOLLS: As far as I am concerned, I am quite agreeable to withdraw that.

Hon. Mr. BOSTOCK: Strike out "and during the recess of Parliament," so that the clause will read:

That the committee be authorized to sit during the sittings and adjournments of the Senate, and also to hold meetings at any time and place outside of the city of Ottawa.

Hon. Mr. CASGRAIN: The committee cannot meet outside the city of Ottawa. I leave it to the honourable gentleman from Stadacona (Hon. Mr. Landry), who has been for a long time Speaker of this House, to say whether a committee can meet outside of the city of Ottawa.

Hon. Mr. LANDRY: I think the honourable gentleman had better address himself to the Speaker.

Hon. Mr. DANIEL: We have had a joint committee of both Houses sitting in Toronto, Montreal, and other places. I can see no objection to that.

Hon. Mr. CASGRAIN: What committee sat in Toronto?

Hon. Mr. DANIEL: The joint committee on the question of returned soldiers.

Hon. Mr. CASGRAIN: Is that a members' committee?

Hon. Mr. DANIEL: I was at the sessions of that committee in Montreal and in Toronto. There is nothing unusual about that.

Hon. Mr. McLENNAN: We thought it might be more convenient and less expensive if the committee went to Toronto or Montreal, or any other place where a dozen or possibly a score of persons could be heard, than if those people were to come to Ottawa, and we therefore made the suggestion. At all events, our intentions are honourable.

Hon. Mr. CASGRAIN: Would the members of the committee charge their travelling expenses to the Government? That would be a money Bill.

Hon. Sir JAMES LOUGHEED moved to strike out the words, "and during the recess of Parliament."

The amendment was agreed to, and the report as amended was concurred in.

MIGRATORY BIRDS CONVENTION BILL.

FIRST READING.

Bill 92, an Act respecting a certain Convention between His Majesty and the United States of America for the protection of Migratory Birds in Canada and the United States.—Hon. Sir James Lougheed.

SUPREME COURT ACT AND EXCHEQUER COURT ACT AMENDMENT BILL.

FIRST READING.

Bill 98, an Act to amend the Supreme Court Act and the Exchequer Court Act.—Hon. Sir James Lougheed.

The Senate adjourned until Wednesday at 3 o'clock p.m.

THE SENATE.

Wednesday, July 25, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

DIVORCE BILL.

FIRST READING.

Bill T2 an Act for the relief of Albert Edwin Gordon.—Hon. Mr. Taylor.

FISHERIES ACT AMENDMENT BILL.

THIRD READING.

Bill 74, an Act to amend the Fisheries Act, 1914.—Hon. Sir James Lougheed.

ST. JOHN AND QUEBEC RAILWAY BILL.

THIRD READING.

Bill 91, an Act to amend the Saint John and Quebec Railway Act, 1916.—Hon. Sir James Lougheed.

INTEREST ACT AMENDMENT BILL.

THIRD READING.

Bill 99, an Act to amend the Interest Act. —Hon. Sir James Lougheed.

JUDGES ACT AMENDMENT BILL.

RULING BY THE SPEAKER.

The Hon. the SPEAKER: If I understand correctly the point of order raised by the honourable gentleman from Grey (Hon. Mr. Sproule), it is that the Bill now before us, No. 66, in amendment to the Judges Act, being a money Bill, this House has no right to amend it.

There are numerous precedents in relation to this Bill which may lead to different conclusions; but, after a careful study of the same, I have come to the conclusion that the Bill can be amended in the way which has been proposed by the honourable gentleman from Middleton (Hon. W. B. Ross). It is not proposed to increase or decrease the salaries of the judges, no taxes or appropriations of money are intended by that amendment, but its only object is to complete clause 33 of the said Judges Act, by adding a sanction to the said clause. If the Senate had no power to adopt an amendment of this kind, it would be of no use for this House to study any Bill from the House of Commons embodying any clause involving in any way the appropriation of money.

I find, in May, 11th edition, page 577, the following:

> Nor have the Commons, in dealing with amendments by the Lords to bills for the administration of local and other rates and charges, which touched matters of privilege, refrained from acting on the principle that, if the Lords' amendments, both in object and intention, dealt with legislative and not fiscal objects, a rigid adherence on the part of the Commons to their privileges might exclude the Lords from the practical consideration of such bills. On an occasion of this nature, in the session of 1838, when the Commons had before them Lords' amendments, many of which dealt with privileged matters, Speaker Abercromby explained the course which in his judgment should be followed. Speaking as the authorized guardian of the privileges of the house, he remarked, after reference to a precedent which had occurred in the year 1834, that the bill affected "not only the proprietors of the land, but the great mass of the people of Ireland;" and that, "as the principle of rating was necessarily incidental to such a measure, he considered that, if the privileges of this house were strictly pressed in such a case, they would almost tend to prevent the House of Peers from taking such a measure into its consideration in a way that might be on all grounds, advisable."

I also find, in Bourinot, 3rd edition, page 627:

> That on the 23rd of May, 1874, a Bill was returned from the Senate, with an amendment providing for an increase in the quantity of land granted to settlers in the Northwest. The premier and other members doubted the right of the Senate to increase a grant of land—the public lands being, in the opinion of the House, in the same position as the public revenues. The amendment was only adopted with an entry in the journals that the Commons did not think it "necessary at that late period of the session, to insist on its privileges in respect thereto, but that the waiver of the said privileges was not to be drawn into a precedent."

I am also of the opinion that, when there are doubts concerning the rights of this House to amend Bills, the Senate should proceed to amend them, leaving to the House of Commons to decide whether their privileges have been infringed or not.

I am therefore of the opinion that the amendment proposed by the honourable member for Middleton is in order.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 66, an Act to amend the Judges Act.—Hon. Sir James Lougheed. Hon. Mr. Watson in the Chair.

On the amendment moved by Hon. Mr. Power, that the following be inserted as section 5:

> Sections 20, 22, 25 and 26 of the said Act are repealed, but such repeal shall not be construed to affect the pension of any judge who has resigned or been retired since the passage of this Act.

Hon. Mr. POWER: As this amendment was discussed at some length at an earlier stage of the committee, I do not think it necessary to go over the ground again. I pointed out that up to the year 1903 a judge might retire, or might be retired for inefficiency after serving for fifteen years, and he was retired on two-thirds of his salary. It was found that some judges remained in office after they had ceased to be efficient; and, with a view to remedying that condition of things, this Act was passed, providing that under certain cir-

cumstances the judges, after continuing in office, in one case for 20 years and in the other for 25 years, should be allowed to retire on full pay. The effect of that, as stated by the honourable gentleman from Middleton (Hon. Mr. Ross) and myself, was that the cure was worse than the disease—that, whereas previously an occasional judge remained on the Bench when he should have retired and accepted a pension, since the passing of that Act almost every judge feels that it is his duty to his family and himself to remain on the Bench until he can retire on full pay. I pointed out that in the case of the province from which my honourable friend from Middleton and I come, we had at one time three chief justices: one who retired under the old law on two-thirds pay; one who had retired under the Act of 1903 on full pay; and the third, who was discharging the duties of the office. Clearly that is a scandal, and particularly at this time when we are called upon to exercise the strictest economy. We should try to abate the scandal. I therefore moved that these sections should be repealed, and it is provided that such repeal shall not be construed to affect the pension of any judge who has resigned or has been retired before the passing of this Act. Some honourable gentleman did ask a question as to the effect on the judges now on the Bench. I think the judges, like any other civil servants, accept office and take the risk that the law may be altered while they are in office; and if, when a judge has served his fifteen years, he does not choose to retire, he can remain in office as a judge until he becomes completely incapable, so that the judges now on the Bench have no special grievance to complain of.

Hon. Mr. SPROULE: I have always been in favour of some provision that would control the judges or some of them, because it is well known that a few of them do abuse the functions of their office to the extent of getting a salary which I think and the general public think they are not entitled to enjoy. I am in favour of some method of controlling them in the future better than they have been controlled in the past; and, in the absence of a better suggestion than the one proposed, since it is held to be in order, I am decidedly in favour of the amendment. I have in my mind instances of judges who I think have not acted as they should have done; but I neither want to use their names here nor to deal with them to such an extent that they might be recognized. If the proposed amendments will control them, I think we cannot pass them too soon.

Hon. Mr. BELCOURT: I understand that the honourable the Speaker has given his decision in reference only to the proposed amendment to section 33, and not the one now under consideration.

Hon. Mr. POWER: The decision covers both, practically.

Hon. W. B. ROSS: The point of order was raised as to both amendments.

Hon. Mr. BELCOURT: But the decision is in regard to only one.

The Hon. the SPEAKER: As I explained, I understood that the point of order applied only to the motion made by the honourable gentleman from Middleton (Hon. Mr. Ross), and I gave my ruling on that motion only.

Hon. Mr. BELCOURT: I am in favour of the amendment, but I do not think it should apply to judges who have been appointed since the law was changed in 1903. It seems to me that they would be entitled to set up the claim that they had made a bargain with the Crown.

Hon. Mr. MURPHY: I am disposed to agree with the honourable member for Ottawa (Hon. Mr. Belcourt). A prima facie bargain has been made with the judges appointed since that amendment to the Judges Act was made, and to pass an Act wiping that out would be an injustice to them. Otherwise, I am in full accord with the amendment.

Hon. Mr. CHOQUETTE: It is important to know if there is a question of order raised as to this amendment. I understood yesterday that the point of order was raised as to both amendments.

Hon. Mr. BELCOURT: That does not help the situation. The House of Commons is not going to be governed by that.

Hon. Mr. CHOQUETTE: It is well to know if this point of order has been withdrawn. Speaking on the merits of the question, I agree entirely with the honourable member for Ottawa that we must not go back on what was done; but I go further. I am entirely opposed to the amendment. The law was passed after mature deliberation, and no reason has been given so far for changing that law. I may say that in 1904 I had just resigned from the Bench after having served for several years, and I said

at the time that the salaries of the judges were too small. It is for the Government to appoint to the Bench lawyers who know their duty and who will be ready to resign when they cannot longer perform their duties, without waiting until they can draw full pay. If this law were repealed, it would make no difference as to the payment of the three chief justices in Nova Scotia.

Hon. Mr. SPROULE: As I raised the point of order, perhaps a word of explanation would be permissible with reference to the statement that the point of order applied to both amendments. I may say frankly that I had not an opportunity of carefully reading the amendment proposed by the honourable gentleman from Halifax, and only heard very indistinctly a portion of the argument; but I understood that it proposed a diminution of the salaries of judges, and therefore I assumed that it was of a similar nature to the amendment proposing that they should make a certain return, and, in the event of their not making that return, that their salary should not be paid to them. I took it that both amendments had the same relation to the Bill, because both dealt with money. There was the question of our right to interfere with the provisions of a money Bill that had originated in the other House. When the money was voted, the provision of the statute was attached to it that the judges should receive the benefit of that vote, and I thought that neither of these provisions could properly be interfered with. I therefore withdraw the point of order.

Hon. Mr. BELCOURT: I think it would be foolish to send Bills to the Commons only to be told that we are dealing with matters that we have no business to deal with. I am strongly of opinion that this is a money Bill. What are we doing? We are repealing a provision under which judges are entitled to a certain pension, namely, an amount equal to their full pay. The effect of doing that is to restore the provision entitling them to two-thirds of their pay after retirement. Therefore this is a money matter.

Hon. W. B. ROSS: If the honourable gentleman from Ottawa (Hon. Mr. Belcourt) noticed the decision of His Honour the Speaker—

Hon. Mr. BELCOURT: I was not here when he gave it.

Hon. Mr. ROSS: He gave a very clear explanation of the decision that he had arrived at. He arrived at his conclusion on two grounds: one was that these amendments were not in the nature of a money Bill, and the other was that, if there was any doubt about it, it was right and proper that they should go to the other House, where the question might be raised. He pointed out that it was entirely a matter of intention; if the amendment of the honourable gentleman from Halifax was intended to improve the administration of justice, and incidentally it affected the income of the judges, it was not a money Bill, but a Bill for the administration of justice. If, on the other hand, it is felt that this is an underground way of dealing with the money—

Hon. Mr. BELCOURT: That argument might be applied to any Bill.

Hon. Mr. ROSS: So it might. It is entirely a question of intent, whether you are dealing with a money Bill or with an ordinary legislative Act. In dealing with an ordinary legislative Act we have pretty wide powers.

Hon. Mr. LANDRY: On the other hand, if we are dealing with a money Bill we have not the same powers.

Hon. Mr. CLORAN: Mr. Chairman, after you left the Chair we had a full discussion on money Bills. Now, let honourable gentlemen get it into their brains what a money Bill is before they talk about it. Under the constitution and under our parliamentary rule, a money Bill is one involving taxation—initiating taxation, increasing the burden on the people. These are the only things which can make any Bill a money Bill. Let honourable gentlemen get that into their heads once and for all. I have been preaching this ever since I have been in this honourable House. It is a fundamental principle. The honourable senator from Ottawa (Hon. Mr. Belcourt), who did not hear the discussion yesterday, still clings to the old tradition. He has occupied the Speaker's chair, and has given decisions according to Erskine, May, Bourinot and other dead men. What we want is decisions according to the conditions, the intelligence, and the experience of to-day. The honourable gentleman holds that this is a money Bill. Why, the Criminal Code of the Dominion of Canada is nothing but a money Bill from top to bottom. Every second provision in it calls for penalties, fines, and so on. The Customs Act is a money Bill. Why cling to the old idea that because there is some mention of money in a Bill it therefore

must be a money Bill, and we are precluded from amending it, though, as the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) said yesterday, we have the privilege of throwing it out? The proposition that an intelligent body of men have simply the right to throw out a Bill that is absolutely good in ninety-nine provisions out of one hundred, but would have no right to amend the one faulty provision, is absurd. If we have a right to throw out the Bill we have a right to amend it. That is philosophy, and there is a good deal of theology in it too.

Hon. Mr. LANDRY: The honourable gentleman says that if we have the right to reject a whole Bill we have the right to reject a part of it. We have the right to reject a subsidy Bill.

Hon. Mr. CLORAN: That is provided by the constitution.

Hon. Mr. LANDRY: Well, let us see how far the honourable gentleman's principle goes. If we have the right to reject a subsidy Bill, have we the right to amend it?

Hon. Mr. CLORAN: The question is plain and is very easily answered. A subsidy Bill is purely a money Bill, foreshadowed and guaranteed by the Constitution, and initiates taxation. I admit that.

Hon. Sir JAMES LOUGHEED: I do not wish to interrupt my honourable friend, but it seems to me that there is nothing before the Chair. I do not understand that a point of order has been raised as to this Bill being a money Bill. The point of order was raised upon an amendment, and on that His Honour the Speaker has already given his decision. Possibly during my absence from the Chamber for a few moments another point of order has been raised—for I have heard my honourable friend from Grey say that he withdrew the point of order which he had raised. Consequently, I understand there is no point of order before the Chair.

Hon. Mr. CLORAN: I admit that. If the honourable the leader of the Government had only waited a second, I should have explained.

The CHAIRMAN: The Speaker gave his ruling on the amendment moved by the honourable gentleman from Middleton. He did not consider the amendment proposed by the honourable gentleman from Halifax. However, the honourable gentleman from Grey has withdrawn his point of order.

Hon. Mr. CLORAN: The point before the House is that raised by the honourable gentleman from Ottawa (Hon. Mr. Belcourt), who is going to oppose this amendment on the ground that it is a money measure.

Hon. Mr. BELCOURT: I raised no point of order.

The CHAIRMAN: There is no point of order.

Hon. Mr. CLORAN: I know that, but the honourable gentleman's argument is that he is opposed to this amendment because it involves a money question.

Hon. Mr. BELCOURT: To expedite matters, I will withdraw my observations.

Hon. Mr. CLORAN: I am gaining some headway. Therefore, I agree with the honourable the leader of the Government, now that the honourable gentleman has withdrawn his dark project, that there is nothing before the Chair.

The amendment moved by Hon. Mr. Power (p. 290) was agreed to.

On the amendment moved by Hon. W. B. Ross:

That the following be added to the Bill as section 6:

Section 33 of the said Act is amended by adding thereto the following subsection:

2. And every such judge shall, in the month of December in every year, file a statement with the Minister of Justice that he has complied with the terms of this section, or, if not, in what manner he has departed therefrom. No salary shall be paid to any judge failing to file such statement.

3. No judge of any of the courts mentioned in section 33 of the said Act, who may be appointed by competent authority a member of any commission, or to any duty outside the usual judicial duties, shall receive any pay for such services, but may receive necessary travelling and living expenses.

Hon. Sir JAMES LOUGHEED: My honourable friend from Halifax (Hon. Mr. Power) has, I understand, proposed an amendment to that of my honourable friend from Middleton (Hon. W. B. Ross).

Hon. Mr. POWER: I agree in principle with the honourable gentleman from Middleton, but I feel that the amendment which he proposes is a little drastic and that we should consider it carefully before passing it. My idea is that it is not desirable to insist that every judge in the country, of whom I understand there are a couple of thousand, shall in the month of December make a return to the office of the Minister of Justice. I think the object which the

honourable gentleman from Middleton has in view, and which we should all have in view, the proper administration of justice, can be attained just as well by something that does not go quite so far, and I submit this as a substitute for the earlier part of that amendment:

Every such judge shall, within one month from the date of a notice to that effect from the Minister of Justice or his deputy, file with such minister a statement to the effect that he has complied with the terms of this section, or, if not, the manner in which he has departed therefrom. No salary shall be paid to any judge failing to file such statement.

The point is this, that if any complaint is made to the Minister of Justice that a judge is not doing just the right thing, that he is violating the provisions of section 33. then the Minister of Justice calls on him to submit this statement. I think that is going far enough.

Hon. W. B. ROSS: In one way I should have no objection to the honourable gentleman's amendment, if it were not for the fact that it involves some person making a complaint against a judge and the Minister of Justice writing to the judge. The amendment which I have drawn makes the requirement automatic, and does not throw upon any lawyer, or any fellow judge, or upon the Minister of Justice, the invidious duty of interfering with a judge. It has been pointed out that every member of this House, although his attendance here is taken every day, is required at the end of the session to go to the office of the Clerk and make an oath concerning his attendance. That does not hurt the dignity of any one here. If the requirement were worded otherwise, to the effect that only those members should be required to make an affidavit who the Speaker thought ought to do so, it would be throwing an invidious task upon the Speaker. The requirement is similar to what I propose with regard to the judges, and it works automatically. I have no doubt that the honourable gentleman from Halifax has in view the same object as I have, that is, to improve the administration of justice. I have nothing else in the back of my mind in this matter. But I do know this—and I think those honourable gentlemen who are not so much in touch with the courts as I am ought to know it—that there is a great deal of dissatisfaction in this country about what is going on in connection with our judges. There are judges who are carrying on big business.

Hon. Mr. CASGRAIN: Judge Galt.

Hon. Mr. ROSS: There are many cases. Nearly every day a new one comes to my attention. Judges are neglecting their judicial duties, in the teeth of the solemn compact that was made with them by the late Government giving them 50 per cent more salary and requiring them to confine themselves to their judicial duties. Then, there is another point. There is quite a competition among the judges in some of the provinces as to who are to be appointed members of commissions. Now, in my amendment I have proposed that if a judge chooses to go upon a commission he is not to be paid for it. Of course, that amendment could be put the other way and be made to provide that if a judge is paid as a member of a commission he is not to be paid as a judge. No man can be in two places at one time, and no judge has a right to draw two salaries at the same time. If he is receiving $20 a day as a judge, he has no right to receive $25 a day in addition to that as a commissioner. The present practice of some judges is sapping the independence of the Bench and is also destroying the confidence of the general public in the Bench, which is a vital thing. It is our business to do all we can to safeguard the administration of justice without casting any reflection upon the judges. We are speaking of them as respectfully as we can. I am trying to be careful on that point, for I believe that fully 90 per cent of the judges are perfectly loyal to the Judges Act. It is our business to try to have justice administered so that people will feel that, no matter who is concerned, whether he be a millionaire or a day labourer, there is a place where he can go and get an independent and honest decision as to his rights. It is solely from that point of view that I have been led to move the amendment which I have proposed. I have nothing in view with regard to the Judges Act but the improvement of the administration of justice, and I think that the amendment suggested by the honourable gentleman from Halifax is really a retrograde step.

Hon. Mr. CASGRAIN: I am in favour of the amendment as it stands, and I am not in favour of the change suggested by the honourable gentleman from Halifax. It would probably be a lawyer who would have to complain of a judge, and human nature is such that if a lawyer who is at present persona grata with a judge were to make a complaint, he would find on the next morning after making his complaint, or after the judge had heard about it, that

he would be far from being persona grata; he might get justice, but it would be very cold justice. Then, it is an invidious thing. Why should the Minister of Justice require a statement from a particular judge? The public would say, "The Minister of Justice has asked every Liberal judge to give an account of himself, but he will not ask those on his own side." If the judges have done right during the twelve months, it is very easy for them in December to say, "We have obeyed the law." That is the least they might do.

Hon. Mr. DANIEL: Being a layman, I feel more diffidence in speaking about this matter than I would if I were a lawyer; but I think, as between the two amendments, that the honourable gentleman from Middleton has made a very strong argument in favour of his amendment, and it appears to me that if the amendment to that amendment, introduced by the honourable gentleman from Halifax, were adopted, the whole matter would become practically a dead letter. I cannot see that it is any reflection on members of the Bench to ask them to certify each year that they have been obeying the law. It might be said, for instance, that to require members of the Senate to take oath that they have been present here a certain number of days, or that they have not been absent more than a certain number of days, and that sort of thing, is a reflection on the honour and honesty of the members of the Senate. I think the amendment proposed is no more a reflection on the honesty and honour of a judge than the regulation with regard to members of the Senate is a reflection upon us. I think that, if there have been infractions of the law by judges in the past, they should be called upon to obey the law, just as every other person in the community is called upon to obey the law; and that if they refuse to obey the law they should abide by any penalty for its infraction; and I think it only right that penalties should be imposed for infractions of the law by judges, just as by anybody else. I am in favour of the amendment originally introduced by the honourable gentleman from Middleton.

Hon. Mr. POWER: With the permission of the Chair, I will withdraw my amendment. It is a thing that does not often happen; but I have been convinced by the speeches of the honourable gentleman from Middleton and one or two other honourable gentlemen that I was wrong.

Hon. Sir JAMES LOUGHEED: May I say to the committee that the Deputy Governor is waiting? Under the circumstances, it might be well for the committee to rise, report progress, and ask leave to sit again after the departure of the Deputy Governor.

Progress was reported.

The Senate adjourned during pleasure.

THE ROYAL ASSENT.

The Honourable Mr. Justice Idington, acting as Deputy to His Excellency the Governor General, having come, and being seated on the Throne, and the House of Commons having been summoned, the Honourable the Deputy of the Governor General was pleased to give the Royal Assent to the following Bills:

An Act respecting The Guardian Accident and Guarantee Company, and to change its name to "The Guardian Insurance Company of Canada."

An Act respecting The Grain Growers' Grain Company, Limited, and to authorize it to change its name to "United Grain Growers, Limited."

An Act respecting the Saint John Board of Trade.

An Act to amend the Act incorporating The Canadian Surety Company.

An Act respecting The Canadian Order of the Woodmen of the World.

An Act to incorporate Alliance Nationale.

An Act to incorporate La Société des Artisans Canadiens Français.

An Act respecting the Athabaska Northern Railway Company.

An Act respecting The Lachine, Jacques-Cartier and Maisonneuve Railway Company.

An Act to confirm certain agreements made between The Vancouver, Victoria and Eastern Railway and Navigation Company and The Canadian Northern Pacific Railway Company.

An Act respecting The Western Dominion Railway Company.

An Act respecting The Calgary and Fernie Railway Company.

An Act respecting The Canadian Northern Quebec Railway Company.

An Act respecting The Canadian Western Railway Company.

An Act respecting The Kaslo and Slocan Railway Company.

An Act respecting the Mount Royal Tunnel and Terminal Company, Limited.

An Act to incorporate The Eastern Telephone and Telegraph Company.

An Act respecting The Grand Trunk Pacific Branch Lines Company.

An Act to incorporate The Bishop of Mackenzie River.

An Act to amend the Act to incorporate The Canadian General Council of the Boy Scouts Association.

An Act respecting The Interprovincial and James Bay Railway Company.

An Act respecting La Compagnie du Chemin de Fer de Colonisation du Nord.

An Act respecting The Continental Heat and Light Company.

An Act respecting certain patents of George C. Breidert and Burton W. Mudge.

An Act for the relief of Delbert Ralph O'Neil.

An Act for the relief of Edward Austin Barnwell.

An Act for the relief of Charles Frederick Reuben Jones.

An Act for the relief of John Bassnet Parker.

An Act for the relief of Amy Beatrice Mathews Hilton.

An Act for the relief of Colin Darrach Poole.

An Act for the relief of Thomas Edwin Jory.

An Act for the relief of Florence Evaline Snyder Lockwood.

An Act to incorporate The Grand Lodge of the Canadian Association of Stationary Engineers of the Dominion of Canada.

An Act to facilitate certain financial arrangements between the Government of the United Kingdom of Great Britain and Ireland and the Canadian Pacific Railway Company, and for other purposes.

An Act to amend the Penny Bank Act.

An Act to repeal The Ocean Telegraph Act.

An Act to amend the Chinese Immigration Act.

An Act to amend the Civil Service Act.

An Act to amend The Business Profits War Tax Act, 1916.

An Act respecting The British Columbia and White River Railway Company.

An Act respecting The Western Life Assurance Company.

An Act for the relief of George Walter Sherald Garrett.

An Act for the relief of Gertrude Ellen Beal.

An Act for the relief of Donald George Whibley.

An Act respecting a Patent of Ernest Mead Baker.

An Act respecting a patent of James B. King and others.

An Act for the relief of George Maisey.

An Act for the relief of Herbert Featherstone Conover.

An Act respecting The Empire Life Assurance Company of Canada.

An Act respecting the Security Life Assurance Company of Canada.

An Act respecting The Essex Terminal Railway Company.

An Act to incorporate The Kenora and English River Railway Company.

An Act for the relief of Florence Amelia Kennedy.

An Act to authorize the issue of a patent to James Wallace Tygard.

An Act respecting a certain patent of the Sharp Rotary Ash Receiver Company, Incorporated.

An Act to incorporate The Canadian Council of The Girl Guides Association.

An Act respecting The Canada Preferred Insurance Company.

An Act respecting The Western Canada Accident and Guarantee Insurance Company.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1918.

Hon. Sir JAMES LOUGHEED.

The sitting having been resumed:

JUDGES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 66, an Act to amend the Judges Act.—Hon. Sir James Lougheed.—Hon. Mr. Watson in the chair.

Hon. Mr. CHOQUETTE: The amendment proposed is entirely useless. As the law stands now, the Minister of Justice has the power in his hands to compel the judges to do their duty. While I am sure the honourable gentleman does not intend it as such, that part of his amendment is somewhat of a slur or slander on the judiciary. I agree entirely with the provisions of subsection 3 of the amendment. I am of the opinion that the judges ought to confine themselves to their duties as provided by law. When the salaries of the judges were increased it was understood that they would cease to act as commissioners and trustees, and that all their time would be given to their judicial duties. If there has sometimes been delinquency on their part, it is not the fault of the judges, but the fault of the Government, both Liberal and Conservative, who in the past have asked judges—men who had been their friends in the past—to be commissioners to investigate various political matters. This is what has caused loss of confidence in the Bench. During last year we have seen ministers of the Crown abusing judges appointed by themselves. Who was to blame for that? Was it the fault of the judges? No, it was the fault of the Government that appointed them. Judge Galt, after having accepted a commission from the Government—

An hon. SENATOR: What Government?

Hon. Mr. CHOQUETTE: The Manitoba Government, with the sanction of this Government. He had no right to act. Naturally he should have refused to act as commissioner of the provincial government; but the provincial government, to show that they had no political bias, appointed him, and he accepted. Judge Galt found against an honourable minister—I do not say whether rightly or wrongly; but prima facie he was right. What was the result? The result was that in the House and outside of the House he was abused by the men against whom he had reported. He was abused by his late friends—because after a man is appointed to the Bench he has no political friends. A man who boasted that Judge Galt was one of his

friends recommended his appointment. Was it the fault of the Judge that he was appointed? No, it was the fault of the Minister of Justice. If it is necessary to amend the law, I would be inclined to accept the last subsection of the amendment; but I repeat that it is not necessary, because, as the law stands now, judges have no right to act as commissioners. The Minister of Justice has the necessary powers to prevent the judges abusing their position. To pass a law requiring them to give themselves certificates of good behaviour each year would be a great reflection upon them. Any man has the right to petition both Houses of Parliament to impeach a judge if he is guilty of wrongdoing. That is essential to their good behaviour. We do not want to go any further. I feel very strongly on this matter. Generally speaking, our judges of to-day are the best that we could have. They are human and may make mistakes; but when they act as commissioners it is with the tacit consent of the Government. I am entirely against the amendment.

Hon. W. B. ROSS: I think the honourable gentleman must have overlooked the provisions of the amendment. Section 33 provides that a judge shall not engage in any occupation—

Hon. Mr. CHOQUETTE: That is enough.

Hon. Mr. ROSS: The amendment which I propose does not prevent his acting as a commissioner; it provides that if any competent authority appoints him a commissioner, he shall not draw a salary as a commissioner.

Hon. Mr. CHOQUETTE: If you do that, you imply that he may act as a commissioner, and give him authority to do so.

Hon. Mr. ROSS: Does the honourable gentleman want to deprive the Dominion and provincial governments of the right to appoint a judge a commissioner?

Hon. Mr. CHOQUETTE: They are doing wrong.

Hon. Mr. ROSS: If the majority of the members of this House were in favour of not allowing a judge to act in any capacity whatever outside of his judicial duties, I would agree to that; but I doubt very much if such a proposal could be carried under existing conditions in Canada. My proposal will go very far towards stopping the practice of judges canvassing for commissions. If a judge wants to act on a commission, and a competent authority appoints him, he shall not draw pay for it.

Hon. Mr. BELCOURT: We should thoroughly understand what these three provisions mean. I have been trying to work out their meaning. Section 33 of the Act at present provides:

> No judge of the Supreme Court of Canada or of the Exchequer Court of Canada or of any superior or county court in Canada shall, either directly or indirectly, as director or manager of any corporation, company or firm, or in any other manner whatever, for himself or others, engage in any occupation or business other than his judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

If we adopt the proposed subsections separately, we shall probably find that we have adopted conflicting legislation. It is first provided that a judge shall not act as a commissioner in any case, because there is profit attached to the office; then in subsection 3 it is said that he may. What I want is to protest as strongly as I can against a provision which permits the appointment by any Government of a judge to act as a commissioner. I am not concerned with the question whether money is paid to him as a commissioner or not, and I have not in mind any particular judge; but in my opinion it saps the respect which the country ought to have for the judges. Honourable gentlemen within my hearing know that, no matter what decision a commissioner gives, half the people of the country think he has sold himself and has given a decision for which he has been paid. If there is anything that makes the name of the judges of the country a byword, no matter how fairly they discharge their duties, it is that. We are proposing to sanction the very thing which I think the great majority of Canadians object to most strongly, and which does not exist under the law to-day. We are opening the way to a judge doing something which he cannot now do under the law. The section of the Act would prevent any judge from accepting a commissionership; yet, by this amendment, we are doing away with that provision for the proper administration of justice. I hope the Senate is not going to commit itself to the appointment of judges as commissioners. We shall be blamed if we adopt any such legislation.

Hon. W. B. ROSS: The honourable gentleman from Ottawa (Hon. Mr. Belcourt) does not feel any more strongly on that point than I do. When I drafted this amendment, if I had thought that there was any chance at all of passing a provision

that a judge should not under any circumstances whatever act as a commissioner, or in any capacity outside of the judicial duties indicated in his commission, I would have proposed that instead of subsection 3. I am not wedded to this subsection. The honourable gentleman can substitute an amendment providing that no judge shall act as a commissioner, and I am prepared to support it and withdraw this amendment; but if his amendment is not carried, then I propose this amendment, because I do not agree that it is in conflict with section 33. Section 33 prohibits a judge from engaging in any other occupation; but a commissionership would not be a change of occupation. The honourable gentleman is only expressing what is in my mind, and what I hope will come some day; but I thought that it might perhaps be found a little inconvenient, owing to the present disturbed state of the country, and that it might be wise to allow the judges to act as commissioners for some few years to come. In order to do away with a practice which in some parts of the country is a public scandal, I provided that if a judge acted as a commissioner he should only act as a judge.

Hon. Mr. LYNCH-STAUNTON: A judge is not allowed to act as a commissioner now.

Hon. Mr. ROSS: It is done every day.

Hon. Mr. CHOQUETTE: Judge Galt was appointed and made a report, and what has the Government done? In spite of the law, the Government at Ottawa has appointed two other judges, the Chief Justice of New Brunswick, a very able man, and Judge Tellier, as commissioners to revise the report of Judge Galt. What will be the consequence? Either the commisisoners will reverse the report of Judge Galt or they will confirm it. If they reverse his report, they will be accused of having been appointed to whitewash this one or that one, and if they confirm his report, the gentlemen reported against will have three judges to abuse instead of one, and the judges generally will lose the confidence of the country. We are working to that end in passing a law of this kind. We should not touch the law. As it stands, the Minister of Justice has the necessary authority to prevent judges going outside of their jurisdiction; and, in addition to that, every citizen of this country has a right to impeach a judge if he is at fault.

Subsection 2 of the amendment moved by Hon. W. B. Ross (p. 293) was agreed to.

Hon. Mr. POWER: After subsection 2, I should like to insert an amendment as follows:

This section shall not be construed to prevent any judge from acting as executor or trustee under the will of a deceased relative, or as a commissioner appointed by any Government to inquire into a public matter, or with the consent of the Minister of Justice as a professor or lecturer in a school of law.

Hon. Mr. BELCOURT: I have not had time to draft an amendment, but I wish to follow up the speech I made a few moments ago by proposing an amendment to cover the case of commissions. I would suggest that section 33 of chapter 138 of the Revised Statutes be amended to read as follows:

No judge of the Supreme Court of Canada or of the Exchequer Court of Canada or of any superior or county court in Canada shall act as a commissioner appointed by any Government or by any municipality to inquire into and report upon any public or other matter, and no judge of any of the courts mentioned in this section shall, either directly or indirectly, as director or manager of any corporation, company or firm, or in any other manner whatever, for himself or others, engage in any occupation or business other than his judicial duties; but every such judge shall devote himself exclusively to such judicial duties.

A controversy has arisen in Canada over the right of a judge, under section 33 as it now stands, to act as commissioner. Quite recently there was a great deal of discussion as to whether Mr. Justice Galt was not contravening section 33 in investigating and reporting upon a matter which we all know about. Some lawyers and some judges contended that section 33 did not prohibit Mr. Justice Galt from so acting. My own opinion, whatever it is worth, is that under the section he had no right to act as a commissioner; but I think that in the interest of the administration of justice we ought to remove the doubt. We ought to make the section perfectly clear, so that no judge may plead ignorance, and every judge will know exactly what Parliament expects him to do and what not to do; and, among the things he should be expected not to do, is to act in a capacity similar to that in which Mr. Justice Galt has acted recently.

Hon. W. B. ROSS: May I ask the honourable gentleman if it would not be better simply to substitute his amendment for subsection 3 of the amendment?

Hon. Mr. BELCOURT: There would be no objection to that, but I do not know that it would be any better.

Hon. Mr. ROSS: Strike out subsection 3 and insert the words which the honourable gentleman has read.

Hon. Mr. DAVID: Would not the amendment proposed have the effect of preventing provincial governments from appointing judges as commissioners in municipal matters? On three or four occasions judges have been appointed in Montreal to make inquiries into certain provincial or municipal matters. Would the amendment prohibit such appointments?

Hon. Mr. BELCOURT: Yes. Not so much harm would result from a judge acting as commissioner under a provincial statute in municipal matters as from a judge acting as a commissioner at the instance of the Dominion Government in a matter of general public interest; but to my mind the difference is only a question of degree.

Hon. Mr. LYNCH-STAUNTON: How about a judge acting as a police commissioner? Judges act not only as police commissioners but also as official arbitrators. We must draw the amendment carefully, so as to avoid interfering with those functionaries.

Hon. Mr. POWER: I think that subsection 3 of the amendment proposed by the honourable gentleman from Middleton meets the objection raised by the honourable gentleman from Ottawa:

Hon. Mr. CLORAN: If they do not receive pay they will not act, that is sure.

Hon. Mr. POWER: It is all very well to say that judges should not be employed as commissioners; but has the honourable gentleman stopped to think what would be the effect of an absolute prohibition of judges acting as commissioners? The public sentiment and the sentiments of all Governments have recognized that, as a rule, a judge, from his education and from the practice of his duties as a judge, is better qualified than nineteen out of twenty other men to act as a commissioner; and if, as the honourable gentleman from Middleton has proposed, a judge is to get no pay for his services, I fail to see that there is any serious objection to his acting as a commissioner.

With regard to the amendment that I have just put into the hands of the Chairman, I do not myself see that there is any serious objection to a judge acting as executor or trustee under the will of one of his own relatives. That privilege does not seem to me to be open to very much abuse, and I know there are judges who are acting in such capacities and who do not neglect their judicial duties.

Hon. W. B. ROSS: I do not see the necessity for the honourable gentleman's amendment at all. The word "occupation" is used in section 33. If a judge happened to be appointed executor for his father, you could not fairly say that he was going into an occupation. I think the amendment proposed by the honourable gentleman would only encumber and make complicated what is now a very simple clause. That section 33 is a pretty well-drawn section. I am not finding fault with section 33, but I am trying to add something to the Act in order that section 33 may be carried out.

Hon. Mr. DAVID: I think that the amendment moved by the honourable gentleman from Middleton goes far enough. That amendment will do a great deal of good. I think that, if the judges are not paid as commissioners, they will not be inclined to act very often, and they would consent to act as commissioners—in municipal matters, for instance—only because they would feel in duty bound to do so. But if provincial governments or municipal authorities cannot have a judge appointed to make an investigation into municipal matters, to whom can they apply? To doctors? To engineers?

An hon. SENATOR: To lawyers.

Hon. Mr. DAVID: Lawyers? I think there would be more objection made to the choice of lawyers than to the appointment of judges. So I will vote for the amendment of the honourable gentleman from Middleton and against the amendment proposed by the honourable gentleman from Ottawa.

Hon. Mr. CLORAN: It has just been pointed out to me by an honourable senator that the amendment proposed by the honourable gentleman from Middleton does not go far enough. It is a step in the right direction.

Hon. W. B. ROSS: I am willing to accept the amendment of the honourable gentleman from Ottawa and go the whole way.

Hon. Mr. CLORAN: I think it is a step in the right direction to enact that if judges

are appointed commissioners they shall not be paid for their services. But this has been pointed out to me: there are many judges who have little to do, and who would be only too glad to go upon a commission so as to be able to travel around the country and have their travelling expenses paid, making a junket or a picnic of their trip; so, if we added that not only shall judges receive no pay, but they shall receive no travelling expenses, very few of them would accept such appointments, and the evil would be remedied in that way.

There is another point, in regard to appointing judges as executors. I understand that in the case of a poor man, one who leaves only three or four thousand dollars, there would not be much harm caused if a relative who happened to be a judge were appointed to administer that little estate; but what about relatives who die leaving tremendous concerns—timber limits, financial concerns of vast wealth, pulp mills, dry goods concerns, railroads? Suppose a judge were named as an executor or trustee of such an estate, how could he find time to attend to the duties of the bench? It is opening the door to allow judges to act as trustees or executors under a deceased relative's will. I think that privilege ought to be struck out. Or, if it is so desired, it might be provided that a judge might act in any case where the will does not cover an amount exceeding $5,000, or $10,000, or $15,000, and where the administration of the estate will not involve any loss of time by the judge or distract his attention from his judicial duties. I would take no exception to a provision of that kind; but, as I have pointed out—and I think the honourable gentleman from Middleton will agree that I am right—it would be much to the detriment of the bench and of the cause of justice in this country to permit judges to undertake the administration of large estates of every description. If, in addition to prohibiting that, it were provided that judges acting on commissions shall not be paid for their services and shall not receive payment of their travelling expenses, then we should have the judges paid their salaries for the performance of their judicial duties, and doing other work unselfishly and from patriotic motives.

Hon. Mr. BEIQUE: I agree entirely with the honourable member for Middleton. I think that we should be satisfied with section 33 as it stands. Under that section a judge, especially a relative, can act, provided that there is no interference with the discharge of his duties. So far as I know, there has been no abuse, no complaint made in this regard, and there is no need to amend the section as proposed. I do not think it is necessary to add a clause permitting the appointment of judges as professors with the consent of the Minister of Justice. Section 33 does not prevent such appointments. I intend to vote against the amendment.

Hon. Mr. BOYER: Mr. Chairman, no doubt all the judges in the country are reading about the drastic amendments which are being prepared for their guidance in the future. As the legal talent of the House seems to be divided, I move that the committee rise.

The motion that the committee rise was negatived.

The amendment moved by Hon. Mr. Power to the amendment (p. 298) was negatived.

Hon. Mr. BELCOURT: On the suggestion of the honourable gentleman from De Salaberry (Hon. Mr. Béique), I will make a slight alteration in my amendment, which is that subsection 1 of section 33 of the Act read as follows:

> No judge of the Supreme Court of Canada or of the Exchequer Court of Canada or of any superior or county court in Canada shall act as a member of any commission or perform any duties outside of his judicial duties.

My honourable friend has pointed out to me that under the amendment as it was originally worded provincial appointments might not be excluded.

Hon. W. B. ROSS: That is proposed to be substituted for subsection 3?

Hon. Mr. BELCOURT: Yes.

Hon. Mr. LYNCH-STAUNTON: I have always read section 33 as excluding judges from acting on commissions. There is a distinct provision there that every judge shall devote himself exclusively to his judicial duties. If my recollection serves me, the Minister of Justice, who introduced this amendment to the Judges Act, declared in the House of Commons that it was intended to exclude judges from acting on such commissions. I am going to support this amendment, but I think we should add to it a clause something like this:

> This section shall not be construed to apply to appointments made by virtue of any statute applicable to all judges of the same class to prevent the appointment of any judge to a permanent position under provincial statute.

The section is aimed at judges who are acting in controversial matters or who are devoting their time to commercial affairs. It is not aimed at judges who are acting as surrogate court judges, police commissioners, or auditors of criminal accounts, as they do in Ontario. Under the Ontario statutes, many duties are placed upon the shoulders of the county court judges, and the practice is not objected to in any way by the people. If a sweeping enactment of this kind is to remain on the statute books, and is going to be more severely enforced, as I think it is, a judge should be able to satisfy himself that he is not infringing a statute. I mention this because, under the Criminal Code, any judge or any person who does anything forbidden by any Dominion or provincial statute is guilty of an indictable offence and is liable to a year's imprisonment in the penitentiary. If a judge acts on any commission, which is contrary to this enactment, any person can lay an information in the police court, hale him before a magistrate, and have him go before a grand jury. The impression seems to prevail that a judge may only be impeached for delinquencies; but he is subject to the law.

Hon. Mr. BELCOURT: I think my honourable friend is mistaken. Section 33 says:

Engage in any occupation or business other than his judicial duties.

My honourable friend has referred to the case of a county judge acting as a police court commissioner or as a probate judge. In such cases the judge is acting under the provisions of the statute which defines his judicial duties.

Hon. Mr. LYNCH-STAUNTON: The judicial duties of every judge are set out in his commission. The authority which appoints him clothes him with his powers, and no other authority can endow him with any other functions as a judge unless the Dominion statute says that he shall perform the duties specified in a provincial statute.

Hon. W. B. ROSS: The Dominion Government does not specify what the duties of a judge shall be.

Hon. Mr. BELCOURT: It is all done by statute.

Hon. Mr. LYNCH-STAUNTON: A judge is appointed under a Dominion commission, and the courts are constituted by provincial authority. A county court judge is appointed to serve in a court erected by provincial authority, and that is as far as any statute that I have ever seen goes. The judge who is directed to audit accounts for enforcing criminal law has a statutory duty, but not a judicial duty.

Hon. Mr. SPROULE: Would the proposed amendment prevent a judge revising the voters' lists in the province of Ontario?

Hon. Mr. BELCOURT: I think not, because the revision is a judicial duty imposed upon a judge by the statutes of the province.

Hon. Mr. SPROULE: Could not a similar statute clothe a judge with authority to act under commission? Take the statute passed many years ago providing that a county court judge should be an arbitrator in the settlement of disputes with reference to school sections, and that he should be paid $20 a day. Would that be part of his judicial duties? If so, it is laid down by provincial statute. If the province can clothe judges with authority to do one thing, it can clothe them with authority to do another thing. It would be necessary to know what the duties are.

Hon. Sir JAMES LOUGHEED: It seems to me that we are conjuring up difficulties that will not arise. Section 33 has been the law for some years. My honourable friend from Ottawa, I think, intends to prohibit a judge from acting on a commission; so the question raised by my honourable friend from Grey (Hon. Mr. Sproule) would not arise.

The amendment moved by Hon. Mr. Belcourt (p. 300) was agreed to.

The Bill was reported with amendments.

Hon. Sir JAMES LOUGHEED: I should like, honourable gentlemen, that a few days be allowed to elapse before the consideration of the amendments. Those amendments are of a rather drastic character, and I should like to have an opportunity of discussing them with the Government.

Hon. Mr. BELCOURT: My honourable friend has approved of them; so there is every chance that they will carry.

It was ordered, that the report of the committee on the Bill be taken into consideration on Tuesday next.

CONSERVATION OF CANADIAN TRADE.

Hon. Mr. NICHOLLS moved that the Second Report of the Special Committee appointed to inquire into and report upon the best method or methods of Conserving and Increasing our Domestic and Overseas Trade, etc., be concurred in.

Hon. Mr. BOSTOCK: Would the honourable gentleman give us a little explanation of the recommendation which in this report he asks the Senate to make? The report states:

Your Committee therefore recommends:

1. That the Senate of Canada forward to The Right Honourable the Prime Minister, Sir Robert Borden, G.C.M.G., a copy of this second Report of the Special Committee on the Conservation of Canadian Trade, with the request that due regard and consideration be given to the importance and advisability of aiding in such manner as may be deemed prudent and advisable the formation of a Canadian Trade and Banking Corporation which will meet the requirements set forth.

I think it would be of advantage to the House if the honourable gentleman would give us some slight explanation as to what is intended by that recommendation.

Hon. Mr. NICHOLLS: I think the recommendation really speaks for itself. It reads:

With the request that due regard and consideration be given to the importance and advisability of aiding in such manner as may be deemed prudent and advisable the formation—

And so forth. This committee does not undertake to recommend anything special to the Government; it simply recommends that the Government take the matter into consideration, and that they give such aid as they may deem prudent and advisable, provided that aid is asked for. This is simply drawing the matter to the attention of the Government. It does not recommend, nor have the committee been recommending, anything specific. Honourable gentlemen will remember that in my remarks during the debate I said that I believed it was necessary in the interests of this country that some persons, in a more or less patriotic way, or rather in a business way, should undertake an organization which might in some manner prepare for conditions after the war, when the very large sums of money that are coming into this country for munitions and war supplies of every kind will not longer be available. In fact, I have myself taken a somewhat active part in getting a number of leading gentlemen—whose names I do not at this stage wish to mention, but who are at the head of some of our greatest institutions—who are willing, if such a proposal is found advisable, to aid the Government and the country, not only with their services, but also with their capital and the capital of the institutions they represent. This committee only goes so far as to suggest that, if such a proposition is made to the Government, the Government will give it due consideration and give it, in the words of the report, such aid "as may be deemed prudent and advisable."

The report was concurred in.

The Senate adjourned until Thursday at three o'clock p.m.

THE SENATE.

Thursday, July 26, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE OLIVER AND WEBB EQUIPMENTS.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. Are our troops in Canada still being supplied with the Oliver equipment?
2. Is the Oliver equipment still scrapped when our troops arrive in England?
3. Is the Oliver equipment still being replaced for the Webb equipment by the Imperial Government?
4. Does the Canadian Government intend to continue to supply our troops with the Oliver equipment?
5. Does Canada have to pay for the two equipments?

Hon. Sir JAMES LOUGHEED:

1. No.
2. Answered by No. 1.
3. When C.E.F. take the field in France, Webb equipment is supplied from War Office supplies.
4. No.
5. No.

Hon. Mr. CASGRAIN: I understand that the Oliver equipment consists of a leather belt, 2 pouches, and 2 leather shoulder straps. I am informed by men who have been at the front that these pouches are very awkward to use. When the men are in action, in order to take out cartridges they have to open the pouches, and these must remain open. The result is that when the men move the cartridges drop out, and men have been shot down while on their hands and knees picking up cartridges. The Webb equipment, I understand, is made of cotton, and the cartridges remain

in the pouches no matter what position the men are in. I understand that the Government has insisted upon giving the Oliver equipment to the troops, but that when they arrive in England it is scrapped, and is replaced by the Webb equipment. As we have to pay for the Webb equipment as well as for the Oliver equipment, the country is paying twice.

Hon. Sir JAMES LOUGHEED: The Government of Canada has not been paying for the Webb equipment. It is furnished by the Imperial Government without charge to the Government of Canada. The Oliver equipment has been used, and is being used, in Canada for training purposes, but not in France. Before any of our divisions have gone to France they have been supplied by the Imperial Government with the Webb equipment. A report has been in circulation that the Oliver equipment has been destroyed from time to time. Such is not the case. The Oliver equipment has been maintained, and is doing good service for the purpose for which it is used.

Hon. Mr. CASGRAIN: At the front?

Hon. Sir JAMES LOUGHEED: No, not at the front, but in Canada and in England.

Hon. Mr. CASGRAIN: Is it not a fact that the Government of Canada will have to pay its share of the cost of ammunition and other expenses to the Imperial Government? Therefore, shall we not have to pay for it in the long run?

Hon. Sir JAMES LOUGHEED: No. The Imperial Government, as I have already said to my honourable friend, is furnishing the Webb equipment without making any charge to Canada or having any intention of doing so.

Hon. Mr. SHARPE: I desire to say, in addition to what the honourable leader of the Government has just said, that, after the Oliver equipment is taken from the soldiers in the old country, it is returned to Canada and is used for training purposes.

Hon. Mr. CLORAN: It goes to the junk shop, I suppose.

Hon. Mr. SHARPE: No; it is used for training purposes.

THE OFFICIAL LANGUAGES OF CANADA.

MOTION.

Hon. P. A. CHOQUETTE rose to move:

That, in the opinion of the Senate, no delegate, agent, or representative of this country, to any economic or other meeting or conference between different countries, should be appointed by the Government, unless he can speak and write both official languages of Canada.

He said: Honourable gentlemen, I do not intend to do more than call the attention of the English members of this House, the English members of the other House, and the English-speaking people generally in this country, to the necessity of having, as delegates, agents, or representatives of this country, at any economic or other international conference, men who are able to read and write the two official languages of Canada. My intention is not to press this resolution or to ask the Government to accept it at once. I do not believe in coercion in any shape or form. I am quite willing to withdraw my motion after placing the facts before this House and the country, in order to show the necessity of every educated public man in this country knowing both languages.

I wish to place before this House the opinion of an eminent Canadian, the present Minister of Trade and Commerce, Sir George Foster, as expressed in a declaration made before the Canadian Club, I think in Toronto, regarding the necessity of a knowledge of French, after his return from the Economic Conference in Paris. The Evening Telegram of Toronto of November 6, 1916, gives the following report of the meeting:

Public men need French—So says Sir George Foster—Tells Canadian Club about Economic Conference at Paris, deliberations of which were in French.

"If I had to commence my life over again, and was going into public life, I would make it my duty to have a perfect mastery of the French language," said Sir George Foster to the members of the Canadian Club this afternoon. Sir George was giving an outline of the Economic Conference in Paris, and remarked about the efficiency of the delegates in their speaking the French language, in which the work of the Conference was carried out. With the exception of the Premier of Australia and Sir George they spoke the French language fluently.

It is time to bring before this House and this country the necessity of a knowledge of the French language in view of the opposition to it in some of the provinces. I may say that in England every public man—indeed, every educated man—is able to write and speak the French language. I am reminded of a remark made by the late King Edward VII on the occasion of his visit to Quebec as Prince of Wales in 1860. He was then a young man. At a ball which was given in his honour, he invited a young lady to dance with him. He addressed her

in French; but the young lady, thinking perhaps to pay a compliment to the Prince, said, "Oh, I do not understand French." The reply of the Prince of Wales was: "Mademoiselle, I am very sorry, because in London every young girl who is supposed to be educated can speak French." That was a lesson for the young lady, and the incident was reported all over Quebec.

Now, it is true, in Canada as in London, that every public man, and every man who professes to be educated in public matters, ought to be able to speak the French language. I do not wish to say anything harsh or humiliating to my English-speaking colleagues who cannot speak French. It would seem easy to learn French sufficiently to speak it as badly as I am speaking English. At any rate, we all know that at all international conferences the language in which the debates are conducted is always the French language. Two years ago, in the course of a discussion in this House on the subject of the French language, I took the liberty of referring to another conference, which took place in Toronto. I stated that it had been reported by a member of the conference at which thirty-two nationalities were represented, that of all the delegates present there were only three who could not speak French. One was the representative of the Ontario Government, the Hon. Mr. Hearst, now Premier of the province, the second was the President of Toronto University, and the third was the Mayor of Toronto. All the others present were speaking in French. The Governor General of Canada was represented by Sir Charles Fitzpatrick, who, fortunately, was able to open the conference in behalf of the Canadian Government in the French language and afterwards to speak in English, speaking either language as fluently as any of the delegates present. It was a humiliation, not only for the representative of the Ontario Government, the Mayor of Toronto, and the President of Toronto University, but also for this country, that they were unable to speak French, an official language in this country.

Let me refer to the recent visit to this country of the official delegations from France and from England. The French delegation was the first invited to address a joint session of both Houses of Parliament. M. Viviani made a speech on that occasion —a most eloquent speech in French.

Hon. Sir JAMES LOUGHEED: How about English?

Hon. Mr. CHOQUETTE.

Hon. Mr. CHOQUETTE: How many public men, how many members of Parliament, how many officials, how many newspaper men, among those present, could understand him? The English-speaking newspaper men were turning to their French colleagues and asking, "What is he saying?" Sir Wilfrid Laurier was able to speak in both languages, English as well as French; but Sir Robert Borden could not understand M. Viviani speaking in French, and had to reply to him, a stranger, his guest, in English.

What did we witness later on, when Mr. Balfour, one of the best speakers in the British House of Commons, visited us, and when, as an object lesson to our members of Parliament, he spoke in French, and afterwards delivered an eloquent speech in English? The French members, officials, and newspaper men were not obliged to turn to their neighbours and ask, "What is he saying?" They understood his speech in English as well as they had understood M. Viviani speaking in French. Sir Wilfrid Laurier answered Mr. Balfour in English. Was it not a humiliation for the Prime Minister of this country and his colleagues that he was unable on the first occasion to understand M. Viviani speaking in French, and on the second occasion to reply to Mr. Balfour in French after he had addressed the two Houses of Parliament in that language?

To show how the young students in the province of Quebec recognize the necessity of learning English so as to be able to speak both the official languages of this country, I will take the liberty of reading an article from L'Universitaire, a French paper published at Quebec by the students of Laval University, with reference to these very visits of M. Viviani and Mr. Balfour. The article, written by a young student, is perfect and is absolutely true. It is entitled "Which is the Superior Race?" We hear very often in this country that there is a superior race. I do not say that there is a superior race. If I thought it I would not say it, but I do not think there is a superior race. There may be in a particular person superior abilities, superior qualities, or superior education. After discussing the visit of M. Viviani and Mr. Balfour, the article closes not with an answer, but with a question. It says:

Hon. Mr. POWER: Read it in French, so that we shall all understand it.

Hon. Mr. CHOQUETTE: The article is as follows:

[Translation.]

Which is the superior race?—M. Viviani and Mr. Balfour at Ottawa.

M. René Viviani, ex-Prime Minister of France, distinguished orator, statesman—whose opinions it is not for us to discuss here—accompanied by some members of the French delegation to America, has just gratified the Capital with an official visit the memory of which its citizens will long cherish. The reception was full of enthusiasm, the newspapers tell us, and the scene in Parliament a most impressive one. The audience, composed of members of Parliament and senators in joint session, together with an enormous crowd in the galleries, literally filled to overflowing the temporary, and comparatively small, legislative chamber of the Dominion.

Of course, there were speeches, and for once the parliamentary system was not the "triumph of incoherence" it has been, particularly during the recent budget debate. The war, necessarily, was about the only subject. M. Rainville, in the absence of Mr. Rhodes, occupied the Speaker's chair, and read in both languages an address of welcome to the distinguished visitors. Sir Wilfrid Laurier, out of respect for the language of the majority of his colleagues, spoke first in English. Then, with equal ability, he continued in French:

"France is not forgotten in this country, where live 2,000,000 of her descendants. We love and admire her more than ever since the day when she cast aside the internal differences tearing her asunder, in order to prevent the domination of Germany. We have preserved the heritage of the French language, which, as M. Viviani has very truly said, is beautiful and as clear as crystal."

Mr. Foster, acting Prime Minister, stated eloquently and with evident sincerity his admiration for France and the heroes of the Marne; but, owing to his inability to speak the language of the delegates, he was obliged to express himself in his own.

M. Viviani was thrilling. His every expression, marked by the most ardent patriotism, went straight to the hearts of his hearers. "We desired," he said, "to cross the American boundary and to come and pay our respects to Canada, a British country on which great Frenchmen of times gone by have left an indelible impression. Other reasons also impelled us to visit you, for since we have seen in our country the gallant soldiers of Canada, wearing so proudly on their helmets the maple leaf, we have better understood the deep significance which you attach to your motto: 'I remember.'" These last words of the orator were greeted with a tremendous outburst of applause.

We must, of course, congratulate our English-speaking fellow-citizens on the cordiality and sympathy which they have shown towards the French visitors; but, on the other hand, it must be admitted that nine-tenths of the audience had to keep a constant eye upon the rest of the gathering in order to time their applause, for only one-tenth of the senators and members of the House of Commons understood M. Viviani.

And from this distance we can see in the press gallery of the House of Commons the group of journalists from Ontario and the other provinces worrying the newspaper men from Quebec with the question, "What does he say?"

Next week the British mission will in its turn visit the Canadian Parliament. the reception will certainly be not less cordial. Speeches will again be delivered. The Speaker of the House, if it is M. Rainville (perhaps he will sing "Rule Britannia") and Sir Wilfrid Laurier will have the courtesy to address the illustrious visitors in their own language. Mr. Balfour will speak; and, amongst the entire assembly, French-speaking as well as English-speaking members, whether of the Upper or the Lower House, there is not a single member who will not understand the words of the delegate from Great Britain and enjoy his eloquence. Our journalists will not have to turn to the reporters of the Toronto Globe or of the Orange Sentinel to ask "What is he saying?" Why? Because senators, members of the House of Commons, stenographers, civil employees and public functionaries, of French origin, all understand the two official languages of this country, the languages of the two great nations which are to-day fighting side by side for the protection of their dearest liberties.

From all these facts we will draw no conclusion; but, under such solemn circumstances, we may be permitted to ask—and the question arises before the entire country—which is the superior race if there is one?

On the question with which the article concludes everyone may come to his own conclusion.

I recall what Sir George Foster said in Toronto. I recall what happened in the other House when M. Viviani delivered his address. I recall what happens in this House, where we French members are obliged to speak broken English in order to be understood by our English-speaking colleagues, but where we follow with pleasure the remarks made in English by any honourable gentleman who chooses to address the House.

In order to show you, honourable gentlemen, that our education in the province of Quebec is somewhat superior to education in Ontario, let me remind you that the English language is on the curricula of our colleges, and students are obliged to study it—not as much as French, perhaps, but they are obliged to pass examinations in English in order to qualify for a diploma. Though our colleges are said to be run by the priests—and we are glad they are run by the priests, especially our institutions of higher education—in those institutions the English language is respected and is taught; we are anxious to learn it, because we recognize that we must learn it if we would occupy any public position in this country, inhabited as it is by two great races. If we wish to have a united people, we must see to it that every citizen is in a position to be understood by his neighbour.

As I said at the beginning, I do not intend to press this resolution. I am willing to withdraw it now; but I was anxious to have this important declaration by Sir George Foster, as to the necessity of learning the French language, brought to the attention of this House, the other House,

and the people throughout the country; and I hope that the appeal of M. Viviani will have such an effect on the Minister of Education of Ontario that he will cease to persecute the French Canadians of that province in connection with their schools. I beg leave to withdraw the resolution.

Hon. Mr. SPROULE: I have always regarded resolutions of this kind as of rather a deleterious character; and this resolution is, it seems to me, a little out of place, coming from the source from which it comes. What would be the object of carrying such a resolution? What would be the reason for making it compulsory that every representative of a British country should be able to speak both languages? Presumably that the majority of the conference which he attends consists of French scholars who may not understand other languages. The statement of the honourable member from Grandville with regard to what took place when the French delegation were here would lead one to that conclusion. If that be the case, let us apply the principle a little nearer home. The honourable gentleman is in a House where, if I am correctly informed, every French member understands English and speaks it fairly well, but where the majority do not understand and cannot speak the French language.

Hon. Mr. CLORAN: Why don't they?

Hon. Mr. SPROULE: Applying the same courtesy which he desires to the Chamber in which he sits, one would naturally expect that he would address the House in the language understood by the great majority of its members. As a principle of courtesy, that would be the course adopted by English-speaking people. Let me give an illustration. If two or three of us went into a room where there were a number of French people who did not understand the English language, we would refrain from carrying on a conversation, except to the most limited degree which courtesy would demand, in a language which they did not understand. By a parity of reasoning, if there were half a dozen persons present, every one of whom understood English, and only one or two of whom understood French, we would expect that these would talk in the language understood by all. That is regarded as proper courtesy to extend to strangers, or to those about us. The honourable gentleman does not apply to the House of which he is a member that principle of courtesy which he desires to apply to a gathering in some part of Europe. If he did, he would show that he was imbued with the ideas and principles which he endeavours to promulgate in the speech which he has just made. How many representatives of the Dominion of Canada, or of any of the provinces, can speak and understand the French language? If the principle of this resolution were carried out, it would deprive a British country of the right to send its most representative men to these conferences because by reason of the accidents of life they were not taught the two languages in their youth. The country would be deprived of their services, and would be limited in the choice of its representatives. I think it is known the world over that at these conferences there are many present who cannot understand the language in which the discussions are carried on. It may not be creditable to them, but it is not detrimental to the country which they represent. They are able to represent their country faithfully and intelligently, and we hear no complaints regarding them.

It seems to me that the practice of constantly raising such questions and forcing them to the front is not the best thing that can be done in the interest of what is called the minority of this country. It is not a good thing for the minority always to be forcing their views upon the people and trying to make them compulsory. I think it is not the highest type of wisdom or the highest type of propriety. It has always seemed to me that the less discussion we have on such questions in this Parliament the better it is for the country.

Hon. Mr. CLORAN: I quite agree with the honourable gentleman that the less we have to do with such discussions the better it will be for the country, but why does not the honourable gentleman inspire the Orange Sentinel and the Tory organs of Ontario not to promulgate the doctrine of "No more French prime ministers in Canada"? Is he aware that there is such a campaign being carried on by the Orange organization?

Hon. Sir MACKENZIE BOWELL: Nothing of the kind.

Hon. Mr. CLORAN: I am aware of it, notwithstanding the affirmation to the contrary of the honourable member for Hastings (Sir Mackenzie Bowell). There is a campaign now going on in the Ontario press, Orange and Tory, against any more French prime ministers in Canada. Why does not the honourable gentleman go to his lodges

and express these sentiments—which I endorse?

Hon. Mr. CROSBY: I rise to a point of order. I think that the resolution can be discussed without discussing the Orange order in Ontario or anywhere else.

Hon. Mr. CLORAN: What is the point of order?

Hon. Mr. CROSBY: That you are not following the resolution.

Hon. Mr. CLORAN: I am following the previous speaker.

Hon. Sir JAMES LOUGHEED: I rise to a point of order. The honourable gentleman who moved the motion has withdrawn it.

An Hon. SENATOR: No.

Hon. Sir JAMES LOUGHEED: If he has not withdrawn his motion, he has asked the House for permission to withdraw it, and that is the point that must be discussed, not the subject-matter of the motion.

Hon. Mr. CLORAN: It cannot be withdrawn without the unanimous consent of the House.

The Hon. the SPEAKER: Is it the pleasure of this House that the honourable gentlemen have leave to withdraw his motion?

Some Hon. SENATORS: Yes.

Hon. Mr. CLORAN: I object.

Hon. Mr. LANDRY: When a motion is made, everybody has a right to discuss it, and the fact that the honourable gentleman who moved it has asked leave to withdraw the motion does not prevent discussion. It can be withdrawn only with the permission of the House. I want to speak on the motion. I do not see why I should forbear because the Speaker—

The Hon. the SPEAKER: The request to withdraw has been made by the honourable gentleman who moved the resolution, and it is for the House to decide whether he may withdraw it or not.

Hon. Mr. LANDRY: Before the honourable the Speaker put the question the debate had commenced.

Hon. Mr. CLORAN: Unfortunately for Canada, a majority of the members of both Houses of Parliament are not up to the standard of the constitution; they have got only half way; they know only one of the two official languages of this Dominion of Canada. That is very unfortunate, for it is a bad example to the rest of the people of the Dominion. Children in the back concessions will say, "Oh, what is the use of learning French? Our member doesn't speak French; our senator doesn't understand a word of French." It is a bad example particularly for the youth of the entire Dominion, that representatives of the people do not know the two languages guaranteed by the constitution. That is one lesson for honourable gentlemen. They may regret that in the days of their youth they did not learn French; but they should have learned it when they came into public life and had to serve, not only the interests of their own little section of county or district, but the interests of the entire Dominion. It is the duty of the man who wants public recognition or public confidence to learn at least enough French to be able, if not to write it, at least to understand the arguments and demands put forth by the minority. The minority has been trampled upon by the honourable gentleman who preceded me (Hon. Mr. Sproule). "What right," asks the honourable gentleman, "has the minority to be always dogging the majority?" Well, what does a minority exist for but to dog a majority, to get justice at the hands of a majority, sometimes unintelligent, sometimes dependent on external influences, sometimes, as was said in the House of Commons, a brutal majority. Honourable gentlemen, I prefer the autocracy of a Kaiser or a Czar to the domination of a brutal majority. When you are subject to autocracy you know you are dealing with only one man; but when you are under a brutal majority you are dealing with a vast number.

Hon. Mr. POWER: I rise to a question of order. I do not think my honourable friend has a right to use the term "brutal majority" with respect to the majority in the House of Commons.

The Hon. the SPEAKER: I believe that the word "brutal majority" is not parliamentary, and I would strongly advise the honourable gentleman to withdraw it.

Hon. Mr. CLORAN: Well, I am very sorry that people do not understand what I say. I did not say a brutal majority in this House. I would not dream of saying anything of that kind. Some people have ears and do not hear; some people have brains and do not understand; but I am not responsible for their failure to hear or understand. What I stated was that there are majorities, not in this House, but outside, in the country, and not only in Canada, but also in the United States and in Eng-

land, which are brutal. The power of a majority, especially a popular majority, which goes crazy sometimes and gets hysterical on some questions, is more despotic than the power of Kaiser or Czar, and the minority must knuckle down because the majority has spoken. Then begins the right of the minority to dog the majority, to dog it until it withdraws or retracts, until it remodels the legislation under which the minority is suffering. That is my point, and where the honourable gentleman from Halifax saw ground for his point of order I do not know. But I am right, and nobody can dispute my statement.

I hold, with the honourable gentleman from Grandville (Hon. Mr. Choquette), that this is an opportune time to discuss this question. Sir George Foster, after visiting nearly every commercial centre in the universe, went as the representative of Canada to Paris, where the leading financial, commercial, and trade people of the world were assembled in conference. All the discussions were in the French language. Sir George Foster had to confess to his constituents in Toronto that he was unable to follow the proceedings and the debates of that congress. He lamented the fact that in his youth he had not had an opportunity to learn French, but stated that if God gave him another youth it would be his first duty to learn that language. That is the opinion of probably the coming Prime Minister, a man who perhaps should have been Prime Minister. That is the word of the leader of the Conservative party—not leader of the party as a voting power, but leader of Conservative thought—the most eloquent and brilliant member on the Government side in the House of Commons. That is his declaration, formal, plain, and readable, delivered through the medium of the Canadian Club, to the entire population of this Dominion of Canada.

I say that the honourable gentleman from Grandville has rendered a service to the country in bringing up this question, because the coming international conference will not be a trade conference in regard to a small treaty respecting wine, or silk, or spools, or feathers, or matters of that kind. No; the subject of discussion will be the cause of humanity, of human liberty, and the salvation of democracy in this world. The coming conference will deal with questions of a magnitude greater than the world has ever seen; and whichever side gains the advantage, whether the entente powers or the Central Empires, the debates of that conference will be in the French language only. Even Germany will have to talk French in stating her terms of peace. The French language is the diplomatic language, not only of France and England, not only of Russia and Italy, but of the civilized world. What a nice showing Canada would make at that conference if represented by men who were not able to understand what was going on. They would be there simply as deaf and dumb people, unable to participate in the discussions and unable to insist on their rights in the language of the conference.

The subject brought before the House is most timely. If there are to be no more French prime ministers in Canada, the Government will have to be on their guard and have men qualified. It will probably be two or three years before this conference takes place, and these men can in the meantime be sent to a primary school—a bilingual school—and graduate to the university; and inside of three years the Government will be able to secure men who can speak for the nation as a whole, and not only for a part.

These considerations, I think, appeal to the good sense and the common heart of the Canadian people. The common heart of the Canadian people is not bound up in any one section, any one organization, or any one society. The day has passed when a political party or any other organization can wrap itself in the British flag and cry, "Mercy, mercy! Forgive us all our past sins; we are under the British flag; we are wraped up in its folds." That day has gone. Have not we on this side of the House the right to stand under the shelter of the British flag and say to Canada and the Empire, "The Tories and the Orangemen are not the only loyal sons you have to defend the cause of the Empire and the Allies?" Liberal blood has been shed in the trenches, and any party that denies us our rights ought to be hounded to death. This motion will not appeal to the prejudice that is rooted in certain districts and certain lodges, for certain purposes, especially party purposes; but it will appeal to the common heart, the common sense, and the judgment of the people of Canada.

Hon. Mr. POWER: Honourable gentlemen, I have no doubt that in introducing this resolution the honourable gentleman from Grandville (Hon. Mr. Choquette) had the very best intentions; but I think he might have remembered that the thermometer at the present time stands some-

where about 90 degrees in the shade; and such a temperature does not promote calm discussion. I should not say anything but for the fact that the honourable gentleman from Grey (Hon. Mr. Sproule) found particular fault with the honourable gentleman from Grandville because he read an extract from a newspaper—L'Universitaire, I think it is called—in French. I feel that I was the innocent cause of that offence on the part of the honourable gentleman. I suggested that he read it in French so that we should all understand him.

Hon. Mr. CLORAN: That was sarcasm.

Hon Mr. POWER: I do not know that there is anything objectionable about the general sentiment contained in the resolution. I think that probably the majority of the ablest and most experienced public men in Canada are not able to speak and write both languages, and the honourable gentleman from Grandville surely would not wish to disqualify gentlemen who now occupy the leading positions in the country from attending the meetings referred to in the resolution.

Hon. Mr. CLORAN: They are no good when they get there. They admit it. Sir George Foster admits it.

Hon. Mr. POWER: In some way they contrive to have their views put before those gatherings, and their views carry a certain amount of weight. On the other hand, I think it is to be regretted that in this country, where both languages are official, and where the population is nearly evenly divided between the people who speak one language and those who speak the other, so few of the English-speaking people make it a point to become familiar with the French language. The honourable gentleman from Grandville very properly called attention to the fact that in England all public men, and young ladies, are able to speak French.

I think, however, this is an inopportune time for such a question to be raised. Instead of accentuating the differences which exist between certain sections of the population, we should be doing all we can in the other direction.

Hon. Mr. CLORAN: Let the other side start first.

Hon. Mr. POWER: I have no doubt that the intentions of the honourable gentleman from Victoria (Hon. Mr. Cloran) are particularly good, but in some ways they do not appear to be appreciated by his colleagues as they should be. On the whole, I think it is a pity that this resolution was introduced.

Hon. Mr. LANDRY: With the temperature that we are now enjoying, it is not my intention to make it warmer. I will not indulge in a discussion of the bilingual question, but I want to answer some of the remarks made by my honourable friend from Grey (Hon. Mr. Sproule). I think that he should not deny us of the minority the right to complain if we are suffering—he is a doctor and a philosopher. We are suffering at the hands of—I will not say a brutal majority, but an ungenerous majority. They may have the right, they may have might, but they have not generosity. By forcing us to learn the English language, our friends in Ontario are doing us a good turn, and all that I ask of them is that they do not try to choke the French syllables in the throats of our young children. Give them fair play. Give them what you enjoy yourselves. It is well known in the Dominion that we have no school question in Quebec—why? Because we give the English minority all that the English minority wants. We give it generously. There is no school question in the maritime provinces. There was at one time; but generally speaking — with some very notable exceptions—the people in the maritime provinces have broader minds than the people of the West, and in the maritime provinces the majority and the minority live together in friendship. Why should we not have the same relations with the people of Ontario?

More than once we have had discussions in this House, as well as in the other House, on this very question. I think there is a very simple way of settling it. If we had a conference between the leaders of the two parties—I am speaking of the two parties in the bilingual sense—I think we would be able to settle the question immediately. We do not ask what we will not ourselves give. We ask what we think is a right—at all events a natural right, which any one who makes a thorough study of the law will admit is more than a political right. What is going on in Ontario could be very easily met. In that province there is a Minister of Education who made Regulation No. 17. What is Regulation No. 17? Nobody knows yet, not even the minister, because whenever he is asked he says, "It is in favour of the French language." Regulation No. 17 says in a few words that it shall apply only to bilingual schools. What is a bilingual school? According to that regulation, a bilingual school is a school

declared to be so by the Minister of Education. It is not determined according to the population of the school district. I will give an example. In Windsor there are three French schools. In one 45 per cent of the pupils are French; in another 65 per cent are French; and in the third 85 per cent are French. Naturally one would think that the school where 85 per cent of the pupils were French would be a bilingual school. Not at all. Not a word of French is spoken in that school, nor in the next one, because the minister does not choose to declare them bilingual schools. It is the will of the minister that makes a school bilingual, and it has to be declared so every year. That is what we are contending against. We say that it should be declared by law that when 40 or 50 per cent of the population of a certain section is French. the school in that section should be a bilingual school. That is refused to us, and the consequence is that in schools where 85 per cent of the pupils are French the French language is not taught at all, or, if it is taught, the teachers are sent to jail and subjected to penalties. That condition cannot last; it causes unrest all over the country.

Hon. Sir MACKENZIE BOWELL: For what crime are they sent to jail?

Hon. Mr. LANDRY: Because they are teaching French. Take, for instance, the school at Green Valley, a few miles from here. This was not a bilingual school. It was a school under Regulation No. 12 or Regulation No. 15, in which it is said that where a school is not bilingual, French or German will be taught if that nationality is in the majority in the surrounding country. If one tries to open a French school under that regulation he is sued immediately, or is sent to jail, because, although the pupils attending the school may all be French, the school is not situated in a French district. It is not the Minister of Education, it is not the people, but it is the courts that interpret the laws, and when the courts say that we have no right to speak French, or to teach catechism in French in those schools, we must bow our heads and pay the fine, or else see the teachers sent to jail because they taught French.

Hon. Mr. CLORAN: That is the act of a brutal majority.

Hon. Mr. LANDRY: Then, what did we see? A movement called the "bonne entente" was started in Ontario. A body of men went to Quebec, where they were cordially received by the population. They came here, and went back to Toronto. M. Garneau, the president, gave one thousand dollars to the University of Toronto. En passant, I should have preferred him to have given the thousand dollars for our own pupils; but, at all events, he performed what he thought a generous act, which was well appreciated by the English-speaking population. While this was being done the provincial legislature at Toronto, to reward M. Garneau for his generosity, passed an Act to revive a law that had been declared unconstitutional by the Privy Council in England, and that Act is now on the statute book. The Minister of Education for Ontario has been given the power to establish a new School Commission for Ottawa if the Ottawa people do not submit to the dictates of Regulation 17. Another vicious measure was enacted while the reception to the entente cordiale was in progress, and it was the answer of the people of Toronto to all that was being done to reach an understanding. The federal Government has been requested to disallow that Act. I made an inquiry of the Government the other day to learn who are the parties asking for the disallowance. I hope that the clause of our constitution which permits the federal Government to disallow provincial Acts will not be a dead letter. We want the constitution respected, and if the Privy Council in England declares a law to be unconstitutional, I do not see why that law should not be disallowed, if re-enacted by the same persons, when it is the cause of so much mischief in this country. We must live together. We ought to be friends. It is very easy to be friends if we so desire; but I do not agree with the statement of my honourable friend from Grey that we have nothing to complain of. An attempt is being made to kill the French race. But I will tell you this: it is impossible to kill a people who are determined to live. They may bow to you to-day, they may bend under intolerance for a time, but you will never kill such a people. Where is Poland to-day?

Hon. Mr. CLORAN: Where is Ireland?

Hon. Mr. LANDRY: Where is Ireland to-day? I leave my honourable friend to answer that question. But all peoples who have been coerced, what are they doing?

Hon. Mr. CLORAN: Fighting yet.

Hon. Mr. LANDRY: They are all living to-day, and they will live on.

Hon. Mr. CLORAN: You are right.

Hon. Mr. LANDRY: I would not complain of the treatment that is meted out to us. I would tender my best compliments to the hierarchy of Ontario, who commenced this movement against us, because they are keeping us alive; they are preventing us from dying; and I hope they will be good enough to continue, and stir us up a little more, until some day the reasonable people of the Dominion interfere and give us what we ask, and what we are entitled to.

Hon. Mr. CHOQUETTE: I desire to say only one word in reply especially to the honourable gentleman from Grey (Hon. Mr. Sproule). I do not see that any exception should be taken to the resolution, which states simply that no person shall be appointed delegate, agent or representative of this country, at any economic or other international conference, unless he can speak and write both the official languages of Canada. In that motion I do not refer more to French than to English. As there are two official languages in this country, it is not only fair but necessary that a delegate whom we send to a foreign country should understand both languages. I do not see why any fuss should be made about that proposal, or why the French language should be brought into the question. All that is proposed is that any one who does not understand both languages shall be deprived of the chance of being sent abroad as a delegate of Canada. If that rule would not apply to French as much as to English-speaking persons, it would be because the French are intelligent enough to learn to speak and write the English language.

My honourable friend has said that such a rule would deprive the country of the services of very able men. That may be true; but whose fault is it if an able man cannot qualify in both the official languages of this country? Are not the diplomats and even the agents of all other countries required to understand the language of the country to which they are sent? That is plain common sense.

If my honourable friend from Grey had followed his own reasoning, he would have endorsed all that Sir George Foster said, because, if I am correctly informed, his first action, upon being appointed Speaker of the other House, was to obtain a French teacher and try to learn French; and he has mentioned time and again to his neighbours how sorry he was not to have learned it in his youth. Honourable gentlemen, are we not acting in the best interests of the young people of this country in calling upon them to learn French and thus preventing them from having to express later such regrets as those expressed by Sir George Foster and the honourable gentleman from Grey, at their inability to speak both languages? Is it not a patriotic duty to tell the young people that they ought to qualify themselves for their future obligations and be in a position, when called upon, to accept appointments as agents or delegates or representatives of this country, where, I repeat, the two official languages are on the same footing.

As I said before, I do not want to press the motion, because I have enough respect for the intelligence of this honourable House, or at least the majority of its members, to recognize that they will understand my motive, which is the very best. If I were not able to speak English in this House, I should say, as did Sir George Foster, how much I regretted being obliged to listen to speeches of which I did not understand a word.

Hon. Mr. POIRIER: I believe Sir George Foster understands French very well, and that the Prime Minister speaks it fairly well.

Hon. Mr. CHOQUETTE: That shows the necessity of knowing the French language, and I congratulate them both; but when the opportunity presented itself of welcoming to Canada the delegate of the French republic, they had not a sufficient knowledge of French to enable them to speak to him in that language, and Sir George Foster says that when he was representing Canada at Paris he could not speak French. But if twenty years ago some members of this House, or of the other House, had called the attention of the public to the necessity of learning French, Sir Robert Borden and Sir George Foster would now perhaps thank them for having done what I am doing now.

I have submitted this resolution with the best of motives, the patriotic motive, that of trying to unite both races in this country, and I regret that the honourable gentleman from Grey, for whom I have the greatest respect in spite of his views, has seen in my efforts an attempt to raise the race and religious cry. Far from it. I desire only to call the attention of the young men of this country to the desirability of preparing themselves for the future by acquiring a knowledge of both our official languages in order that they may be prepared to accept the best situations that the nation can offer. The purpose I had in view is now attained, and I ask the consent of this honourable House to withdraw the resolution.

The resolution was withdrawn.

CUSTOMS ACT AMENDMENT BILL.

FIRST READING.

Bill 67, an Act to amend the Customs Act.—Hon. Sir James Lougheed.

MILITARY SERVICE BILL.

FIRST READING.

A message was received from the House of Commons with Bill 75, an Act respecting Military Service.

The Bill was read the first time.

Hon. Sir JAMES LOUGHEED moved that the Bill be placed on the Order paper for the second reading on Tuesday next.

Hon. Mr. BOSTOCK: I would ask my honourable friend if he has a copy of the Army Act and Regulations, in case it may be needed. I think those papers were brought down in the other House for the purpose of the discusion.

Hon. Sir JAMES LOUGHEED: I shall be glad to lay on the table any papers that were brought down in the other House.

The motion was agreed to.

MIGRATORY BIRDS CONVENTION BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 92, an Act respecting a certain Convention between His Majesty and the United States of America for the protection of Migratory Birds in Canada and the United States.

He said: According to the title of the Bill, its purpose is the protection of migratory birds in Canada and the United States. That is the subject-matter of a convention between the Governments of the United States and Canada. The subject-matter was, I understand, submitted by the United States authorities to the different state governments and likewise by this Government to the different provincial governments. Consequently there is an explicit arrangement among the different states of the Union and the different provinces of Canada, who exercise authority in matters of game protection, that this convention should be ratified by the Governments of the United States and Canada.

Hon. Mr. McSWEENEY: What is it?

Hon. Mr. CHOQUETTE.

Hon. Sir JAMES LOUGHEED: It relates purely to migratory birds. Owing to the lack of proper protection of those birds of late years they are disappearing, and it is obviously very desirable that they should be protected as much as possible and that the Governments of both countries should adopt such regulations as will ensure their protection.

Hon. Mr. McSWEENEY: Does the Bill propose to take any powers from the provinces?

Hon. Sir JAMES LOUGHEED: No, it does not in any way infringe upon the authority of the provinces. The provinces of Canada, the states of the Union, and the two federal Governments are co-operating in order that the provisions of this Bill may be carried out.

Hon. Mr. BOSTOCK: I should like to ask the leader of the Government if there has been any objection on the part of any of the provinces of Canada to this convention?

Hon. Sir JAMES LOUGHEED: No, I understand not.

Hon. Mr. BOSTOCK: It does not conflict in any way with their regulations?

Hon. Sir JAMES LOUGHEED: No; all the provinces approve of the convention.

Hon. Mr. POWER: I just wish to say that I most cordially endorse this measure.

The motion was agreed to, and the Bill was read the second time.

SUPREME COURT ACT AND EXCHEQUER COURT ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 98, an Act to amend the Supreme Court Act and the Exchequer Court Act.

He said: There are two objects in the Bill which we have before us. One is to make provision for the payment to the Crown of costs in any action in the Supreme Court or the Exchequer Court in which the Crown is successful and in which it was represented by one of its own officers. Up to the present time, apparently, no provision has been made for the collection of costs in such a case as that which I have mentioned. In many such cases, as is very well known, the law officers of the Crown appear before the court, and there is no good reason why

the costs should not be collected by the Crown—not by the officers in question. The Crown will profit by the measure proposed; that is to say, if those officers are salaried officers and appear before the court and become entitled to counsel fees or costs by reason of the Crown succeeding in the proceedings before the court, the Crown will receive the costs which will thereby become payable.

The other amendment is intended to overcome a difficulty which has arisen from a judgment of the Supreme Court whereby it is held that an action for damages against the Crown would not successfully lie in any case where a servant or officer of the Crown, acting within the scope of his duties or employment, was charged with negligence, unless the party who suffered the damage was actually upon the public work. There are cases, as honourable gentlemen can very well conceive, wherein negligence may have resulted in damages to a person who was not upon the public work at the time the damage was caused, but may have been ten feet away, or more distant; and yet he cannot, according to the decision of the authorities, succeed on a question of negligence against the Crown. The Bill therefore proposes to protect the public to this extent, that the Crown will be liable if it is shown that there was negligence on the part of its officer while he was acting within the scope of his duties or employment upon any public work, though the victim was not actually upon the public work at the time.

Hon. Mr. BOSTOCK: I should like to have a clear understanding as to the question of costs. I presume that these costs would be taxable in the same way as any other costs.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: I understood my honourable friend to say that the Crown had not received any costs when it won an action.

Hon. Sir JAMES LOUGHEED: I did not make myself clear. What I say is that there is no provision by which the Crown can collect costs in a case in which it is successful if one of its own officers appears as counsel. If the Crown retains outside counsel, then of course the costs are collectable. We now desire to make provision that the Crown may profit by the collection of costs where one of its own salaried officers appears before the court and is successful.

Hon. Mr. POWER: I think it is a very proper change.

The motion was agreed to, and the Bill was read the second time.

ADJOURNMENT OF THE SENATE.

Hon. Sir JAMES LOUGHEED: By leave of the House, I move that when the Senate adjourns to-day it do stand adjourned until Tuesday next, at three o'clock in the afternoon.

Hon. Mr. POWER: If the House adjourns until Tuesday the Military Service Bill, which was brought down to-day, cannot be read a second time until Wednesday.

Hon. Sir JAMES LOUGHEED: If it cannot be read a second time on Tuesday, we must sit to-morrow.

Hon. Mr. POWER: I do not wish to cause any inconvenience, and do not press the objection.

Hon. Sir JAMES LOUGHEED: Some other honourable gentleman might raise an objection. I desire it to be understood that the second reading of the Bill will be proceeded with on Tuesday afternoon.

Hon. Mr. BOSTOCK: The proper course would have been to suspend the rules, but I do not think it is necessary to insist on that at the present time.

The Hon. the SPEAKER: By leave of the House, the Bill may be ordered for a second reading on Tuesday next.

The motion was agreed to, and the Senate adjourned until Tuesday next at three o'clock in the afternoon.

THE SENATE.

Tuesday, July 31, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATORS INTRODUCED.

The following newly-appointed Senators were severally introduced and took their seats :

Hon. Richard Blain, of Brampton, Ontario, introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell.

Hon. John Henry Fisher, of Paris, Ontario, introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell.

Hon. Lendrum McMeans, of Winnipeg, Manitoba, introduced by Hon. Sir James Lougheed and Hon. W. H. Sharpe.

Hon. David Ovide L'Espérance, of Quebec, Quebec, introduced by Hon. Sir James Lougheed and Hon. C. P. Beaubien.

Hon. George Green Foster, of Montreal, Quebec, introduced by Hon. Sir James Lougheed and Hon. R. H. Pope.

Hon. Richard Smeaton White, of Montreal, Quebec, introduced by Hon. Sir James Lougheed and Hon. J. S. McLennan.

THE SMITH-DRAYTON-ACWORTH REPORT.

STATEMENT OF COST.

Mr. CASGRAIN inquired of the Government:

1. What is the total cost of the Smith-Drayton and Acworth Report to date?

2. How much did each of the Commissioners receive?

3. How much has been paid to each engineer whose name is mentioned in the said report, in salary and in expenses, separately?

Hon. Sir JAMES LOUGHEED:

1. Cost of Smith-Drayton-Acworth report to date, $70,088.41.

2. Wm. Acworth: services, $15,330.00; expenses, $1,127.99; total, $16,457.99.

A. H. Smith: services, not paid yet; expenses, $138.00.

H. L. Drayton: a cheque was sent to Sir Henry Drayton for $15,000, but was returned by Sir Henry with the statement that in view of the present times and conditions he would make no charge for his services.

3.

Name, and Position Held.	Salary.	Expenses	Total.
G. F. Swain, engineering expert in charge of work	$6,200.00	$577.74	$6,757.74
W. H. Chadbourn, chief engineer	2,933.33	201.81	3,135.14
A. H. N. Bruce, engineer	1,160.00	195.02	1,355.02
G. R. Balloch, engineer	1,800.00	212.18	2,012.18
E. C. Keefer, engineer	868.00	19.00	887.00
F. O'Gara, engineer	642.00	.....	642.00
C. Gilmore, assistant engineer	760.00	.....	760.00
W. MacNeill, engineer	1,008.00	239.80	1,247.80
J. Rainboth, assistant engineer	505.00	.....	505.00
W. H. McGann, engineer	1,430.00	240.14	1,670.14
T. S. Armstrong, engineer	910.00	230.92	1,140.92
L. J. M. Howard, assistant engineer	590.00	3.60	593.60
C. S. Gzowski, Jr., engineer	1,716.00	605.40	2,321.40
W. B. Elder, assistant engineer	565.00	.....	565.00
L. Phillips, assistant engineer	165.00	.....	165.00
G. H. Burnett, engineer	1,320.00	163.80	1,483.80
N. Cauchon, engineer	1,150.00	270.53	1,420.53
B. M. Hill, engineer	650.00	203.96	853.96
C. H. Larkin, engineer	594.00	51.18	645.18
A. L. Ford, engineer	1,170.00	13.16	1,183.16
J. W. Chappelle, engineer	752.00	273.45	1,025.45
E. J. Walsh, engineer	168.00	.....	168.00
W. Horner, engineer	960.00	352.46	1,312.46

DISMISSAL OF G. V. DAMBRUGGE.

MOTION.

Hon. Mr. CHOQUETTE moved:

That an humble Address be presented to His Excellency the Governor General, praying His Excellency to have laid on the table of the Senate all documents relating to the dismissal of G. V. Dambrugge, employed at the Quarantine, Grosse Isle.

He said: Honourable gentlemen, before entering upon a heavy debate in this hot weather, it is perhaps better to dispose of what may appear to be a small matter, but which involves an important principle. Mr. Dambrugge is a Belgian, who had been at the war and was wounded. Being a good gardener, he came with his wife to Canada to find a position in which to make a living, and in June, 1915, he was engaged by the Department of Agriculture, as a gardener at the Quarantine Station at Grosse Isle. According to a letter which I will produce, he was dismissed from that position without any reason being given. As I happened to know him, he wrote to me to find out why he had been dismissed, having, he said, written to Ottawa several times and having received no reply. Upon receipt of his letter I wrote to Mr. Montizambert, the Director General of Public Health, who I understand has the Quarantine Station under his charge. He referred me to the minister, to whom, on the 27th of June, I wrote asking the reason for this man's dismissal. On the 29th of June I received the following letter from the minister:

I am in receipt of your note of June 27th in reference to G. V. Dambrugge, the gardener at Grosse Isle, whom I recently dismissed from the Service.

In a letter from Dambrugge he referred me to Mr. Goor, the Belgian Consul General, and

for your personal information I may say that Mr. Goor confidentially informs me that the information he has on record about this man is entirely unfavourable. Other information from one of my own officers in whom I have confidence confirmed this, and I did not feel justified in keeping Dambrugge in the Service.

I feel sure that you would concur in this decision, but, of course, if you wish to ask a question in the Senate, I am not raising objections.

I sent this letter to Mr. Dambrugge who said that, far from having a bad record with the Belgian Consul, he had been recommended by that gentleman. Not knowing exactly how the matter stood, I thought that the minister, in mentioning one of his officers, referred to the head of the Quarantine Station. So I wrote to Mr. Martineau and asked the reason for the dismissal of the man. The answer to my letter is in French, and is as follows:

[Translation.]

I have the honour to acknowledge the receipt of your letter of the 5th instant, in which you inform me that a report was made against Mr. George V. Dambrugge, employed at this station, which report has resulted in his dismissal, and that you wish to know who has made this report and request a copy thereof.

In reply I may say that I regret not to be able to inform you on this subject. You seem to be under the impression that it was I who made this report, and you accuse me of not having informed Mr. Dambrugge of it. You may be assured that I have had nothing to do, directly or indirectly, with this report, nor with the person who made it. I will even add that for my part I have no complaint of any kind to make against Mr. Dambrugge and that he has always done his duty. In fact, he is one of the best employees we have had at this station. If you desire to learn the details in regard to this affair, I would advise you to address the minister direct.

I have the honour to be, Sir,

Your obedient servant,

J. E. Martineau, M.D.,

Medical Superintendent.

Now, the question arises, how is it that the head of an important service like the quarantine station at Grosse Isle should not know the reason why a good officer has been dismissed? If there are some informers there who have made a report behind the officer's back against an employee, we ought to know it; and that is why I have brought this matter up. The letter of the minister stated that one of his own officers had made a report against Dambrugge. That officer must have been employed at Grosse Isle; if not, he is a traitor and a spy behind the head of the department. Who is that officer? I asked for the report and they refused to produce it. Here is a good man who has been fighting in the war, who is a wounded soldier, who comes to this country because he thought he could find here something to do and not be a charge upon his own country; who is employed, but is one day dismissed; and the man under whose directions he has been working says he never made a report against him, and is sorry he has been dismissed, because he was one of his best officers. It is necessary to have these facts before the Senate and to know where we stand. Are wounded soldiers to be treated in that way? Are Government employees to be dismissed in that way? If so, we ought to know the reason. That is why I make this motion.

The motion was agreed to.

Hon. Mr. CHOQUETTE: It seems to me the leader of the House ought to be able to give me an answer. He represents the Government here. The notice has been on the Order Paper for two or three days, and must have come to his notice; and he ought to be able to give the name of the officer who made the recommendation, and the reason why this man was dismissed.

Hon. Sir JAMES LOUGHEED: It appears to me my honourable friend has moved for the papers so that he may get the information. Does he want me to give him the information, or is he satisfied to wait till the papers come?

Hon. Mr. CHOQUETTE: I am satisfied.

Hon. Sir JAMES LOUGHEED: If it was the intention of my honourable friend that I should give the information, he should have simply made an inquiry.

THE CANADIAN EXPEDITIONARY FORCE.

INQUIRY.

Before the Orders of the Day:

Hon. Mr. CLORAN: I would like to ask the honourable leader of the Government if he will answer questions I put some four weeks ago. At that time he informed me that he could not answer them, and at his request I turned them into a motion for a return. Now, whether a senator on this side of the House puts an inquiry or makes a motion, he gets mighty little satisfaction. The information that I wanted has a direct bearing on the most important Bill that has ever come before this Parliament since the birth of Confederation. I do not blame the leader of the Government for he represents sixteen ministers here, and I wonder how he gets through the business; but I want to know:

1. How many officers and men of the Canadian Expeditionary Force have been classed as unfit for military service?

That information is on the records of the Militia Department, and could be given off-hand and sent to the honourable leader of the Government here on a typewritten sheet; but the leader of the Government said to me, "You cannot get it unless you make a motion for a return." Then I asked:

2. Have the military authorities given consideration to the possibility of utilizing the services of these men in a secondary capacity?

Well, the Government ought to know its own mind on the spot. You have ten, twenty, thirty, forty, fifty thousand people returned, here and there, not doing a blessed thing except walking the streets, sporting canes, smoking cigarettes, and going abroad breaking up anti-conscription meetings; but I cannot get any information. My third question was:

3. Do those who have been classed as unfit continue to draw military pay?

That question ought to be answered on the spot by the Government. Where is the harm in the Government telling the country that men who have been classed as unfit, that remain at home—slackers, as they call them—are not on the pay-roll of the Dominion of Canada? The Government should give that information off-hand, but no; I have had to change my inquiry into a motion for a return, and it is not yet down, and never will be. Then I asked:

4. How many have deserted from the various units between 1st October, 1914, and 1st June, 1917?

Any Minister of Militia, unless he were a tinpot minister, would be able to answer that off the bat. I can tell you how many deserted from the camp at Renfrew, but I do not know all the units and all the camps. What I want is official information; but the Government says, "We cannot answer you; you must make a motion for a return." The Government is in a wrong position and is plainly trifling. What does the Government mean? I do not blame the leader of the Government here; God knows he has enough to do to answer all the questions for the other departments; but when a Cabinet council is held and information is asked he should see that it is given on the spot. The next question I asked was:

5. How many have been discharged from the various units since 1st October, 1914?

Hon. Mr. CLORAN.

That information is on the records in the Militia Department. All the minister's clerk has to do is to dictate the figures to the typewriter and hand them to the leader of the Government here, and we would have the information within twenty-four hours; but the Government is playing fast and loose with the rights of the people through their representatives in Parliament. I want the Government to understand that when I put these questions and similar ones, it is not for my own convenience or comfort, but for the people for whom I am obliged to talk, and who want to know. All that information is absolutely necessary in discussing the compulsory Military Service Bill, and we have not got it. What does the Government take us for? Well, people will take the Government for what it is worth, and that is very little.

DIVORCE BILL.

SECOND READING.

Bill T2, an Act for the relief of Albert Edwin Gordon.—Hon. Mr. Taylor.

CUSTOMS ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 67, an Act to amend the Customs Act.

He said: The object of this Bill is to place upon the statutes a declaration of what the Government considers to be the interpretation of the Customs Act touching the importation of goods into the Dominion of Canada by the Crown whether in the name of a province or in the name of the Dominion. It seems the contention has been raised that the provinces are entitled to import into Canada dutiable goods entirely irrespective of the duties imposed by the Customs Act. The question is very largely an academic one, but possibly may exceed that point and prove rather troublesome to the revenues of the country, if the contention raised by some of the provinces should be tenable that they have a right to import goods into Canada entirely irrespective of the Customs Act because they represent the Crown.

Hon. Mr. CASGRAIN: Which province says that?

Hon. Sir JAMES LOUGEHED: I am not designating any particular province. I know that the province of my honourable friend would not place such a construction

as that on any Act of Parliament. It is very undesirable that there should be any uncertainty concerning the matter; therefore the object of the Bill is to place an interpretation upon the Customs Act in this respect. If the Parliament of Canada did not do so, recourse might of course be had to the courts to determine what is really the meaning of the Act.

Hon. Mr. WATSON: I had occasion to ask for a return of all the correspondence in connection with this Bill, which I think has a greater object than simply to put an interpretation on the Act. I think the object is to put the different provinces out of court. From this correspondence it appears that four different provinces have taken the matter up, and, have expressed an opinion different from that of the Customs Department. While this Act has been in force for a number of years, it has probably not had same importance or effect as at the present time, because we know that some of the provinces are now undertaking various public utilities, and are importing goods for the purpose of carrying on these works. The province of Manitoba took this matter up with the Government, and they have been waiting a great quantity of materials that are not manufactured in Canada and could not be purchased here, that are needed to carry on their work. They apparently made one test case with reference to a gas-producer plant purchased in England and erected in the town of Souris for experimental purposes. In taking the matter up with the Government, they claimed that they should not be obliged to pay duty on the goods, because they had been imported by the Crown. The Customs Department, after some months, during which several letters were exchanged, claimed that the Dominion Government had the right to collect the money. Finally, in order to get the goods out of customs, the Manitoba Government had to pay the duty; but during the course of this correspondence the Manitoba Government apparently convinced the Customs Department that it had no right to collect it. So well were they convinced that an Order in Council was passed remitting to the province of Manitoba the duty on the gas-producer plant. I find by this correspondence that there was also a case in which the Quebec Government protested against paying the duty on a shipment of revolvers.

Hon. Sir JAMES LOUGHEED: Does my honourable friend say that an Order in Council was passed remitting the duties?

Hon. Mr. WATSON: Yes; on the Manitoba gas-producer plant.

Hon. Sir JAMES LOUGHEED: I am entirely unaware of it.

Hon. Mr. CASGRAIN: He will read the Order in Council.

Hon. Sir JAMES LOUGHEED: On what grounds was the remission made?

Hon. Mr. WATSON: I suppose because the Manitoba Government was demanding that the duties should be paid back, and the Dominion Government came to the conclusion that they would have to pay them back.

Hon. Sir JAMES LOUGHEED: The Minister of Customs made a statement directly to the contrary in the House of Commons.

Hon. Mr. WATSON: Here is the Order in Council:

The Board recommend that authority be granted for the remission and refund of Customs duties amounting to $404.80 paid by The Public Utilities Commission, Manitoba Government, on Gas Producer Machinery, at the outport of Souris, Manitoba, per entry 195/3263.

From the papers submitted to the Board it appears that this plant is of a class or kind not made in Canada and has been imported for experimental purposes.

Hon. Sir JAMES LOUGHEED: Therefore it was not dutiable.

Hon. Mr. WATSON: Why not?

Hon. Sir JAMES LOUGHEED: Because the report so states.

Hon. Mr. WATSON: But it would be the same with the other articles.

Hon. Sir JAMES LOUGHEED: No, no.

Hon. Mr WATSON: Then, another matter. The Manitoba Government have undertaken to assist agriculture in that province by purchasing cows and distributing them to the farmers. It has been necessary for them to buy those cattle in the United States, and they object to paying duty on them.

Hon. Sir JAMES LOUGHEED: Certain stock for breeding purposes comes in free.

Hon. Mr. WATSON: The Manitoba Government was obliged to pay the duty.

Hon. Sir JAMES LOUGHEED: Then they were dutiable.

Hon. Mr. CASGRAIN: No, no.

Hon. Mr. WATSON: I say this is a matter which this House should not allow to pass. It appears to me that the provinces should not be put out of court by an Act of Parliament. In this correspondence the Minister of Customs tells the Attorney General of Manitoba that this matter will be brought to the attention of the Prime Minister when he returns from England; but the Manitoba authorities have had no answer from the Minister of Customs since the Prime Minister has returned. The first intimation they receive regarding this matter is the suggestion that the Customs Act should be changed in such a way as to put them out of court. I say this is not fair, and I do not think it should be done. The provinces are greatly interested in this matter now, because various provinces are undertaking public utilities which were not thought of a few years ago, and consequently are called upon to pay out a very large amount of money. I do not think that any province which desires to develop a particular industry or to provide any facility for the convenience of its people should be taxed for doing so. The province of Manitoba is very largely interested; they have paid under protest over one million dollars in customs duties on telephone equipment in the last six or seven years. For the reasons I have given, I do not think this Bill should pass.

Hon. Mr. BOSTOCK: The objection I have to this Act is based on section 125 of the British North America Act, which says:

> No lands or properties belonging to Canada or any province shall be liable for taxation.

I take the stand that a customs duty is a tax, and that by this Act the Dominion Government is proposing to tax the property of the province in a way which, under that clause of the British North America Act, was, I think, never intended. The question whether the Dominion has the right to tax the property of the provinces is one which, I think, has never before been brought up, and the proper way to deal with it would be to have it submitted to the courts and threshed out before them or, if necessary, to refer it to the Privy Council.

Hon. Mr. WATSON: Manitoba asked for that.

Hon. Mr. BOSTOCK: I understand that the province of Manitoba asked that the question should be referred to the courts or to the Privy Council, but for some reason the present Government has not seen fit to accede to this request.

Hon. Mr. CASGRAIN.

This Bill is, further, an attempt to pass retroactive legislation. If honourable gentlemen will look at the first clause of the Bill, they will see that it proposes to give the Government power to deal with the matter as if it had been in effect ever since Confederation. That, in itself, seems to be an admission on the part of the Government that they have not the power to tax the provinces in this way; and I think it would be very objectionable for this House to pass such retroactive legislation. The Bill also will empower the Dominion to tax the province on the business that they are doing. At the present time the provinces are inclined to undertake the development of public utilities to an extent that was not contemplated in the past, and the whole question of the development of public utilities by the provinces is one that will come more and more to the front and will very seriously affect their interests. By this legislation the Government is apparently proposing to deal with the matter by an Act of Parliament, instead of submitting the case to the courts and having it threshed out there. I think we should make a very great mistake if we allowed this Bill to pass.

Hon. Mr. POWER: Before the question is put, I wish simply to make a protest. The question whether the property of a province, or property imported for a province, is liable to duty is an important question; and if it has not been decided—and apparently it has not been decided—should be referred to the courts, and I should have no objection to the question being settled in that way. But, instead of referring the matter to the courts, the Government here introduce a Bill which not merely states that hereafter property imported by a province shall be liable to duty, but is intended to be retroactive, stating that property which has heretofore been imported should be liable for duty. That is clearly most objectionable legislation. Nowadays we are to a certain extent adopting the views of our neighbours to the south of us, and I think this is a case in which we should do well to follow their example. In the United States Constitution there is a provision that no such law as this shall be passed. An ex post facto law cannot be passed in the United States, and I think it is very much to be regretted that this Government should have undertaken to do what they have done. It is most unfair and unjust, and is, in my humble opinion, contrary to sound parliamentary law.

Hon. Mr. THOMPSON: I should like to ask the honourable leader of the Government a question with reference to the suggestion made by the honourable gentleman who has just taken his seat. Under the provisions of this Bill, could a customs tax be imposed upon all direct importations by the various governments from 1867? Is this Bill retroactive to that extent? It would seem to me that the House ought to be in possession of the facts, and should know how far-reaching this legislation may be in respect to the right of the provinces.

Hon. Sir JAMES LOUGHEED: May I be permitted to make an explanation, which really should be made, touching this legislation? My honourable friend has made to the House, perhaps unwittingly, a misleading statement. It is only of late that this question has arisen. Since Confederation, until recently, the provinces of Canada have recognized the liability of their being subject to duty just the same as individuals. Hence, on all goods or property of a dutiable character imported by the different provinces of Canada down to a recent period they have paid duty. But recently some of the provinces have taken the ground that as representing the Crown they are not responsible for the payment of duty or obliged to pay it, because the Crown has not been specifically mentioned in the Act. I am informed by the Minister of Customs that the Department of Customs has consistently insisted upon that interpretation being placed upon the Act which has been placed upon it since Confederation, namely, that the provinces are obliged to pay duty. There has recently been a tendency on the part of many of the provinces to embark upon enterprises which previously were carried on largely by individuals. My honourable friend from Portage la Prairie (Honourable Mr. Watson) has referred to the provinces engaging in public utilities.

Hon. Mr. EDWARDS: May I ask the honourable gentleman what would be the case if the Dominion Government should do the same thing—should engage in public utilities?

Hon Sir JAMES LOUGHEED: I may say that up to the present time goods imported by the Dominion Government are, I understand, dutiable. The only goods that are not dutiable are those imported into Canada by the Imperial authorities for Imperial purposes.

Hon. Mr. WATSON: Or by Allison.

Hon. Sir JAMES LOUGHEED: Well, I understand that he was an agent of the Imperial Government.

Hon. Mr. DANDURAND: The honourable gentleman states that all goods imported by the Government of Canada are dutiable; but that is mainly a question of book-keeping between the Customs Department and the Department of Finance.

Hon. Sir JAMES LOUGHEED: May I complete my explanation? Since this matter has become a question of controversy between the Federal Government and the provincial governments, it has been referred to the Department of Justice, and the Department of Justice has very properly taken the ground that if we could not impose duties upon the provinces as representing the Crown, no legislation, of course, would give to us that authority; hence the question would be one for the courts to decide. But it would be desirable that legislation should be placed upon the statute book which would be effective from Confederation, so that the provinces which have paid duty from that time down to the present should not for that reason have an overwhelmingly large account against the Dominion Government. The question would then be a matter for adjustment by the courts; but for the purpose of having it decided by the courts it is very desirable that the Dominion Government should now by statute assert the right to collect duties from the Crown. If that right is vested in the Dominion Government, it is justified in asserting it. If the legislation proposed by this Bill is placed upon the statute book, no injustice will be done to the provinces, because the provinces will still have a right to invoke the courts to decide whether or not this Parliament has the power to impose duties upon the Crown as represented by the provinces.

Hon. Mr. THOMPSON: Would not the honourable gentleman think that by this Bill the real situation of the litigants would be changed? Are you not by passing this Bill increasing the strength of your case, in the event of litigation, by asking Parliament to buttress your proposition by legislation?

Hon. Sir JAMES LOUGHEED: My answer to that question is that if we have not the power to legislate, the court will so hold, and the legislation will therefore be ultra vires.

Hon. Mr. LANDRY: If I understand my honourable friend correctly, this legislation is proposed in order to give the provinces a chance to contend that it is wrong?

Hon. Sir JAMES LOUGHEED: To put the matter in proper shape.

Hon. Mr. EDWARDS: Supposing that the Dominion Government imposes duties upon itself, it is simply taking money out of one pocket and putting it into another, so far as the payment of duty is concerned; but the imposition of duty upon the provinces is an entirely different thing. That is my point. I think it is an injustice to the provinces.

Hon. F. L. BEIQUE: This Bill not only raises the question whether the Dominion Parliament has power to pass this legislation—as to which, as stated by the honourable leader of the Government, the provinces may appeal to the courts—but it is a declaratory Act whose effect would go back as far as the date of Confederation. If, as a matter of fact, duties have been levied on the provinces from Confederation, by what right would this Parliament now pass legislation which would prevent the provinces from reclaiming duties which they had paid and which it had been discovered they were not obliged to pay? I think we should pause before adopting this measure and make sure that the provinces consent to it—that they are willing to forego rights which may appertain to them and which may involve a considerable sum of money.

Hon. Sir JAMES LOUGHEED: I can assure my honourable friend from De Salaberry (Hon. Mr. Béique), that the provinces will not be consenting parties; but, if they have been acquiescing in paying this duty since Confederation, then they should pay.

Hon. Mr. BEIQUE: I am afraid they are not knowingly acquiescing. If they asquiesce when they know such legislation is before Parliament, well and good; but I think they should have an opportunity to make representations as to their rights being affected.

Hon. Mr. SPROULE: This is not the first time that this question has been discussed by the Parliament of Canada. It has been broached more than once; but, according to my understanding, it has always been settled by the provisions of the British North America Act with regard to the respective powers of the federal parliament and the provincial legislature. The British North America Act says that the powers of the Federal Parliament include jurisdiction over all matters not assigned exclusively to the provincial legislatures, and in no portion of that Act can I find that any power has been given to the provincial legislatures to deal with the regulation of trades and commerce. The levying or collecting of customs duties is a matter which assuredly comes under the regulations governing trade and commerce, and such powers confined to the Federal Parliament. The question was also raised as to whether it would not be good policy, if the provinces required to import largely for their own work, to remit the duties. Under the provisions of the Customs Act if an article is very much needed, and is not manufactured in Canada and is not likely to be manufactured in Canada in the near future, the Government can remit the duty by Order in Council. Application was made under that provision, and, if I am not mistaken there was a remission of the duty upon some ditching machines upon that ground, not upon the ground that the provinces had the right to refuse to pay duty or that the Federal Parliament had not the exclusive right to impose duty.

Hon. Mr. LANDRY: How does the honourable gentleman explain this:

> No land or property belonging to the Dominion of Canada or any province shall be liable to taxation.

Hon. Mr. SPROULE: I would understand that to mean real property belonging to the province.

Hon. Mr. LANDRY: The honourable gentleman may take it as real property. He has a right to do so. I have the right to take it in another way. Who is to decide?

Hon. Sir JAMES LOUGHEED: The courts.

Hon. Mr. CLORAN: I am not going to discuss the details or the merits of the Bill, but I am going to take objection to the doctrine laid down by my honourable friend the leader of the Government. I think the objection is a serious one in a parliamentary body, which is the supreme power in enacting laws. The honourable the leader of the Government lays this proposition before this honourable House and the country, that if a law is ultra vires, or unconstitutional, or irregular, it will be left to the courts to decide. To my mind, and I

think to the minds of reasonable people, the people who do not want to be involved in law suits, the position taken is most unreasonable. This body is supreme, and the Government which directs both houses of parliament should be in a position to guarantee the regularity, the intra vires, and the constitutionality of any law which it proposes before bringing it before Parliament. That is common sense. That is a prevention of wastage of effort and money before the courts. After all, who are the courts? According to the law, they may be composed of a Galt, or a McLeod and a Tellier—one upsetting the other. We are here to enact laws, and neither the House of Commons nor the Senate should be called upon to pass a law which is under suspicion, or which may be considered irregular or ultra vires or unconstitutional, with the explanation from the Government that we shall find that out later—that if there is anything wrong it will go to the courts. I put my foot down on that. That is a most absurd way of working out the destinies of a free and democratic people. The destinies and the rights of the people should be protected and cared for by the representatives of the people, and not by servants of the Government, whether in the Department of Justice, the Customs Department, or on the Bench. We are the masters of the law, and if the Government is not able to have a law enacted without its being considered irregular, ultra vires, or unconstitutional, the sooner that Government is out of business the better for the country. I hold that the country cannot accept the declaration made by the honourable leader of the Government, that a Bill may go through Parliament, subject to the approval or disapproval of one or two judges on the Bench, irrespective of its sound sense, or of its respect for the constitution. That is a wrong principle to lay down. It is a wrong principle to force this Parliament to adopt. I hold that the men in this House are just as able as any clerk or body of clerks in a department, or any judge on the Bench, to enact laws in the interests of the country. Since I entered this Chamber fourteen years ago, I have been told by men, most eminent lawyers, "Let the courts interpret the law." My idea of legislation is that the courts have no right to interpret the law at all. The only right the courts should have is to apply the law. Parliament should enact the law, and make it so clear and distinct that there would be no need for interpretation. What is the result of interpretation by the courts? The powers of legislation are handed over to one or two men on the Bench, who may be very capable, but who, alas, too often are incapable; alas, too often cranky; alas, too often something else. Parliament should retain these matters in its own hands, prevent the laws from being interpreted, and thus save the people needless worry and tremendous expense, and the giving of fat retainers to the lawyers.

The motion was agreed to, and the Bill was read the second time.

MILITARY SERVICE BILL.

MOTION FOR SECOND READING—AMENDMENT PROPOSED BY HON. MR. BOSTOCK.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 75, an Act respecting Military Service. He said:

Upon the declaration of war between Great Britain and Germany being made on the 4th of August, 1914, Canada, along with the other overseas Dominions, at once assumed its obligations for participation in the war as being part and parcel of the Empire. This was not simply the result of parliamentary action, or of public discussion, but the expression of that underlying sentiment which recognizes that when Great Britain is at war every section of the Empire likewise is involved in the struggle. The enthusiastic response which every part of the Empire made at the time, and particularly the steps which they took to give effect to this sense of patriotism, was the highest tribute that could be paid to the unity and strength of the Empire. As the war progressed public sentiment in Canada apparently warranted the Government in committing itself to maintain an army of five hundred thousand men. The necessity of Canada committing itself to maintain approximately a fixed strength became obvious as the war developed. The enormous force raised and placed in the field by the Central Powers made it imperative that the Allies should determine upon reaching the limit in mobilizing armies that would more than equal in strength those of the enemy. Canada, being as deeply interested in the war and the results thereof as any of the Allies, had every reason to believe that we should be able to maintain in the field as large a percentage of our population as the other overseas Dominions. Canada at this time had the right to count and depend

upon the loyalty and patriotism of this Dominion responding as spontaneously to the call to arms for the defence not only of the Empire, but of our own shores as much as any part of the Empire. In expectation of this response we mobolized our forces, forwarded them to England and placed them in the field, where their ability, their courage, and their gallantry became unexcelled and one of the brightest spots in the war. It was scarcely expected at that time that this war would continue for the period which it has. At that time three years was regarded as the maximum period of the struggle. Those three years have expired, and still the struggle looms up as colossal, as threatening, and as overwhelming in its dire results as at any moment since it started.

Every step which could have been reasonably taken has been taken by Canada in endeavouring to meet its obligations in maintaining in the field Canada's quota of men. We have reached the point when the voluntary system of enlistment has failed, when it has become apparent that we cannot fulfil our obligations except through a departure from the voluntary system, and the adoption of a compulsory system. Owing to the professions of loyalty to the Empire which had already characterized this Dominion, we had the right to rely upon practical effect being given to those expressions and to our being able, under the voluntary system, to fulfil our obligations. We now realize that this cannot be done, and that the duty falls upon the Government of the day to adopt practically the same system of compulsory service as that which prevails amongst our Allies and practically all over the world. We are aware that amongst certain classes of the population compulsory service is not a popular measure. Yet recognition must be given to this important fact, that there are crucial times in the history of every state when the Government of that state is called upon to adopt extraordinary legislative measures for the preservation of the state, notwithstanding the angle from which the popular mind may view them. In this matter we have arrived at the crossroads of national duty and of public indifference. The duty is cast upon the Government to carry out its obligations, not only to the Empire and for the defence of our own shores, but to Canada's forces who are to-day engaged in this titanic struggle. This is one of the occasions on which the Government has to forego considering what may be the popular will, but to determine the grave and crucial question as to what the interests of the state demand regardless of what may be the consequences to the political fortunes of the Government. Hence we submit this Bill, not only for consideration, but for its adoption by Parliament.

Evidencing the necessity for the adoption of this measure and our failure to meet our obligations under the voluntary system, I present the following statistics of our Canadian Expeditionary Force:

Reported enlistment to 31st July, 1917, 418,102; gone overseas to same date, of whom 136,400 in France, 127,543 in England and elsewhere, 263,943; 31,010 killed, died missing and prisoners, and about 20,000 discharged or returned for discharge, 51,010; in Canada, or about to embark, 22,812; discharges, etc., in Canada, reported discharged as shown on detailed statement attached, 64,552; discharges not yet reported through districts, or for whom documents are not yet available for classification, about 10,910; total, 418,102.

Roughly estimated, we require at once to further recruit 100,000 men. The provisions of this Bill are so designed that this number shall be obtainable from that class of men in Canada that long ago should have readily responded to the call of duty and upon whom falls the obligation to defend the state of which they are citizens.

The first question that may arise is, why on national grounds this legislation should be passed. The manifest reason is that the first duty of the citizen is to defend the state in which he lives. Failing in this, he is recreant not only to his duty but in his sense of citizenship. It is unnecessary to point out that the evolution of defence is clearly traceable in mankind from the tribal days of the race, through the feudal ages, and through every stage of human evolution up to the highest point of our national civilization. It is an instinct in man as human and as clearly expressed as is any instinct which animates him. It may be strangled by his love of ease and luxury, or by his political or racial prejudices, or by his cowardice to perform the supreme duties of citizenship and manhood; but nevertheless it is a sense or instinct that animates all men from the most primitive to the most highly civilized. In tribal warfare a man of the tribe who would refuse to engage in the struggle of his tribe would at once meet with death. Why in this more advanced stage of civilization men should enjoy immunity for this obligation it is hard to understand.

No measure is more defensible than a law of public service, making the duty imperative upon every citizen to defend the state in which he lives. If the state in which he lives gives him protection of life and property, it is worth defending, and the law of compulsory service placed upon our statute books is nothing less and nothing more than the very instinct which prompts the primitive savage to fight for the defence of his tribe and his family. Of all our state systems nothing is more illogical than a voluntary system of defence. It places a premium upon the want of manly courage, of cowardly recreancy to the highest institutions and likewise to the defence of the state. It throws upon the man who is loyal to his country the duty of jeojardizing his life that recreancy and disloyalty may be protected in all their odium and viciousness. It disturbs and dislocates all the machinery of the state that should be manned and used for the orderly and systematic carrying out of the war.

The basic principle of the tate is compulsion. This is fundamental in its entire organization. It runs through every system of law, both civil and criminal, through practically all the conventions of society, without it law, order, system, and organization could not exist; and there is no element constituting the State so important to its existence as that of defence. If the same principle of compulsion that is applicable to its whole body of law is not applied to that of defence, it is manifest that the state may at any time be crushed by its enemies.

Furthermore, the principle of equality and of equal responsibility on the part of the citizen is recognized and asserted in the application of all our laws. Therefore to say that the all-important subject of defence, which must necessarily be the fundamental principle that protects the state, must be so promiscuous in its make-up as to be voluntary and not obligatory as to leave it to one man at the sacrifice of his life to defend the state and to the discretion of another to escape the jeopardy of defending the country, to which he belongs, not only will not admit of argument, but is obviously a violation of the primal law of nature on which all law is based.

It may be asked at this point, who is to determine when a man should place his life in defence of his country? The answer is, the Government of the day. The Government is charged by the people of the state with the supreme duty of determining what the safety of the state requires, what military necessity demands from us in the hour of danger. Upon the Government of the day and upon it alone rests this important and solemn duty. If the Government does not voice the sentiment of the state, then it is subject to displacement; but so long as the Government is the Government of the state nothing short of a revolution can say it nay in pronouncing on this all-important question. This is so obvious as not to require any elaboration. No group nor clique nor section of the country can logically claim immunity from the duty of defending the state when the Government of the day has issued the call to arms. The refuge of the recreant and those who fail in their duty is naturally a denial of the duty of the Government of the day to say what the state demands. But a great people need never be deluded by the voice of the unpatriotic, who are recreant to the representative institutions under which they live and are protected.

The question may also be asked, to whether the citizen of the state has not a right to pronounce upon the justice of the struggle which is now being waged, or the results which may flow from it in relation to our own country. My answer to this is that the Government of the day must necessarily speak for the whole people, and likewise pronounce not only upon the justice of the struggle, but what its probable result may be and what the imperative duty of the citizen is under such crucial conditions as those through which we are passing.

To talk of a referendum at such a time does violence to every instinct of defence. To say that the Government should ask every craven to his country, every pacifist, every slacker, every recreant to public defence, every coward who fears to face the enemy, every Socialist who preaches disloyalty, every alien who asks the protection of our country at the expense of the lives of the men who fight for it—to say that the Government shall ask a verdict from the thousands who proclaim their disloyalty from the house-tops, would constitude a farce out of the greatest tragedy that the world has ever seen enacted. If this proposition is unsound, then nothing short of a revolution must supersede the right of the Government to thus defend the state.

Time will not permit of saying much about the present struggle, except that the human mind cannot conceive its proportions, the destruction of life and property involved, and more particularly the incon-

ceivable results to civilization which would flow from the triumph of the Central Powers. For over forty years Germany has concentrated its national mind, forces, and energies upon world power. For over a generation all German life, thought, and energy have revolved around this one idea. Practically every living German, from the date of his birth up to the date of the war, has been inoculated with this fixed idea of Germany's triumph over civilization. He imbibed it with his mother's milk; he was taught it in the primary schools. It was impressed and elaborated upon his mind through every stage of his more advanced education. The commercial, the scholastic, the military life, in a word, the whole national life of Germany, has never ceased to be animated with this hallucination. It has become an obsession of the whole people of Germany; it has so saturated them as to amount to a national form of insanity and fanaticism. This with Germany is peculiarly a war of territorial aggression. I have heard it said frequently in Canada that this country has not been in danger in this struggle—that the shores of Canada enjoy the greatest possible immunity from German invasion. When Germany suggested that England should remain neutral on condition that none of the territory of France in Europe should be encroached upon, she reserved to herself the liberty to take all the colonial possessions of France.

For a generation the literature of Germany has teemed with not only the idea, but the fixed intention, that on the continent of America Germany must build up a transatlantic and greater Germany for its congested millions. If Germany succeeded in this struggle the shores of Canada would become alive with the transports and cohorts of the Teutonic powers. The shores of Canada are threatened to-day as much as the shores of England and as much as the territories of France. Let us not run away with the idea that this is simply a European struggle. It was not territorial aggression in Great Britain nor in France that Germany wanted, but it was the Overseas Dominions and the great colonial possessions of the Allied powers that she sought. If Germany triumphed in this war, then so surely as the sun will rise on the morrow would the heel of Germany be on the neck of the people of Canada. This northern half of the American continent would pass into its possession and there would be established here a transatlantic Germany in which the people of Canada would be a tributary to the Germanic power.

Hon. Sir JAMES LOUGHEED.

When certain people in Canada, with a view to concealing their recreancy to Canada, talk about this country not being in jeopardy, they speak without a knowledge of actual conditions and thus become blind leaders of the blind. The participation of the United States in this war is unanswerable evidence of what that nation fears and what a Germanic victory would mean. No later than last night there appeared in the Ottawa papers a speech by the Secretary of State of the United States in which he said that the United States was not entering upon this war for the purpose of assisting Great Britain or France or the Allies, but for the protection of herself, for the purpose of keeping the Teutonic powers from the shores of the United States and of protecting their own lives and property. I say that if Germany triumphed in this titanic struggle it would be a world power of which its rulers have dreamed for a generation. Notwithstanding the hesitation of the United States in embarking upon this struggle, desisting as they did until the enemy threatened to be at their gates, this should in itself constitute one of the manifest evidences of what the fate of Canada would have been did the Allies not succeed in the war and Great Britain should fall a victim of Germanic triumph. Should Great Britain be defeated, how long, think you, would Canada be able to maintain the freedom and independence which she enjoys to-day?

Certain sections of people in Canada talk glibly about their willingness to defend our shores upon the approach of the enemy; but how long would the unfortified shores of Canada, covering thousands of miles of sea line, be proof against the transatlantic attack of the Central Powers? What fool's paradise is this in which a section of our people are living when they talk of awaiting the approach of the enemy to our gates before making preparation to receive them. Do they think we should wait for the tumult of the war and the clash of battle to be heard from our shores? It is but a commonplace to say, as was said recently by Mr. McAdoo, the United States Secretary of the Treasury, that it were infinitely better to fight the enemy on European territory than to await its approach to our own shores, where the people of Canada would be as helpless as new born babes. Men who talk of defending Canada on our own shores are men who are destitute of a knowledge of actualities, blinded to German intentions and to the literature of a semi-official character which has circulated in Germany for a generation, a literature that has saturated the people of that state with

ambition of world-wide power, and, more than all, of the acquisition upon this continent of Great Britain's great colonial possessions, and the building up on America's shores of a Germanic empire.

From the dawn of history down to the present time the defense of country has appealed to men's minds more than any other subject of thought. The pages of history have been illuminated with the gallantry and courage and achievements of humankind in responding to the call of country. For this reason no offence in the category of human crimes looms up so odious as treason, the offence of betraying one's country to the enemy. The name of the man guilty of treason goes down through the centuries with contempt, scorn, and odium. And yet treason to country may have many definitions. It may be active; it may be constructive. The man who actively betrays his country, thus handing it over to the enemy, is not only subject to death at the hands of his countrymen, but his memory for all times becomes a byword and reproach. And yet results almost as serious may be committed, perhaps unwittingly, by men who refuse to defend their country in the hour of danger.

At that crucial point in the beginning of August, 1914, when Germany declared war on Russia and France, it became manifest that, if England did not intervene, both France and Russia would have been crushed under the heel of the most tyrannical and barbarous power that ever waged war during the centuries of civilization. Let us ask ourselves what then would have eventually happened to England. If Germany, after crushing Russia and France, had attacked Great Britain, and she had failed to rise in defense of her shores, as certain parts of Canada are doing to-day, Great Britain would likewise have been overrun and have been to-day under the heel of Germany.

There is in Canada to-day a powerful element that declaims its disloyalty to England and repudiates the duty of Canada to be engaged in this struggle. Let them understand that, so long as we are in the Empire, then while the Empire is at war so is Canada to our last man and our last dollar. Canada is part of the Empire of its own volition. The thread which binds it to Great Britain is that of British sentiment and loyalty to the Empire. Never has Great Britain sought to hold Canada within the bounds of the Empire one moment beyond the wishes and the will of the people. Should the day ever come when Canada wishes to separate herself from her obligations to the Empire, then so quickly as those wishes can be cabled to the Imperial Government, so quickly will be flashed back the reply that it is for Canada and Canada alone to sever the tie. At the present time Canada's status in the Empire is as free as the air we breathe, and of all the privileges we possess none is greater than the privilege of standing shoulder to shoulder with not only Great Britain herself but also the other overseas Dominions, in fighting for the maintenance of liberty and human rights of which the British Empire has ever been the guardian.

What, then, of Canada? Think you, would we be enjoying our freedom, independence, and security to-day had not Great Britain espoused the cause for which she is now fighting. Let me ask, what would be the result if every man in the State took the position which is being taken by the anti-conscriptionists to-day in refusing to subscribe to compulsory service in defence of the State? It is clear that treason could not effect any greater result in favour of the enemy than the non-resistance of the people who refuse to defend their State. To my mind it is difficult to draw any substantial distinction between treason and non-resistance. The same result is accomplished by both, and if one is odious, equally odious is the other. Better and more manly would it be for the anti-conscriptionists to say they are prepared to sacrifice Canada to Germany, prepared to sacrifice Canada's sons who are today fighting the battle of human rights in France and Belgium, than under their colours of anti-conscription to play into the hands of the enemy. Think of a race of people so indifferent to their country's interests as to depend upon those who are sufficiently loyal to jeopardize their lives to defend those who refuse to fight. Think of a race of people growing up oblivious to the grandeur of love of country, of patriotism, and of the self-denial and sacrifice by which men are prepared to place their lives on the altar of their country. When we think of men indifferent at such a time to all the best interests of civilization involved in this struggle, indifferent whether the enemy should crush out the freedom and liberty which they have enjoyed under their country's protection, it shakes our confidence in human nature. A thousand times better are those who fell in action and sleep beneath the daisies on the distant battlefields of France and Belgium than those who to-day in Canada are declaiming against conscription and are simply concerned about the paltry

affairs of the particular party or race to which they belong.

In conclusion, let me ask, is Canada of all the Allies to be alone in refusing to defend herself and the Empire? No excuse, when analyzed, can be made in opposition to this Bill except that of refusing assistance to the Empire or that of cowardice in facing the jeopardy of war.

Hon. Mr. DANDURAND: What about Australia, which declared against conscription?

Hon. Sir JAMES LOUGHEED: Yes, but Australia answered to the last man. Australia, with little more than half the population of Canada, has placed as many men in the field as Canada. I say to my honourable friend Australia did not need conscription.

Hon. Mr. DANDURAND: Its Prime Minister thought she needed it.

Hon. Sir JAMES LOUGHEED: The loyalty and the patriotism of Australia responded to the call of duty, and the greatest tribute that can ever be paid to Australia is the way in which she responded to the call to arms. Australia has placed in the field, not only in the battlefields of Asia, but also in those of France and Belgium, a number almost equal to that of Canada.

Hon. Mr. POWER: She did not respond to the call of conscription.

Hon. Sir JAMES LOUGHEED: It may be said that the Government lacks a mandate to pass this legislation. We are charged with being a moribund Parliament. This I deny; but if this is a moribund Parliament, at whose instance is it such? When this Government wanted to dissolve Parliament, to have a general election, and to appeal to the people of Canada for an expression as to their administration of the war, who protested against this being done? For an answer read the speeches of some of the present anti-conscriptionists in Parliament, not only in the House of Commons, but in this Chamber. The period of this Parliament was extended peculiarly at their instance, and properly so. Sir Wilfrid Laurier, addressing the Ontario Federation of Liberal Clubs at their annual banquet at the Ontario Club, 21st May, 1915, said:

> I do not care, for my part, so long as the war lasts, to open the portals of office with that bloody key. * * *
>
> But I have this to say to the Prime Minister and his colleagues: I do not care for an election. Let the Prime Minister and his colleagues say that there shall be no election as long as the war shall go on, and I will pledge myself and the party that we shall stop all preparations and think of nothing but the war.

Again he said:

> In so far as I have authority over the destinies of the Liberal Party, I have only this to say: we shall not do one thing to prevent the Government from going on with the war policy.

That right honourable gentleman has, since making his speech, receded from the position which he then took. During the present session, upon the introduction of the Bill for the extension of the life of Parliament, his attitude was entirely contrary to that which he took in the speech to which I have referred. He now wants a general election at once, notwithstanding the offer made to him by the Prime Minister for a coalition Government pledged to its utmost effort for the prosecution of the war. Notwithstanding his protest before the Ontario Federation of Liberal Clubs as to opening the portals of office with that bloody key, he is apparently now enamoured of making this same bloody key the open sesame to office.

When the sons of Canada are falling by the thousands on the battlefields of Europe in defence of our freedom and of humanity and of the Empire, when thousands of homes in Canada are being desolated by the terrible consequences of war, when the blood of Canada's sons is yet wet on the lintels of the door posts of the homes in which they lived, at a time when all the energies of Canada should be marshalled to win this war, is it a time to talk about moribund parliaments, about referendums, about general elections and the petty claptrap of party warfare? I say a thousand times no. Notwithstanding the imminence of a general election forced by those opposed to the Government, I say unhesitatingly that public opinion in Canada protests against it; and, no matter what may be the results thereof, it is nothing short of a national crime that at this time Canada should be plunged by anti-conscriptionists into the throes of a general election.

Hon. Mr. DANDURAND: But the Prime Minister offered it.

Hon. Sir JAMES LOUGHEED: Because you refused coalition.

Hon. Mr. DANDURAND: He offered it a month ago to the leader of the Opposition—

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. DANDURAND—if he would join a coalition.

Hon. Sir JAMES LOUGHEED: The Prime Minister proposed to form a coalition. Did he not approach Sir Wilfrid Laurier?

Hon. Mr. DANDURAND: And proposed to go to the people.

Hon. Sir JAMES LOUGHEED: And did he not offer him an equal representation in the Cabinet?

Hon. Mr. DANDURAND: Yes.

Hon. Sir JAMES LOUGHEED: Did he not offer to dissolve Parliament immediately?

Hon. Mr. DANDURAND: Yes; there was to be a general election. That is all I say.

Hon. Sir JAMES LOUGHEED: I say it was forced by the anti-conscriptionists upon the Government.

Hon. Mr. CHOQUETTE: And they will put you out too.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, this Government was given a mandate by Parliament, in the extension under which it is at present administering the affairs of this country, to pass the most effective war measures that could be adopted. Pursuing this policy, the Government submits this Bill for your consideration, and asks for its adoption, confident in the knowledge of its military necessity and that no more just and defensible legislation has even been placed upon the statute-books of Canada.

One of the most inspiring features of the controversy which has been waged about this Military Service Bill is that most of the representative sections of both political parties have united in defence of this measure. Party lines have largely been obliterated. It is no longer a fight between Conservatives and Liberals. They have discarded their shibboleths. There is a practical solidarity of the English-speaking press in favour of the Bill. The most representative of Canada's people are forming in line to win the war at all hazards. Loyalty to Canada and to the Empire is triumphing over party, and a spirit of loyalty and of patriotism hitherto unexcelled is being exhibited.

In conclusion, I cannot better give expression to this spirit than by reading the words of the Toronto Globe editorial of July 21, 1917:

The Military Service Bill is a fresh dedication of Canada to the cause of liberty, sanctified by the bravest blood of free nations. It is a pledge of her resolution to sustain her gallant sons who are in the fiery furnace of war, and to summon all her remaining power for the crucial phase of the world struggle. The first and paramount duty of Parliament is to put the measure on the statute book. The Act must be enforced without fear or favour. It should have the support of every Canadian, Liberal or Conservative, whose mind can rise above party or sectional or selfish considerations to the height of the great argument between freedom and despotism, between civilization and barbarism. The laurels won by the valor of her children on the battlefield must not be snatched from the brow of Canada by her own hand on the very eve of victory.

Hon. Mr. POWER: I have listened with great pleasure to the honourable gentleman's speech, but there was just one point which was not made clear to my intellect, and that was: suppose we passed this conscription measure, do the Government propose to put it into force before the general election?

Hon. Sir JAMES LOUGHEED: I cannot speak for the Government, but I can speak for myself.

Hon. Mr. POWER: But you are supposed to speak for the Government.

Hon, Sir JAMES LOUGHEED: If I have anything to say about the matter, I would say this, honourable gentlemen, that no sooner would the ink be dry of the signature of the Governor General to this Bill, giving the Royal Assent, than the Act should be put into effect.

Hon. Mr. POWER: The honourable gentleman simply answers for himself, not for the Government which he represents.

Hon. Sir JAMES LOUGHEED: Well, I know of nothing to the contrary. I understand that to be the intention of the Government.

At six o'clock, the Senate took recess.

The Senate resumed at eight o'clock.

Hon. HEWITT BOSTOCK: Honourable gentlemen, in approaching the question that is now before this House, we do so from the point of view that this country should put forward every effort to further to the utmost the prosecution of the cause of the Allied nations to a successful issue, and at the same time maintain the unity of the country. The question that presents itself to the mind of every one at the present moment is as to what is the best and most effectual way of accomplishing these

objects. The Government have, by their action in bringing before Parliament this measure for the purpose of giving them the power to enforce compulsory service, told the people of the country that they do not see any other way of dealing with the situation. This country has been so fortunately placed that up to the present time they have not felt the stress or the pressure that has been felt in the Allied countries. It is only now that it is being brought home to them that if they are to maintain the part that they have played up to the present, if they are to stand by the men at the front and give them the assistance they require, if they are to put every possible ounce of force into our striking power with men, guns and munitions in order to help the Allies to win the victory for liberty, they must be prepared to make sacrifices, to give those things that they hold most dear to make the extra effort that is necessary when there comes the heavy strain, the bearing of which will help to turn the scale in favour of victory.

Before entering upon a discussion of the Bill itself, I desire to refer to a letter addressed to me which appeared in the morning Citizen of the 24th of July. I had no information beforehand that this letter was being sent to me, further than a note saying that it would appear in the paper the next morning. Therefore I was not in a position to take any action with regard to the letter at the same time that it was published, and every other honourable member of this House and the people throughout the country had an opportunity of reading that letter just as soon as I did. The letter appeared in the Ottawa Citizen and in the Manitoba Free Press on the same day. I have not seen the papers from the Pacific coast, but would not be at all surprised to find that it had been published there at the same time. When I saw the letter it was impossible for me to reply to it or to get all the papers in which it probably appeared. I thought the best way in which I could answer the statements made in that letter was by addressing myself to the matter before this House. The letter read as follows:

Ottawa, July 23.

Hon. Hewitt Bostock, the Senate, Ottawa:

My Dear Bostock,—Will you permit an onlooker to respectfully express his views on the present grave crisis in the affairs of Canada.

As the leader of the Liberal party in the Senate you will shortly be called upon to deal with the Military Service Bill. You and your colleagues will be faced with a grave responsibility.

Hon. Mr. BOSTOCK.

The world is in the final stages of a death grapple. No such dire and fearful tragedy has ever before occurred in the known history of mankind. The forces of tyranny and reaction throughout the world have rallied for a last desperate struggle. This fate of liberty, human rights and free modern civilization are at stake. The issue is still altogether undecided and hangs in the balance.

We have 80,000 men in the fighting line. It is not more than our share. Their numbers are being daily diminished by death and the casualties of war. They are driven to the utmost of their physical powers by lack of reserves. Our reinforcements are almost exhausted.

All That Matters.

I am confident that I voice the sentiments of many thousands of Canadians when I say that at this supreme moment we care nothing for Borden or Laurier, Conservatism or Liberalism. The overwhelming importance of the crisis absolutely obliterates all considerations of persons or parties. The only thing that matters is:

1. To put every possible ounce of force into our striking power with men, guns and munitions in order to help the Allies to win the victory for liberty.

2. To stand by our men at the front and give them abundant reinforcements and reserves to admit of rest and recuperation.

3. To maintain the honour of Canada and redeem our pledge to see the war through to the limit of our capacity.

In common with many others, I had hoped that Sir Wilfrid Laurier, if he could not join a union government, would agree to an extension of the life of Parliament so as to permit the Borden Government to get on with its war policy. To the profound regret of many thousands of his best friends, he has decided upon another course. I have no criticism to offer upon his course, nor anything except respectful sympathy for the difficulties of his position.

Issue is Conscription.

The facts, however, must be squarely faced. The meaning of Sir Wilfrid's attitude, and that of his principal supporters in Quebec, is that they have determined to force an election on the single issue of conscription. Read the speeches which are daily being delivered and you will find that their policy in effect is:

1. No conscription.

2. No more men. No more money.

If Sir Wilfrid is returned to power in the approaching election, two-thirds of his followers in Parliament will be pledged to the hilt against conscription and pledged to the hilt against any but a perfunctory and ineffective participation in the war. Then:

1. There will be no conscription.

2. There will be no recruiting in Quebec.

3. Under these circumstances it will be obviously impossible to raise troops in the other portions of Canada. Imagine a Laurier Government trying to raise troops in the other provinces, while Quebec scornfully refuses either to submit to conscription or to recruit.

4. Our regiments at the front will be left stranded and will dwindle and disappear as an effective fighting force.

Will Allow No Prosecution of War.

The predominating and controlling element behind Sir Wilfrid Laurier will not allow him

to prosecute the war. No one who has the slightest experience of Parliamentary Government in Canada can honestly gainsay this conclusion.

It is said that a great effort is to be made to unite behind a solid Quebec all the elements in the population who are hostile or lukewarm in regard to the war, together with certain of the larger business interests who feel that conscription will interfere with their operations. Thus a determined effort is to be made to return Sir Wilfrid to power.

What will be the result of this effort if it succeeds? How is the war to be carried on with vigor by a parliamentary party which is controlled by a hostile majority?

To ask these questions is to answer them. With Sir Wilfrid in power the anti-war party of Quebec will dictate his policy. It is dictating his policy now.

It is said that the Government has made many mistakes. Probably it has. All the other war Governments made mistakes. To err is human. It is said that more skilful piloting would have avoided this crisis. Perhaps it would. It is hard to say. On the other hand, it is alleged that Sir Wilfrid Laurier, had he chosen to do so when applied to, could have found a way out of the difficulty. It may be so. It is easy to criticize.

Face to Face With Facts.

What is certain is that none of these things matters now. We have to face facts, not theories. The issue is simple. Either:

1. We put our whole strength into the war, or

2. We abandon our men at the front and dishonor our solemn obligation.

I will go further. The decision of this issue will determine, once for all, whether Canada is a nation, dominated and held together by a national will, and a national sense of honour, or is a helpless aggregation of sectional communities, held together only by time-serving considerations of sectional interest.

If anything in this troubled world can be absolutely clear, it is clear to-day, that we can grapple with this situation in one way and in one way only, by the formation of a union war government, administered on non-partisan lines, which will straightway appeal for a mandate to the people of Canada, and can consistently be supported by every element in the population that is loyal to the cause.

Germany is fighting desperately to wear out the fortitude of her opponents. If she succeeds, the peace will be inconclusive. It will be no peace for us, but the beginning of an intolerable strain of constant preparedness for war.

We are not fighting for sentiment, for England, for Imperialism; we are fighting for the rights of ourselves and our children to live as a free community.

Shall Canada be the first of all the allied nations to slink from the field? Let us realize the position now. It will be no use to wake up when it is too late.

Yours faithfully,
(Signed) Clifford Sifton.

I think that everybody in this House can agree with a number of the statements made in that letter; but there are certain statements contained in it which are not founded on fact, and to these I want to draw the attention of honourable gentlemen. One statement is:

The meaning of Sir Wilfrid's attitude and that of his principal supporters in Quebec is that they have determined to force an election on the single issue of conscription.

There is the further statement that "no more men and no more money" are to be supplied.

The statements referred to are possibly statements that have appeared in a number of papers in Quebec and have also been voiced on several platforms, but to say that Sir Wilfrid Laurier himself is responsible for those statements—that he has said that no more money and no more men are to be given in the event of his being in the position to control the affairs of this country—is not correct, and I think those statements should be refuted. Sir Wilfrid Laurier is desirous of doing all he can to assist in the war and to help the country to do its very best in that respect, but he is not prepared to force upon the country this policy of conscription without giving the people an opportunity of expressing their opinion on it. That is an attitude with which, I think, the country will agree. He considers that the people have a right to say what shall be done in regard to such a proposal, which is the result of a change of policy such as was not expected a few months ago.

The further statement in this letter, that there will be no recruiting in Quebec and that under the circumstances it will be obviously impossible to raise troops in the other portions of Canada, I do not think is in any way justified. The Government has said that the limit of recruiting has been reached, but there has been a great deal of discussion in the House and in the country on this very question. The methods that have been adopted have been, to a great extent objected to, and it is an open question whether everything that could be done in the way of obtaining recruits by voluntary enlistment has been done up to the present time. The statement is made that it will be obviously impossible to raise troops in other portions of Canada if troops are not to be raised in Quebec—that the people in the other provinces of Canada would not be prepared to do their part if such a thing were to happen—which I do not admit would happen—as that Quebec would refuse to do her part in fighting the country's battles. The question of how much recruiting has been done in Quebec is not one which I propose to take up now. The figures in regard to that have been given in another place, and honourable

gentlemen can form their own opinion. But I will say this, that the French-Canadian regiments that have gone to the front have given as good an account of themselves as any of the other regiments who have gone from Canada, and I am sure that the men from Quebec who have fought in Flanders and in France would be only too glad if they could see a great many more of their fellow-countrymen coming over to assist them.

There is not a predominating and controlling element behind Sir Wilfrid preventing him from prosecuting the war along reasonable lines. He is anxious to do everything he can to help the country and to uphold its integrity and honour, and it is not right to say that he is being dictated to by an anti-war party in Quebec, who have been known for a long time to be opposed to Sir Wilfrid and his policy, and who did most to oppose him when his naval policy was before the country. In the election of 1911, the Hon. Clifford Sifton himself took a great part in opposing that policy. For the purpose of opposing the Liberal party at that time he used the whole organization that he found in the province of Quebec, the Nationalist organization, which was opposed to sending any men to fight in the battles of the British Empire. Had the naval policy of Sir Wilfrid Laurier been carried out we should have had ships not only on the Pacific but also on the Atlantic, ready to take part in the defence of the coasts on both sides of the country. Not only that, but we should have had shipyards in operation and have been in a position to attend to the building of ships, which at the present time is a most important matter for the whole British Empire. If, at the time the war broke out, we had had ships on the Pacific ocean, we should not have been dependent, as we were at the time the war commenced, upon Japan for our defence against a possible raid by the German ships then in the Pacific. One of the great factors in defeating that whole policy was the stand taken by Sir Clifford Sifton at the general election of 1911. That is a fact with regard to the writer of this letter which honourable gentlemen should bear in mind.

The further question raised in that letter with regard to a union government is one that has been discussed a great deal in the country. At the time when it was found impossible for the leaders of the two great parties to unite to form a coalition government, when it was found that they could not agree, that the Prime Minister had not considered asking the leader of the Liberal party to join him in a coalition government before he adopted a principle to which the leader of the Liberal party could not assent, the only method of arbitration left was an appeal to the people; and, in my opinion, the only way in which this whole question can be settled is by an appeal to the people. The question has been taken out of the hands of the Senate. The Senate has had nothing to do with deciding the question of the extension of Parliament. The matter has been settled in another place, and there is to be an election before many months.

With regard to the Bill now before the House, I think it would be advisable to compare the way in which the question of conscription has been dealt with in this country and the way in which it was dealt with in England. Honourable gentlemen have probably assumed that Englishmen raised no question about conscription. When the war began conscription was just as foreign to the ideas of an Englishman as it is to any man in this country today. No one ever thought that the British nation would be obliged to have recourse to conscription in order to carry on the war. It was not realized at that time that England would be engaged in a war such as this war has turned out to be. But when the British Government had to face the situation, when they found voluntary enlistments were not sufficient to provide the number of men it was necessary to obtain, they took steps to educate the people to the necessity of conscription. In January of 1915 the question was first brought up in the House of Lords by Lord Middleton, and was then discussed and carefully considered. This was the first announcement to the country that the question might have to be taken up later on, and it had the effect of educating the people of the country to the necessity of what was coming, or of what they might expect.

Honourable gentlemen will remember that it was in May, 1915, that the British Government, headed by Right Hon. Mr. Asquith, came to the conclusion that the only way to carry on the business of the country was to form a coalition government. Mr. Asquith went to the leaders of the Conservative party, the Right Hon. A. J. Balfour, the Right Hon. Bonar Law, and others, and to the leaders of the Labour party, and likewise tried to get Mr. Redmond, the leader of the Irish party, to join him. In this latter effort he was unsuc-

cessful, but he got all the leaders of the other two parties into the Government with him.

It was not until October of 1915 that the question of conscription was brought up in the British House of Commons, and the Derby system of enlistment was introduced. Later the Compulsory Service Bill was brought forward and became law. Even then, after all this preparation, there were found in the British House of Commons a number of men who were opposed to conscription. The then Attorney General, Sir John Simon, resigned his seat rather than vote in favour of conscription, and some forty other Liberal members in the House at the time voted against it. I mention these facts to show honourable gentlemen that this question is one that agitates the minds of the people very much, not only in this country, but also in England, where they have had the evidence of raids and of bombardments which would bring home to the people, a great deal more strongly than anything we have had in this country, the necessity of being prepared and of putting forward their very best efforts for the purpose of carrying on the war.

But when we come to consider the action of this Government in dealing with the question of conscription, we find a very different state of affairs. Even as late as April of this year a question was asked of the Minister of Militia in the House of Commons, which reads as follows:

> In view of the position taken by the Government through the Premier last year that they were emphatically not in favour of conscription, and of the letter of the Minister of the Interior published in the Western United States and advertisements by the Interior Department to the effect that conscription was not deemed either advisable or necessary to Canada, I would like to ask the Minister of Militia and Defence whether it is the intention of the Government to change their policy in regard to enlistments and provide for a policy of conscription, or whether they intend to put in force compulsory the provisions of the Militia Act.

The answer given at that time to the question by the Minister of Militia was:

> The question to which my hon. friend refers has not yet had the consideration of the Government.

Yet on the 18th of May, only a few weeks later, the Prime Minister, speaking in the House of Commons, on his return from attending the Imperial Conference in London, announced his policy of compulsory service. The contrast between those two methods of dealing with the people and bringing home to their minds the necessity of this action is very striking.

In 1916, when the question of an extension of the parliamentary term had come up, the Prime Minister stated that there was no intention of adopting conscription, and Sir Wilfrid Laurier, in replying to him, also confirmed the idea that there would be no conscription. Extension of time was granted unanimously by the House, and it is only fair to assume that the people throughout the country considered that there would be no conscription, at any rate until the Prime Minister found it necessary to tell the country that he had evidence that a change would have to be made.

Then, further, in connection with this matter, and as showing that the minds of the people had not been prepared for this question, I may remind honourable gentlemen that while the Prime Minister was in England, the United States had decided to come in and do their share in fighting the battles in Europe. The effect of this is, of course, that a very large number of men will in time be prepared to go, and will be shipped to Europe as soon as transportation facilities will permit of their being sent. Therefore, there was an opportunity for giving the people of this country a chance to discuss this question and arrive at a conclusion as to whether they could by a further determined effort raise more men by voluntary enlistment, or whether they desired that a conscription Act should be put into effect.

From the figures brought down to the House in reference to recruiting, it is fair to maintain that, provided the Government have made up their minds that they will maintain four divisions at the front, they have enough men on the other side of the Atlantic at the present time to maintain those four divisions at their full strength till the middle of November. At the present time they are obtaining by voluntary enlistment over six thousand men per month, according to the figures of the last six months. Of course, there is a certain amount of wastage in these figures, and further, the men so enlisting go into all branches of the service. It should have been the aim of the Government, in view of the splendid service that has been done by the Canadians at the front under the system of voluntary enlistment, to have maintained this system up to the very last minute.

When the United States agreed to allow recruiting in their country for the Canadian army, the Government should have established a proper system of recruiting depots throughout the country. At the present time, according to the United States

census of 1910, the white population of foreign origin in the United States of French Canadian parentage amounted to 932,238; the population of other Canadian parentage, including Newfoundland, amounted to 1,822,377; making a total of 2,754,615. The foreign-born population of the same date was: French Canadian, 358,083; and other Canadian, 819,554. The total was 1,204,637. Taking these two totals together, we have 3,959,252. I think it is fair to assume that, if the Government established an energetic and enthusiastic recruiting campaign throughout the New England States, where this population is mostly located, as well as in other parts of the States, they could at least obtain recruits amounting to one per cent of these figures, or, roughly, 40,000, between now and the end of the year. This is saying nothing of the English, Scotch, and Irish population in the States, some of whom at least might be prepared to enlist in this way, and who, according to the census of the United States in 1910, amounted to: English, 2,322,442; Scotch, 659,663; Irish, 4,504,360. The recruiting in the States can be carried on on thoroughly business lines, the men as enlisted and passed sent over to Canada and outfitted, and then forwarded to England for their training. The work so far done by the one office that has been established in Chicago, and the men that were raised by Colonel Guthrie when recruiting for his battalion in Boston, is an assurance that very useful results can be obtained. And without giving any definite figures, I make the statement that enough men should be obtained in this way to keep up the necessary supplies of men until the end of February or the first week in March of 1918, without in any way detracting from the efficiency of the four divisions now at the front. And this is without taking into account the men who may be enlisted in Canada during the same period. The Government is not therefore so pressed for men and the opportunity for enlisting more men that they cannot, now that they have to go to the country, defer putting this Bill into operation until after the time that the people have had an opportunity of expressing their opinion at the polls.

It further seems from these figures that between now and the end of the year the Government should be able to obtain as many men as they can conveniently arrange to transfer to England. It must be borne in mind further, that the question of housing men in this country in the winter is not by any means an easy one. Although as many as 100,000 men can possibly be easily handled during the spring and summer and fall, no such number of men can be provided for during the winter with any degree of satisfaction or with comfort to the men themselves. Moreover, the ships to transport those men must be arranged for in conjunction with the United States.

It may be well to recall the operation of the draft system in the United States during the Civil War and the consequences of the introduction of that system as reflected in the volunteer figures. The Confederate attack on Fort Sumter began on April 2, 1861. The North at once called for volunteers, and during the first eighteen months of war no fewer than 679,000 men responded. But at the beginning of 1863 the enthusiasm had almost died away. There was grave discontent in the North; the Confederates were outplaying the Union generals, and it began to look like an ultimate triumph for the Confederates. Desertions were common, too, and, after two more calls for volunteers, conscription was put into force. The law was passed on March 3, 1863, and under it all men from twenty years of age to forty-five were declared to constitute the national forces and liable to be called upon for military service. The exemptions were as usual. The bachelors of military age and married men between twenty and thirty-five were called first. At the second call married men from thirty-five to forty-five were taken. But before the law was put into effect each section of the country was given a quota of men which it was required to raise. The effect of this provision was remarkable. Although volunteering had practically stopped when the draft law was introduced, the measure stimulated it to such an extent that no fewer than 1,075,538 recruits joined the ranks voluntarily. The draft itself produced only 168,649 men! Had the Government, when they started recruiting, divided the country into districts in this way, and told each district that they would be responsible for a certain number of men, and given them the opportunity of raising that number of men, and placed them in a position that there would have been a certain rivalry between those different districts to obtain the men, and the battalions representing those men at the front, before they put into force this question of conscription, I think that we would have seen a very different result from what we see to-day.

Hon. Mr. SPROULE: Is the honourable senator aware that that was the very course that was adopted, in Ontario at least?

Hon. Mr. BOSTOCK: Not as far as the West was concerned. If that was so in Ontario, it certainly was not done in other parts of the country, because one of the greatest troubles about the whole question of recruiting was that at the start men came from the West in battalions, and they were all broken up and turned over to other regiments of which they and their friends in the West knew absolutely nothing, with the consequence that they very largely lost the interest which they had had when they left the West, and there was not the enthusiasm to keep up the recruiting. Nor were there proper reserve battalions to send forward to fill up the ranks of other battalions as they were required.

The leader of the Government this afternoon stated as his personal view that he would put this Bill in force at once. That is not in line with what we have been led to suppose was going to be done, for the Prime Minister, when he made his proposal for the formation of a coalition Government, agreed to the statement that the terms were:

That a coalition Government should be formed.

That the Military Service Bill should be passed.

That a pledge should be given not to enforce it until after a general election.

That Parliament should be dissolved and a coalition Government should seek a mandate from the people.

Hon. Sir JAMES LOUGHEED: Yes, but Sir Wilfrid did not accept that proposal.

Hon. Mr. DANDURAND: But it was the proposal at the time.

Hon. Mr. BOSTOCK: That was the proposal made at that time by the Prime Minister, and I do not think the Prime Minister has ever made such a definite statement as my honourable friend made this afternoon as to the putting of this Bill into effect immediately.

Hon. Sir MACKENZIE BOWELL: He did not make that statement on the part of the Government; he made no such statement on the part of the Government. What he said was that if he had his own individual way it would be put in force.

Hon. Mr. BOSTOCK: Exactly, but we are interested in knowing what the Government was going to do about this matter.

Hon. Sir JAMES LOUGHEED: Pass the Bill first, and then we will tell you what we are going to do.

Hon. Mr. BOSTOCK: My honourable friend looses sight of the fact that the position he took this afternoon is a very autocratic position—and the battle we are fighting to-day is a battle as between autocracy and democracy. If we are fighting for anything, we are fighting against autocratic government, a Government that tells the people exactly what they have to do and what they have not to do; and we are fighting for the liberty of the people, and for the right of the people to have a say as to how they shall be governed and what laws shall be passed.

Now, I would like to refer honourable gentlemen to the speech that was made by the Right Hon. A. J. Balfour, when he addressed both the Senate and the House of Commons on his visit to Canada. He used these words:

> Ever more clearly as the months go on, it becomes evident that this is becoming a world war between the powers of democracy on the one side and the powers of autocracy on the other side. We in this room, whatever shades of differences may separate us, can in such a contest take only one side. We can only be on the side of democracy. We are convinced that for every human combination who have reached the degree of civilization and development that has been reached by all the great western communities there is but one form of Government, under whatever name it may be called, and that is the government in which the ultimate control lies with the people. We have staked our last dollar upon democracy, and if democracy fail us we are bankrupt indeed. But I know that democracy will not fail us.

These words used by the Right Hon. A. J. Balfour in his speech to the Senate and the House of Commons when he visited Canada express better than I can the attitude in which the Liberals face the situation that now confronts the country. We on this side of the House are prepared to trust to democracy, to trust the people that they will realize that the honour of their country is in their own hands, and at an election they will have an opportunity of saying what they want done, what policy is to be pursued.

I have therefore pleasure in moving, seconded by the Hon. Mr. Power:

> That to the motion for the second reading of the Bill, after the word "time" the following words should be added, "with the understanding that this Bill will not come into force until after a general election."

Before I sit down I want to say that in voting on this Bill it is understood that honourable gentlemen on this side of the Chamber are free to vote as they think best. This is such an important matter, about which there are wide differences of opinion

both in Parliament and in the country, that every one should act according to the dictates of his own conscience, as he thinks best in the interests of unity.

Hon. FREDERIC NICHOLLS: Honourable gentlemen, I am very sorry that my honourable friend, the leader of the Opposition (Hon. Mr. Bostock) did not make out a better case. I have heard him to much better advantage. So far as I was able to understand his remarks, they were largely in the nature of apologies for the action that had been taken by the leader of the Opposition in the other House and the section of the party behind him. I cannot recall that I ever knew the motto "Qui s'excuse s'accuse" to be better exemplified than by the speech of the honourable the leader of the Opposition. It was nothing but apologies from start to finish, and there was no note of true Canadianism struck.

I am strongly tempted to speak at length, but I believe that I can best serve the country and the men at the front by doing nothing to delay the passage of this Bill and the consequent sending of reinforcements to the front, and will therefore only occupy the time of this House for a few brief minutes. One day's delay may mean a battle lost, and the loss of one battle may mean a list of casualties that will bring grief and sorrow to many a Canadian home, and mayhap bring sadness to honourable members of this House whose best and bravest are in the far-flung battle line. To prevent such an untoward occurrence we should be willing to set the hands of the clock around so as not to delay for one moment the passing of this Act. Do we not know that Russia has failed us at the critical moment? Do we not know that France, to use a popular expression, has been bled white? Do we not know that every available man in England is in khaki, and do we not know that, if the motherland and the Allies are defeated, this Canada of ours of which we are so justly proud will come under the domination of the mailed fist of Prussian autocracy?

There is an old Turkish proverb which says, "The night is pregnant with the morrow; God knows what the dawn may shine upon." We all know, however, that the dawn will shine on our brave troops fighting and dying for the protection of our country, fighting and dying for the protection of those at home who are heedless to their cry, "Send reinforcements or we perish." We know all that, but God alone knows if the dawn may shine on these same brave troops being done to death by superior numbers because of the lack of reinforcements which did not come, and—I say it with sorrow—which certain sections of our community have hesitated to send. Shall we desert those brave troops at the eleventh hour, or shall we flash across the ocean the inspiring news: "the Senate of Canada, the last parliamentary court of decision, has said, and said promptly, that the cause you are fighting for is your country's cause, and your country and your fellow-citizens will stand by you to the last man and to the last dollar"?

Honourable gentlemen, we are of mature age; most of us are past our prime, and the shadows of the evening of our lives are growing longer. Have we not reached the time when national aspirations should be placed above political and racial considerations? Our patent from His Majesty the King, if I remember correctly, reads as follows: "Know ye that as well for the special trust and confidence we have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and the defence of our Dominion of Canada concern." Who can deny that the first line of defence that may concern the Dominion of Canada is the first line of defence in France and Belgium? We know this on the authority of no less a person than General Lord French, who said that the Canadians had saved the situation, that they had held back the Huns from Calais and mayhap had saved Great Britain from invasion. Honourable gentlemen, those brave troops are our own flesh and blood; many of them have made the supreme sacrifice; many are halt, maimed and blind; and is there a man with soul so dead whose blood does not warm and his pulse quicken when he reads the tales of their heroism? A mile of an advance is a mile nearer peace and the liberty of the world; a mile of a retreat is a mile nearer humiliation and our self-effacement as a patriotic and liberty-loving Dominion.

I have no more to say. The time has passed for words; it is the deed that will live in history that counts; and I hope and believe that the deed soon to be recorded in this House will be of such national patriotic import that when it is read of by future generations, our children and our children's children will be unashamed.

Hon. WILLIAM ROCHE: Honourable gentlemen, in his speech this afternoon the

leader of the Government stated very truly that Great Britain had declared war on Germany on the 4th of August, 1914. He said that Canada is a dependency of Britain, and that mechanically we were at war when England was at war. I do not know whether Canada was consulted; it has not been disclosed to us whether the sense of Canada was taken before Great Britain declared war. The argument of the leader of the Government this afternoon proceeded on the assumption that Canada was a sovereign state. Canada has none of the characteristics of sovereignty; she can make no coinage; she can make no treaties; she can make no war; and she can make no peace.

Hon. Mr. DANIEL: How about the French treaty?

Hon. Mr. ROCHE: The treaty that the honourable gentleman speaks of was negotiated by the British Government.

Hon. Mr. DENNIS: What about the mint?

Hon. Mr. ROCHE: Every intelligent man knows the difference between a militiaman and a regular soldier of the King. The militiaman is a volunteer. The militia is a sort of police to prevent internal disturbances, and if necessary to repel any invader who comes to our shores. The conscript is a regular soldier of the King, and the King alone can call him out; he has to go wherever the King commands him to go, and there is no limit to his term of service. The conscript is subject to the provisions of the British Army Act, and he is officered, very probably, by officers of the British Army. This is not a levee en masse, where everybody is called out. It is quite true that the State can command every citizen in time of invasion; but the people can turn out of their own accord; they can go in force to repel an invasion; they can oppose any invader without the Government, without a popular Government, or without that autocracy which was outlined by the honourable the leader of the Government this afternoon, which autocracy is more absolute than that of Louis XIV., and on a par with that of the Kaiser. The Kaiser talks of "Me und Gott;" but now it is the Government that is independent and omnipotent, and that can call out every man.

Who has shown the necessity for this Bill? Who has shown the supreme exigency which necessitates so severe and extensive a measure? Who has shown that the troops are in dire extremity, that they are dying, as my honourable friend has said? In the newspapers we read of continual advances. Are we not told that our soldiers are succeeding everywhere and that the enemy are defeated and disheartened, that they have lost all morale, and in fact that they are on the verge of destroying their own Government and setting up a Government by the people? Who has shown the need? Has the leader of the Government shown it? Did the leader of the Government in the other House show it? There was not a word said as to the dire necessity which was depicted to us in such graphic language by my honourable friend opposite this afternoon.

What is this Bill? I am not competent to go into the details of it with all its categories, its classes and subclasses interlacing one another, and its provisions for a great staff of officers and officials. There is one item of benevolence in this Bill. It aids a poor, obscure class, the lawyers. Some poor wretch will be marked out and will probably be dragged to the appeal court, and if he has any money behind him he may succeed, but the benevolent class, the lawyers, are provided for in the Bill.

Then, there is the administration of the Bill. Who can be selected? Who may be exempted? He may be exempted who has friends enough to guard against his being brought to the recruiting officer or the barracks, or whatever it may be. There may be the opportunity, which has always offered under every system of conscription in every land, for the people to mark out victims of conscription and make them go with the other soldiers when, perhaps, with lenient management they might show some claims to exemption.

Then there is the enforcement of the Bill. Some honourable gentlemen do not know what the enforcement of such a Bill means, because they have not lived in times of war. There is the picketing of the people, there are the press gangs—this Bill provides for recruits in both the army and the navy; there is the billeting of the soldiers on the inhabitants, and there is the clause to put down the people if they show any resistance to this Bill. So much for the Bill.

As has been recited by my honourable friend in his very eloquent speech this afternoon, Canada has contributed immense sums of money—millions more than we know about or can afford to pay. The Finance Minister has cudgelled his brains to find out new objects of taxation, new sources from which to derive revenue. We are taxed by municipal government, we are taxed by local government, and we are taxed by the Dominion Government. If we

have money in the bank we are taxed on that; if we have profits we are taxed on them; if we have a business we are taxed on it. By means of taxation revenue has been drawn from every source, and we are to go on indefinitely, according to the programme laid out by my honourable friend who has just spoken (Hon. Mr. Nicholls). There is to be no limitation as to what can be done in the way of taxation, except the utter inability of the people to pay, and the utter bankruptcy of the country.

It was proclaimed that we should have no more truck nor trade with the Yankees, and yet we see the spectacle, which calls forth laughter from some people and regret and sorrow from others, our Minister of Finance making sundry trips and begging of "Brother Jonathan, dear Brother Jonathan," to brew his hands in blood and lend us a little money to help us out of the hole.

In the course of his speech the other day, the Prime Minister said that there were 1,500,000 eligible men in Canada who were subject to this Bill and who might be selected for conscription. I invite the attention of the honourable the leader of the Government to this point, that this afternoon he called everybody who did not go to the war by opprobrious names: traitors, slackers, cowards, and other offensive names. Apply those epithets to the 1,500,000 people, if you think they deserve them, but remember that the 1,500,000 people have a means of resenting that. We should speak respectfully of people when in a month or two we may be on our knees asking for their votes and their approval of our conduct. I say, and I think it is a reasonable declaration, that when there are so many eligible men in the community who have not gone and do not wish to go and fight, that this measure, which is so extensive, so far-reaching—a measure without limitations—ought to have the sanction of the people behind it. It ought to be known whether the people approve of a measure of this kind before the country is committed irremediably to this Herculean exertion which my honourable friend calls upon us to bring into effect. I should like to know what right I have, who do not want to go to the war, to say to my neighbour: "You shall go to the war and lose your life." I know of no social or civil right by which a man can say to his neighbour: "You shall lose that which is most precious to you in the world. Give up your life; I do not want to lose mine, but you shall give up yours." It has been said eloquently this afternoon, and with rhetoric and declamation elsewhere, that these men in the trenches, our own men, the 400,000 who have gone overseas of their own free will, sent and paid by Canada and for whom Canada is providing hospitals, pensions, and, where necessary, other assistance—that that has been the most splendid contribution that has ever been made by any dependency to a parent state. Do those 400,000 men, with their piercing voices, call upon us to send over to them—what?—reinforcements?

Some Hon. SENATORS: Yes.

Hon. Mr. ROCHE: No. Conscripts. That is what you are going to send over to them.

Hon. Mr. MURPHY: Reinforcements just the same.

Hon. Mr. ROCHE: Hear them coming down the street. Look at the sad, despondent faces. Look at the armed guard with their glittering bayonets around them. Listen to the sobs and cries of the women. The conscripts, torn from their homes, to listen to the commands of officers whose language they do not understand, giving up all their prospects in life, all they hold dear, going over to a foreign land to give up their lives, and to be put under officers who will regard them as only food for powder—as inferior beings, the Helots to the front!

Who are the most vociferous of these people? Gentlemen from the old country largely. I beg pardon of the honourable leader of the Government—for I think he was as loud this afternoon as any of them. Who hounds the Canadians to the front, to go and fight and lose their lives, while they themselves sneak into snug billets and laugh at the credulity of their dupes? Who are the most vociferous? The newspapermen, the clergymen, and certain orators that we have. But the sensible people of the country, the thinking people, do not approve of conscription. It is the surface current, which is clamorous and violent and overpowering, that goes for conscription in this country, and it is the sober, common-sense people of the country who are not in favour of it. That is my assertion. But be that as it may, the people should decide the question whether, by a measure so extensive as this, men shall go to the front as conscripts.

In a speech on the resumption of negotiations with Napoleon, at a very dreary time in the history of the British Empire, when the Bank of England had failed and the

resources of England were very low indeed, and when it was stated that it would be desirable to have a peace with France, William Pitt once said that war should go no further than the consumption of the available resources, but when any of the radical resources of the country were touched, then an honourable peace, if obtainable, should be sought. Gibbon, in his account of the Decline and Fall of the Roman Empire, designated as one of the principal causes the immense taxation which was placed upon the empire as a consequence of its foreign wars. We know that in our own hemisphere the taxation which was imposed upon the Thirteen Colonies on account of the French war, which was so long conducted, was the cause of the disserverance of those colonies from the Empire. Great Britain lost the brightest jewel in her crown as a consequence of unlimited taxation. Some British statesmen said, in something like the language we have heard to-day: "Oh, a peppercorn of acknowledgment of the sovereignty of the state is worth a great deal more than the warm affections of the people of America." In consequence, the United States of America, which is a world-power to-day, was lost to Britain forever.

Russia is the coming antagonist of Great Britain. Russia is the rival—

Hon. Mr. DENNIS: The honourable gentleman, in his speech on the Naval Bill, four years ago, said that France was the coming antagonist of Great Britain. The honourable gentleman seems to have changed his opinion.

Hon. Mr. ROCHE: The two opinions are quite consistent. My honourable friend is quite a stickler for consistency. I will show that they are both going to be antagonists.

Hon. Mr. DENNIS: Both?

Hon. Mr. ROCHE: Will that suit the honourable gentleman? Russia stretches from Poland to the Pacific ocean. Her frontier is along by India. She covets India. She has half a suzerainty over Persia. Her armies are pushing on in the Caucasus and Mesopotamia. Russia, from the great changes in her government and the violent reverses in her policy, will have the British Empire as its antagonist in the future. You may say that is only the opinion of an obscure person from Halifax; that opinion is isolated, and confined to one person. Napoleon, one of the most far-seeing men that France ever had, said: "In fifty years Europe will be either Cossack or Republican. If I had succeeded in Russia, Europe would have given law to Russia. I failed, and Russia will give law to Europe." That is French opinion. Now let me give you English opinion. I will give you the opinion of a nobleman who was most assertive of British rights, one of the greatest statesmen England has possessed since Cromwell or William III. What is his opinion on the subject? He cannot be accused of being a traitor or a slacker, or being unfriendly to the British Empire. Lord Palmerston was a nobleman who was for twelve years Secretary of War and twice Prime Minister of England. Addressing Lord John Russell, he said:

My dear Russell:

It was dishonest and unjust to deprive Denmark of Schleswig and Holstein. It is another question how these two duchies when separated from Denmark can be disposed of best for the interest of Europe. I should say that with that view it is better that they should go to increase the power of Prussia than that they form another little state to be added to the cluster of small bodies politic which encumber Germany, and render it of less force than it ought to be in the general balance of power in the world.

Prussia is too weak as she now is ever to be honest or independent in her action; and with a view to the future, it is desirable that Germany in the aggregate should be strong in order to control these two ambitious and aggressive powers, France and Russia, that press upon her west and east.

As to France: we know how restless and aggressive she is, and to break loose for Belgium, for the Rhine, for anything she would be likely to get without much exertion.

As to Russia: she will in due time become a power almost as great as the Old Roman Empire. She can become mistress of all Asia, except British India, whenever she chooses to take it; and when enlightened arrangements shall have made her revenues proportioned to her territory, and railways shall have abridged distances, her command of men will become enormous; her pecuniary means gigantic; and her power of transporting armies over great distances most formidable.

Germany ought to be strong in order to resist Russian aggression, and a strong Prussia is essential to German strength. Therefore, though I heartily condemn the whole of the proceedings of Austria and Prussia about the duchies, I own that I should rather see them incorporated with Prussia than converted into an additional asteroid in the system of Europe.

Yours sincerely,

(Signed) Palmerston.

Hon. Mr. POIRIER: May I ask the honourable gentleman if those are his own opinions?

Hon. Mr. ROCHE: I say, with regard to Russia, that is the outline of the future by that eminent statesman, the most enlight-

ened and farseeing man of the time; and I say this, that England is not wise in jeopardizing her resources, in spending all her accumulated wealth, and depleting her armies and man power when she may be brought face to face with a world-power like Russia, and when, in addition to that, the only power that has the standing army in Europe to hold off Russia may be an ally of Russia against her. What is this country's first line of defence? Is it, as gentlemen say, away off in France? I say no. Our first line of defence is the Atlantic ocean. Our second and our third and our fourth lines of defence are those very men whom you are going to conscript and send away, to lose their lives and be left in those long trenches in the north of France and in Flanders where "in one red burial blent" the unforgotten dead lie.

The purpose of this Bill, as candidly announced by some honourable gentlemen, is that Quebec is to be coerced, because Quebec has not rendered a sufficient contingent; that Quebec is to be forced, if necessary, with armed troops, to provide a sufficient contingent. Let me tell the honourable leader of the Government that there are other provinces as opposed to conscription as Quebec is, and then when the opportunity is given to the people to speak out, they will manifest their condemnation of it. If they do not, if they say they want conscription, we shall all fall in with it; but if the present designs were carried out with armed force upon a reluctant people, would it not be a melancholy spectacle to celebrate the fiftieth anniversary of Confederation in the blood of our fellow citizens? Is that the holocaust that we seek? Is that the supreme sacrifice? Is that the consummation that is held out before us? Civil war in Canada, in order to carry out the programme of liberty, Christianity, and democracy in Europe? I do not know what "democracy" does not mean. I heard the Right Hon. Mr. Balfour the other day, when he wished to round off a period, state that the war was for liberty and Christianity and democracy. I do not know the extent or the limitations of democracy. I do not know how far the iron rule of the people will go. I like to trust to our own institutions, that we know. I am for the old régime. I am for the King in England upon the throne, King George, and the House of Lords, and the House of Commons, and in Canada the Governor General, the Senate to protect our rights and liberties, and a House of Commons that reflects the will and the sentiments of the people.

Hon. Mr. ROCHE.

Hon. Mr. DENNIS: I do not propose to take up any time in replying to the remarks of the honourable gentleman from Halifax (Hon. Mr. Roche) further than to say that the honourable gentleman's speech will be better understood when it is known that he is the Halifax agent of the Hamburg-American line of German steamers.

Hon. Mr. ROCHE: I beg to say in reply to the honourable gentleman that his statement is totally untrue.

Hon. Mr. DENNIS: Well, then, he was. He has been for a quarter of a century the Halifax agent of the Hamburg-American line——

Hon. Mr. ROCHE: More than that; but not now.

Hon. Mr. DENNIS: And that explains his whole speech.

Hon. Mr. CLORAN: The head of our Intelligence Department in Canada up to about a year ago was a German. Many of the King's relatives are Germans.

Hon. RAOUL DANDURAND: Honourable gentlemen, as it is quite evident that the campaign which is being prepared in ministerial quarters will be mostly directed against the province of Quebec, I intend to preface the remarks which I desire to make with a short history of the people of my province, whose ideas and opinions I intend to champion in this Chamber. The honourable gentleman from Toronto (Hon. Mr. Nicholls) complained that the remarks of the honourable gentleman from British Columbia (Hon. Mr. Bostock) had not the true Canadian ring about them. I think that when I take my seat I shall not be accused of having failed to strike a Canadian note. I think that it matters little in life and in Parliament that we differ. An opinion conscientiously held is entitled to respect, and I am convinced that if we are sincere in the expression of our opinions we retain the confidence of those with whom we differ. This Bill recognizes that principle, because it exempts from its operations the conscientious objector, such as the Quaker or the Doukhobor. I may state that since the 4th of August, 1914, I have not uttered one word that could be considered a partisan word. Since the 4th of August, 1914, all my energies have been devoted to helping in this great cause. I have done my bit in attempting to recruit. I have sat with some members of this honourable House on recruiting committees and other committees which have helped in furthering the cause. It may be said when I am

through that some of my remarks will recall the old days, the ante-war days. They will, perhaps, but only incidentally. I am still in the fight, in the fight to the finish, and there is no conscriptionist who is more desirous than I am to win this war, although I am against conscription.

Very few English-speaking Canadians know anything of their French Canadian compatriots. To know them well one needs to live among them and to speak their language. Even then, if my English friend is not a psychologist or an observer, he will probably never have the occasion of knowing the feelings or sentiments of his neighbour on certain questions.

I very much doubt if many French Canadians, before the war, thoroughly analysed their own feelings towards the outside world and their sense of obligation towards it. "Know thyself," says the philosopher. This war will furnish to many the occasion for finding themselves. One is always likely to attribute to others his modes of thinking and his own sentiments. He may himself gradually, unconsciously at times, alter his own opinions, but he will always be somewhat surprised that his views are not held by everybody.

There was a call to arms in August, 1914. 33,000 men offered their services and were enlisted. When they had reached Valcartier the rumour began to circulate that there were very few French Canadians among them, and I met in many places Anglo-Canadians who were scandalized at such a poor showing on the part of my compatriots. I was told that the judgment of some of them was expressed in harsh, very harsh terms; but the resentment thus felt and expressed gradually vanished when it was learned that out of the 33,000 men in camp 28,000 were British-born, 4,000 British Canadian-born, and about 1,000 French Canadian-born.

The last figures given recently by the Department of Militia of enlisted men show 155,000 British-born and 125,000 British Canadian-born. If the latter had proportionately done as well as the British-born, he should have enlisted to the extent of 333,000 instead of 125,000. Why is there such a difference between those two groups, which claim the same ancestry, which are of the same blood? When you have found a satisfactory answer you will be in a frame of mind to understand the situation of the French Canadian. My contention is that all have enlisted in inverse ratio to the number of years which they have been in this country. The British-born has been here an average of ten years, the British Canadian-born about 60 to 70 years, the French Canadian over 250 years.

The French Canadian had already been a Canadian for over a hundred years when Canada was ceded to England by the treaty of Paris in 1763. He was called a Canadian by the French civil service and the military who came here for a time to direct the affairs of the colony. There were already between them divergences of opinion. Their points of view were not the same. The French left in 1763. The Canadians remained. Their French rulers went away and were replaced by English rulers. For the Canadians the newcomers were naturally foreigners. They had to put up with them and to resist their many encroachments and trespasses. In 1763 colonies were won to be exploited, and many of the newcomers were very exacting. The old Canadians defended themselves as best they could against the English. All contact between the French Canadians and their old mother country had absolutely ceased. Henceforth they would only turn their eyes towards Europe to protest against wrongs inflicted and to free themselves from Downing street rule. I will not recall the various features of this long-drawn struggle. They took up arms it is true, to protect their leaders against being jailed, but they also took up arms twice to repulse the invader. In 1849 Baldwin and Lafontaine at last obtained free parliamentary institutions, and from that date the Canadians of Quebec have attended to their own affairs and are perfectly happy. We have an old French saying: "Les peuples heureux n'ont pas d'histoire"—happy nations have no history. They have no history because history worth recording is generally that written in blood, and this is not conducive to happiness. Our people have lived happy and unknown. Canada was too weak to attract attention. It was such a negligible quantity that when Confederation was discussed and passed by the British Parliament we were told by prominent members of that Parliament that if we had asked for our independence we would as easily have obtained it. That was in 1866. Have you stopped to ask yourselves, honourable gentlemen, what had become of the French Canadian soul during that one hundred years which they passed under a foreign flag? They already were Canadians, mark you, in 1760. Their mother country, France, had dropped them here in the grip of a mother-in-law, and they struggled and fought

for one hundred years to free themselves from European or Downing street control and misrule. Do you think that you will find them less Canadian and more European after that experience? They have, during that long period, laboured incessantly for liberty at home. All that they possess is here. No sentimental tie binds them to Europe. The link is solely political, and so insignificant in the eyes of many of the most important men of the colony in 1849 that they sign, both English and French, the famous annexation manifesto. Among the thousand names attached to that manifesto I will mention a future prime minister, Sir John Abbott, the Molsons of Montreal, the Mackays, Sir John Rose, Hon. L. H. Holton, Benjamin Holmes, Stanley Bagg, Charles Doherty, Edwin Atwater, John Bethune, K.C., Henry Bulmer, Edward Carter, K.C., John Cassidy, Theodore Hart, and Jacob Dewitt, M.P.P. The link binding Canada to Europe was so insignificant in 1866 that many statesmen in England expressed their readiness to sever the connection.

The Empire-builders were not yet born. Perhaps some of them were in the cradle, but certain it is that their voices had not yet crossed the ocean, for the province of Quebec would have then paused before taking a first step leading towards imperialism by entering Confederation.

Interest is the measure of men's actions where sentiment does not interfere. With the senior Canadians, neither sentiment nor interest draws them outside their own country. It is idle to look in many directions for an explanation. The greatest artisan of nature, time, is the principal agent responsible for the moulding of the national soul, under all climes. 250 years in the valley of the St. Lawrence have transformed a son of Normandy and Picardy into a Canadian exclusively, a change of allegiance undoubtedly also helping in that direction. Did it take longer for the sons of Normandy and Picardy who crossed the Channel with William the Bastard to become Englishmen?

Happy and unknown were my compatriots when, in 1899, they were somewhat startled by the loud appeals of the Imperialists, led by Chamberlain, for colonial help in the South African adventure. Up to that year there had been many academic discussions as to the possibility of creating an Imperial Federation wherein the Dominions would be favoured with the honour of contributing men and money for the defence and aggrandisement of the British Empire. Some conferences had already been held in London, but nothing of any definite character had been agreed to. Our South African contribution in men and money brought home to the Canadians the responsibilities which they would have to assume in the larger association suggested, and the Nationalist movement was the result of our first participation in foreign Imperial wars. The young men who joined that movement adopted a platform the first article of which reads as follows: "No participation by Canada in Imperial wars outside her territory." Many of them were journalists, and they neglected no occasion to formulate their doctrines and their aims through the many newspapers at their disposal and at public meetings. They had an opportunity, at a by-election held in Drummond and Arthabaska, to test the feelings of the province of Quebec after the Laurier Government had, in the session of 1910, carried through Parliament the Naval Act, which provided for the creation of a Canadian navy. This was a safe riding for the Liberal party by a margin of two thousand majority and more. A Nationalist candidate was brought forward who carried the constituency by 300. This Naval Act brought into full relief the two extreme conflicting currents of opinion in Canada. The Act was bad for the Tory Imperialists, because whenever war was declared it called for an Order in Council or a vote of Parliament to put the navy under the British Admiralty, while, according to that group, in every case it should automatically pass under British control. The Act was bad for the Nationalists, because the navy would be Canadian in time of peace and Imperial in time of war.

The result in Drummond and Arthabaska showed to the Opposition the trend of thought in Quebec and how the Laurier Government could be defeated. It was realized that the sentiment in that province was Canadian and not Imperial, and the Opposition, by agreement with the leader of the Nationalist party, Mr. Bourassa, gave the Nationalists a free hand in the French counties in the election of 1911. The campaign which followed had the effect of transforming into a concrete principle what had heretofore been but a latent sentiment. It is not my object to charge the Conservative party with the creation of an exclusively Canadian sentiment in my province in financing that campaign throughout; it is simply responsible for intensifying it and crystallizing the sentiment into a doctrine. The Nationalists had no money individually, and no party fund other than the moneys

furnished to all of them by the Conservative party, and their needs were liberally provided for. Under the agreement entered into the Conservative party took charge of the English-speaking counties and the partly English and partly French counties —some eighteen in all—which remained under the immediate supervision of the Conservative organization represented by Sir Herbert Ames. The campaign in all of those counties was carried on along the same lines: the French were urged to overthrow the Laurier Government because of its naval and anti-Canadian policy, while the English-speaking electors were asked to vote against reciprocity because of its anti-British tendency. Sir Herbert Ames took from the electoral lists of those bilingual counties all the names and addresses of the French-speaking electors, and brought those lists to Mr. Bourassa's paper, Le Devoir, and paid for the service of that newspaper to those electors for the whole period of the elections. During six weeks all the counties of the province were thus appealed to. One of the main arguments heard against the Laurier naval policy was that it was the beginning of an Imperial organization which would inevitably lead to conscription, and that our young men would before long be embarked by force upon ships to go and fight upon the seven seas the battles of the Empire. The Liberal candidates gave their pledge that the Naval Act meant nothing of the kind—that enlistment in the navy, as in the army, was and would remain voluntary. Twenty-seven seats were carried in Quebec for the Conservative-Nationalist coalition with the cry: "No participation in Imperial wars! No Laurier navy nor Borden contribution to the British Admiralty!" Yes, Borden's policy was denounced vigorously by the men who on the morrow of the victory accepted portfolios from him without asking any explanation as to what was to be the naval policy of the coming Government. The Liberals carried 38 seats while proclaiming that the Canadian navy was but the development of the Canadian defence under the voluntary system of enlistment.

I recite these facts so that you may understand the mentality of the French Canadian. The Conservative party seemed to understand it thoroughly when it organized its campaign six years ago. It found a ready answer to them. Where were the leaders in that coalition leading to with diametrically divergent programmes? The ones, the many, were simply leading to power, the others, the few, towards their ideals. The idealist was the dupe of the materialist. According to Mr. Bourassa's official statement as to the basis of the coalition, the agreement was that the two parties should join their efforts to defeat the Laurier Government, and no permanent naval policy would be adopted without submission to the people. The Laurier Government was defeated, and the product of that coalition movement, the Borden Government, now submits a Conscription Bill without a reference to the people. It is quite useless to ask the question as to who is the dominant partner in that coalition Government. The Nationalist wing is at the vanishing point. When the present Government was being denounced for its hybrid formation during the debate on the demand for the building of three dreadnoughts, in 1913, the Minister of Trade and Commerce did not deny the coalition, but, pointing to the measure under discussion, he said: "Look at the child we have brought forth—it has no Nationalist features. As between Imperialists and Nationalists, who won?"

The victory had been an easy one, for most of the elected Nationalists were Conservatives who returned to the fold the day after the elections. But what about the electors who had been given the Nationalist doctrine and had accepted it? The Minister of Trade and Commerce could boast that Imperialism had won in the House of Commons, but must he not now confess that, with his co-operation and that of his party, Imperialism lost in the province of Quebec? "Anything to beat Laurier" had answered the same minister when he was asked his opinion on the Nationalist campaign in Drummond and Arthabaska.

Laurier was defeated by Nationalism supported and subsidized by Tory funds. When one has before him the above facts, he cannot but be amused at the daily tirades which he reads in the Conservative press against the slackers of Quebec? What is a slacker? It is the man who, hearing and feeling the call of duty, has not the courage or virility to answer it. This epithet does not cover the case of the man in Canada who takes no interest in European or African or Asian affairs, and who was persuaded some five years ago to go to the polls and vote against any participation by Canada in Imperial wars outside her territory. Was it not Sir John Willison, of the Toronto Evening News and of the London Times, who wired his congratulations to Mr. Bourassa on the night of the elections? How can a Conserva-

tive muster up enough courage to reproach a man on the very attitude which he urged him to assume through his subsidized Nationalist ally?

The Montreal Gazette on the 9th of this month preached a long and solemn lesson to the French Canadians of Quebec upon their duties in this war, and with feigned innocence asked if the province had not been bedevilled by its politicians. Again I repeat that the Nationalist movement did not create a sentiment in Quebec; it simply gave expression and body to it; and if I mention the Conservative party as having given its aid to that movement and as having helped to transform that sentiment into a creed, it is because a campaign of villification is being organized by that party against my province on this very question of the participation of Canada in European wars.

The Montreal Star has lately gone the length of suggesting that German money was possibly helping the anti-conscriptionist movement. It was made as an innocent guess. Against that surmise I will oppose a cold fact: the anti-conscriptionist movement received its greatest impetus at the last general elections, when candidates were lined up throughout the province of Quebec to uphold the principle that Canada should not participate in Imperial wars outside its territory. The principal owner of the Montreal Star was very much interested in the outcome of those elections, and he subscribed liberally to the Conservative-Nationalist alliance. And in the last days of that struggle Sir Hugh Graham, who has always been a most generous contributor to the Conservative party, added out of his own pocket a supplement of $2,000 to each of the 20 counties which seemed most likely to be swayed to the Tory-Nationalist column. These counties, so I am informed, were all being contested by Nationalists. In this case it was Conservative and not German money which was at the back of the anti-conscription movement.

That campaign of education, which culminated in the elections of 1911, had a special and stronger effect on one class of our population which I must specially emphasise. I have so far spoken of the French Canadians in general. I desire to speak of the young men coming out of college, of the university students, of that generation which came into intellectual contact with the world during the last decade. We all know the profound impression which our first emotions and preferences make upon our mind and soul. The young man of twenty, whose interest is concentrated within the boundaries of his own country, readily answers the question when he is asked: "Will you consent to furnish cannon fodder for objects with which your own country is not concerned?" This is the very question which has been put to him during the last fifteen years, and which he answered in the negative when he went to the polls in 1911 and voted for Nationalist candidates; and he meant to make a similar answer when he voted for the Liberal candidates and a Canadian navy.

I may be asked at this point: "Has not this young man been stirred by the Germans' monstrous pretensions and actions? Has he no concern for the survival of democracy and of liberty?" Yes, he was stirred by these events, and all his sympathies went towards the Allies just to the same extent as the democracy to the south of us was stirred. Mr. James M. Beck, in his address to the Pilgrims of London last summer, stated that all the thinking Americans were strongly pro-Ally from the outset, but that the nation had been a pacifist nation for a century, and it was thoroughly convinced that it had nothing to do with European entanglements. The Americans were not ready, mentally or materially, to go to war. Such was the situation of the French Canadian race. Yet when war was declared many young men came forward and offered their services. No regiment stood in need of officers or men, and I verily believe that we should have gradually made a better showing if the bilingual question had not, in 1915, taken an acute form in Ontario. It was seized upon by the doctrinaires of the Nationalist movement as an argument against enlistment for service abroad to defend the small nationalities when our own people were being oppressed at home. I simply mention this incident as a factor which tended to dampen enthusiasm. At the same time munition factories were being opened and a call for labour was heard. More than 100,000 French Canadians are engaged in munition work, and our rural parts have been since clamouring for help.

The situation of my province would not be completely explained if I did not add that the recruiting campaign was directed by the Department of Militia under Sir Sam Hughes, who knew nothing of the province of Quebec. Men were chosen to raise regiments who should never have been selected. While the English commandants were generally men of influence and of wealth,

who could command the necessary funds for the recruiting campaign, the French officers chosen were too often young men with no influence and no substance.

My conviction is that the French Canadian enlistments will be found to total 18,000, if not 20,000. I should have been most happy if they had doubled that figure, but when I realize their situation I need only state it as an explanation and not as an apology.

The state of mind of the French Canadian which I have described to you, and its unpreparedness to answer the call, are not peculiar to my province. The recruiting figures in the other provinces show it eloquently. If we except the British-born, who furnished 50 per cent of their available men between the ages of 18 and 45, we find that the British Canadian-born have given less than 20 per cent of their available men of the same class; and we have the admission from many members of Parliament who support this Bill that if it were submitted to the people, a majority of their electors would most likely vote against it, just as was the case in Australia.

I am not surprised to hear such statements when I read what takes place in England. The Daily Telegraph, a responsible paper, was speaking in May last as follows:

> There may be various reasons for the apparent slackness, some of them local in their character, others of more extended application; but it is a lamentable fact that even now in certain parts of Britain there is not a sufficiently acute realization of what it means to be involved in a tremendous Continental war. Even in London one sometimes wonders whether all classes of the population make any attempt to understand the far reaching issues of the great European conflict, and the very fact that we are spared all the horrors of an invasion, that we do not see before our eyes ruin and desolation overtaking our fairest cities, helps atrophy our sensitive nerves. We acknowledge with our lips the portentous menace, but our hearts remain unaffected, as though war were some incredible thing not entering within the circle of our daily thoughts and occupations. It is this spirit of apathy against which we have still to fight at home. We believe that many things will tend to dissipate it; above all, perhaps, the scarcity of food supplies, a fact which comes home to the business and bosoms of all members of the community. Apart from this, however, there is, we fear, a degree of selfishness at the bottom of our negligence.

If these facts are exact, we are deprived of the right to throw stones at the Canadians, for they have done wonderfully, when their situation is realized.

I desire now to address myself to the measure itself. I am opposed to it because I deem it not only unnecessary but harmful. Although Canada was a young nation hardly on its feet, with comparatively little accumulated wealth—a debtor nation—it was unanimous in its decision to join Great Britain and the Allies. We all felt the cause to be a just one. We were not directly concerned, nor remotely responsible. We never were in the race for more territory or spheres of influence or world domination, and yet we were all happy to be able to do our bit for the cause of liberty and justice. We were drawn into war through sentiment only. What was to be our effort? All that our hearts would dictate and our means would allow. We did not begin, as we should have done, by examining our possibilities in men and money. We plunged into the war without looking ahead. We never asked ourselves what was the number of men we could send into the trenches and maintain there throughout. Even to this day the Government has not stopped to work out that problem. When we had equipped and sent forth our first contingent, a prominent Conservative journalist from Montreal came to me to suggest that Sir Wilfrid urge the Government to send 100,000 men. He thought the country could go that length. We have gone beyond 400,000, and he now calls for conscription in a most extravagant way.

"The last man and the last dollar" is a figure of rhetoric which some people feign to take seriously. The ordinary sober-minded Canadian is not affected by that species of hysteria. He wants to help all he can, and he believes that he can do it without bankrupting the country. We have made an extraordinary showing, and we are already bearing a formidable burden. We can continue to appeal for men to join voluntarily, and we will gradually reach the 500,000, which is the limit fixed by this Bill. No special effort, however, should be made to that end presently. We can as effectively help the Allies by organizing our productive forces during the next twelve months.

I am met here with the cry oft-repeated that we must support our boys at the front, that they call for help in the trenches, and will we abandon them? Let us see what this means and where it leads us to if taken literally. Are we bound to replace a Canadian soldier with a Canadian soldier? If so, will not the same rule apply when we have 500,000 men enlisted, or 1,000,000? There must come a time when we will be no more able to do so. If this young country had said at

the outset, "Our contribution in men will be 300,000," the Allies, English and French, would have greeted this announcement with the greatest enthusiasm. This figure represented more than the French before the war expected from Great Britain alone for the protection of Belgium.

We will reach, at a certain point, our maximum. It is fatal, and this necessity sets at naught this other coined phrase uttered by the unthinking: "We have not gone into this war under the limited liability principle."

The present Bill disposes of this catchy phrase. It limits our effort in men to 500,000, and it exempts many classes of citizens from serving at the front. This legislation recognizes that there are other means of helping than through military service. Food and munitions are as valuable as men, and our last man will not necessarily go into the trenches. And yet it is affirmed that our boys cry for more men. They will get that needed support, and it will come from North America.

"What do you mean?" exclaims Dr. Clark; "you will accept the humiliation of seeing our boys supported or replaced by Americans?" You have already my answer. If we had reached the figure of 500,000, or 1,000,000 if you will, we would have to submit to that so-called humiliation. We would submit to it just as the French submitted to England taking part of their line and trenches; just as the British and French will gladly shorten their lines to make place for the newcomers, be they Portuguese, North or South Americans. We are all but one family in the allied camp.

An hon. SENATOR: Black sheep.

Hon. Mr. DANDURAND: Yes, I find there are black sheep in every fold. Each nation brings its contribution according to its power and situation, and when a small nation like Canada has directed the best of its efforts for well nigh three years towards the prosecution of the war, and has incurred stupendous financial obligations, is it an humiliation to allow its big, wealthy and powerful neighbour who just comes in to furnish its first quota of men, which, standing at 1,500,000, will only represent a quarter of our contribution in men? 500,000 of them will be ready sooner than our last 100,000 men can be raised under this Bill.

Hon. Mr. LYNCH-STAUNTON: What harm is there in collecting the men, even if they are not going to be used?

Hon. Mr. DANDURAND.

Hon. Mr. DANDURAND: I have just stated that I would not specially hurry to gather that 100,000 men.

Hon. Mr. CLORAN: The election will make loafers of them.

Hon. Mr. DANDURAND: What does France officially say to-day to the Americans? "Hurry up and send us your men in order that we may withdraw from the trenches 100,000 soldiers who are reaching the age limit, and whom we need for food production."

What did we say ourselves to the Americans? Our Government has been, during the last winter, advertising in the American press for 50,000 farm hands, promising them special homesteading facilities and complete exemption from military service. The Americans joined in the war on the 2nd of April, and then closed their frontier. They cannot furnish us the 50,000 needed men because they must raise an army to be sent to France. Are we not all working together to the same end? We are pooling our divers organizations. London, Paris and Washington have linked their fortunes, and are helping each other as if they were but one. What does it matter if, after we have contributed our 400,000 men without the co-operation of our neighbours, they, in their turn, contribute 1,500,000 while we organize our productive forces? 400,000 men were raised here in the north, and now the south starts moving. We are co-ordinating our divers services. The shipping facilities are limited. Ships are apportioned to transport food, munitions, and men. The same transports which would carry our men will carry our American comrades-in-arms. How long will it take to ship 1,500,000 men across the Atlantic after they have been enlisted and trained?

Hon. Mr. LYNCH-STAUNTON: Is that the only objection to conscription?

Hon. Mr. DANDURAND: No, it is not the only objection to conscription. I will give my honourable friend something more in a few moments.

Hon. Mr. LYNCH-STAUNTON: I have never heard any; I would like to hear some.

Hon. Mr. DANDURAND: I will give my honourable friend more. I have told him I will be sincere and candid, and I will be.

Verily, I have looked in vain for an explanation for that new policy sprung upon us when that immense reservoir of men was just offering itself. These are some of the reasons which justify me in declaring that this Conscription Bill is unnecessary.

I have to add that it is harmful. It threatens the unity of the nation, and it weakens the effect of our splendid contribution in the eyes of the world. The first duty of a government is to so act as to maintain harmony within the nation. It is a glorious deed to help to establish peace throughout the world, but it must not be at the cost of regrettable divisions and conflicts at home. It has been Canada's misfortune that in these critical times we have not had at the helm one of the fathers of Confederation, or one of their contemporaries, whose experience would have steered the ship of state through safe channels. I venture to affirm that a John A. Macdonald or a Charles Tupper would have steered clear of conscription because of their knowledge of the varied soul of the Canadian nation. Devoted as he was to British ideals, Sir John A. Macdonald knew that the essential duty devolving upon a prime minister of Canada was first to help to forge a Canadian ideal and a Canadian soul. To rend the nation asunder is not, cannot be, the part of its Government. It is the elementary duty of our leaders to recognize and respect certain fundamental differences of opinion and convictions in the nation. We are a federation which came into being by the free will of two distinct peoples. This fact stands out as a guide and as a warning.

This country cannot easily stand the comparison with another country. It has an old population which first opened and colonized it. For more than a century that population has lived in a state of complete peace of mind, in the intimate conviction that no menace of war could ever disturb its serenity. Its thoughts have been exclusively directed to Canadian interests. All of a sudden it is asked to join in a world war which is raging three thousand miles away. You will not be surprised if that population is slow in understanding the vast problems which are being solved, and the interest they, as Canadians, must take in them. Many are those among the newcomers who are in the same state of mind throughout Canada, more especially in the rural parts.

Then, again, Canada claims an autonomous life. Tens of thousands have come here from all parts of Europe with the intention of settling permanently in Canada. They have left Europe to free themselves from many burdens, and in order to establish their families in a free and peaceful country, and all of a sudden we ask them to return to Europe to fight the battles of the Empire. I agree that under the circumstances it is fair to ask them to help in this all-important struggle, but I have no hesitation in saying that it is impolitic to coerce them—and all the more so when there is no dire necessity for doing so.

I may be answered that the United States fairly presents the same physiognomy as that of Canada and that conscription has been decreed there. I will fairly and squarely state the distinction which I make. The United States is an independent nation; Canada is not.

Some hon. SENATORS: Oh, oh.

Hon. Mr. CROSBY: Nonsense.

Hon. Mr. DANIEL: Did they have any referendum?

Hon. Mr. DANDURAND: The honourable gentleman speaks of nonsense. Will he get up on his feet and answer my remarks?

Hon. Mr. CROSBY: Yes, indeed, and I will have plenty of room, too.

Hon. Mr. DANDURAND: The American's interest and patriotism are one and undivided. He knows that when he goes to war he is fighting for himself, and that he has gone voluntarily into it. Not so with the Canadian. He may find himself at war for causes which his conscience would not accept. In my lifetime I have been at that situation. Two men destined to become Prime Ministers of Great Britain—and one of the two is now at the helm—felt as I feel. So long as we continue in that state of dependency I will resist the creation of such a dangerous principle. I owe it to the Anglo-Canadian to tell him that on this question my vista is surely clearer than his own. He believes that he is a free agent, as free as I am. He is mistaken. He thinks that conscription, and contribution in money as in men, will only be voted when Canada deems it opportune and so decides through its Parliament. My opinion, based upon experience, is that my Anglo-Canadian friend will be an easy prey to the wiles of a determined group with imperialistic tendencies which may for a time hold sway in the British Parliament. The immense prestige which the men at the helm in England at all times enjoy in the eyes of the innocent and confiding colonial to whom distance lends enchantment, and the formidable influence which they can and do exercise over our newspaper editors and others through the lavish bestowal of titles, make it a necessity that we should create no such dangerous precedent as the establishment of con-

scription in this dependency. It is because I desire to retain over these lands of ours the British flag that I will not be a party to the creation of the impression that we can in future be relied upon to contribute cannon-fodder for adventures interesting British commerce exclusively.

These are questions which I would have much preferred treating in times of peace, but I have not the choice of the hour.

When this war is over it is admitted that a great effort will be made to reorganize the Empire on some different basis. The last Imperial conference has officially stated that the readjustment of the constitutional relations of the component parts of the Empire should form the subject of a special Imperial conference to be summoned as soon as possible after the cessation of hostilities. That conference also expressed its view that the Dominions should have an adequate voice in foreign policy and in foreign relations. If Canada endorses that principle, it will have to recognize at the same time its joint responsibility for any decision which may lead the Empire into war in any of the four corners of the world. The majority in Canada may decide to form such a close partnership, and may be able, for a time, to load a dissenting minority with a share of the financial burdens which such a partnership will involve, but I deem it my duty to tell the adepts of Imperialism that conscription is the worst possible introduction they could make of their policy to the electorate of Canada. The Canadian people may, without wincing or crying aloud, consent to bear taxation for causes in which they do not clearly discern any material Canadian interest, but I have not much doubt of their frame of mind on the day they will be conscripted in order to obtain for Great Britain a sphere of influence in Mesopotamia or in Persia.

The war we are now waging is one which interests all mankind. It may end in such a way as to insure peace and justice to humanity for all time to come. If such is the outcome, the relations of Canada with the Empire may be more easily settled. In the meantime, let us strive to maintain unity in the nation, in the Canadian nation, by mutual forbearance. Let us never forget that we are all here to stay, and that, nolens volens, we must together work out our national destiny.

I cannot conceive that the Government would think of bringing this Act into force before consulting the people. A minority will always accept the will of the majority, but it has the absolute right to know that there is a majority behind such an important Act as this one. The Prime Minister recognized that this claim was not illogical nor injudicious, since he agreed to a submission of this Bill to the people after its adoption by a coalition government. If it were judicious so to act with a coalition government, how much more is it not when proposed by a party government.

On motion of Hon. Mr. Poirier, the debate was adjourned.

BOARDS OF TRADE ACT AMENDMENT BILL.

FIRST READING.

Bill 115, an Act to amend the Boards of Trade Act.—Hon. Sir James Lougheed.

RETURNED SOLDIERS SETTLEMENT BILL.

FIRST READING.

Bill 116, an Act to Assist Returned Soldiers in Settling Upon the Land and to Increase Agricultural Production.—Hon. Sir James Lougheed.

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

THE SENATE.

Wednesday, August 1, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

STATISTICS OF EXPEDITIONARY FORCE.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I should like to ask my honourable friend the leader of the Government, if he could give us more particulars than he gave yesterday about the number of men at the front and the number of men in England. My attention has been called to the fact that the figures given by the honourable gentleman are not very intelligible. Could not my honourable friend give us further statistics or a more detailed explanatory statement?

Hon. Sir JAMES LOUGHEED: If my honourable friend will indicate what he desires, I will try to give him the information. It seemed to me that the figures which I gave yesterday summarized fairly well, for all the purposes of this debate, the information that would be needed.

Hon. Mr. LANDRY: But in adding the figures we do not come to the same result as that reached by the honourable gentleman.. There is a difference of 4,000, I think; but in a war like this perhaps that does not count.

MILITARY SERVICE BILL.

CONTINUATION OF DEBATE ON MOTION FOR SECOND READING AND HON. MR. BOSTOCK'S AMENDMENT.

Before the Orders of the Day:

Hon. Mr. CHOQUETTE: I should like to ask the honourable leader of the Government if he can give us a more positive or clearer answer than he gave yesterday to the question which was put by the honourable gentleman from Halifax (Hon. Mr. Power). The honourable leader of the Government said that, so far as he was concerned, as soon as the ink of the Governor General's signature to the Military Service Bill was dry the Act would be enforced. Afterwards he hesitated to repeat that statement, and a little later the honourable and venerable gentleman from Belleville (Hon. Sir Mackenzie Bowell) said that the honourable leader of the Government must have spoken for himself. It is very important, before proceeding with the Bill, at least so far as I am concerned, to know if the answer given by the honourable gentleman yesterday was his personal opinion, or if since yesterday he has had occasion to meet his colleagues and if his answer is corroborated by them, especially by the Prime Minister, Sir Robert Borden, and if he is now in a position to say that the Military Service Bill will be put into force—to repeat his own words —as soon as the ink of the signature of the Governor General to this Bill is dry.

Hon. Sir JAMES LOUGHEED: If the honourable gentleman will read the Bill he will be able to conclude, or should be able to conclude, what the effect of the Bill will be.

Hon. Mr. CHOQUETTE: Excuse me. I have read the Bill——

Some Hon. SENATORS: Order, order.

Hon. Mr. CHOQUETTE: I am now speaking upon the question and am in order. This is an important matter, and I desire to have the information. If I do not receive it I will move the adjournment of the House. I wish to have an answer, yes or no—whether or not the honourable gentleman yesterday spoke in his own name, and whether or not the Government repudiates that answer. I will go further. I was informed last night by a prominent Tory, a member of the other House, that the honourable leader of the Government was not authorized by the Government to answer as he did.

Hon. Mr. CROSBY: I rise to a point of order.

Hon. Mr. CLORAN: The honourable gentleman (Hon. Mr. Choquette) is in order. He wants information for the country. What is the matter? Why is the information not given to him?

The Hon the SPEAKER: An answer was given by the honourable leader of the Government, and, whatever it may be, the honourable gentleman (Hon. Mr. Choquette) has no right to speak after the reply is given.

Hon. Mr. CLORAN: He got an answer that was not acceptable.

Hon. Mr. CHOQUETTE: I am not discussing the opinion of His Honour the Speaker; but there was no answer, and I am insisting on an answer.

Some Hon. SENATORS: Order.

Hon. Mr. CHOQUETTE: I should like to know if the honourable gentleman will not answer.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: You cannot bulldoze this side of the House—not yet. When you get the House sufficiently packed, you may be able to do so, but not now.

The Senate resumed from yesterday the adjourned debate on the motion of the Hon. Sir James Lougheed, that Bill 75, an Act respecting Military Service, be now read a second time, and the motion of the Hon. Mr. Bostock in amendment thereto:

> That the following words be added after the word "time":
> "With the understanding that this Bill will not come into force until after the general election."

Hon. PASCAL POIRIER: Honourable gentlemen, when the House adjourned last night, my honourable friend from de Lorimier, as a last argument in his eloquent speech, told us that by opposing the Military Bill now before us, he was simply showing his greater love for the Empire; that by keeping our young men at home to harvest our fields he was working in the

interests of the Allies better than by forcing them to enlist. This species of argument reminds me of the story of Ugolin of Pisa, during the wars between the Guelfs and the Ghibellines, in Italy. He was taken prisoner with his two sons by his enemies, and thrown into a dungeon, there to die by hunger. After a couple of weeks his captor went down with some friends to see what had become of his starved enemy. He found him alive and in good shape. "Where are your sons," he said to him. "I ate them," was the reply. "And why did you eat them?" he asked. "Because I loved them. I ate them to keep their father alive." This, by reversing the roles, is the sort of love my honourable friend bears to England and France. He will let them perish if only Canada is prosperous and content, and his friends are in power.

My honourable friend made a long, and, in less momentous times, interesting incursion into the history of the province of Quebec. What bearing has all this past history on the urgent requirements of this moment? Are we going to do as the Byzantines did when the Turks besieged Constantinople, their capitol—keep discussing controverted points of history, or some unfathomable attribute of divinity? While they kept arguing and fighting among themselves, the Turks took Constantinople, and have held it ever since to this day. It is folly to discuss the quality of water when the house is afire. Any water will do. You will analyse that water after the flames are put down and your house is saved; but begin by putting out the fire and saving your house; bring the water first.

Another argument was put forward by the honourable gentleman from De Lorimier (Hon. Mr. Dandurand) which failed to impress me. It is this, and he built a scale upon it. Our citizens enlist in this war in inverse ratio to the duration of their sojourn in Canada. For example, among English-born citizens, 50 per cent of eligible young men have enlisted, because they have but lately settled here; about 17 per cent of the English Canadian-born have enlisted because the English have been longer in Canada, some for a century and a half. The reason why French Canadian-born are slower to join the colours is because our forefathers have been here from the beginning, some 300 years ago. If there is anything in this argument it is that the longer one stays in Canada the denser one becomes. This is a doubtful compliment to the pioneers of Canada. The habitant might well say in the present instance, "O Lord, deliver me from my friends." Let me try to put in a word for them in order to put them right before the English-speaking public.

If their response to the call of arms has not been, if statistics be true, as numerous as that of the English-speaking inhabitants, it is not because, having lived in Canada two or three hundred years, their intellect has become slow; it is not that the beating of their heart is less generous; it is not that they are unwilling; it is not that they love Canada less than their English-speaking fellow-citizens do. It is because they have been misguided. And by whom? Here I would refrain from going into details. But misguided they have been; and it is a pity that through this misguidance they should now stand somewhat compromised before the world. I do not belong to the province of Quebec, but I know its habitants well, and respect them and love them, and let me say this, in answer to the inference that may be drawn from the speech of my honourable friend from De Lorimier. No keener-witted peasants are to be met with in the whole Dominion than in the province of Quebec; none more intelligent; none more sober; none more moral and law-abiding; none more willing; none more patriotic; none braver. Look at them at Vimy Ridge and more especially at Courcelette. A French officer, witnessing their gallantry at the latter engagement, could not refrain from exclaiming: "Oh, the brave boys! The best among our soldiers could not do better." This, honourable gentlemen, is the stuff the French-Canadian habitant is made of. The French habitants have been maligned, I should say slandered, by the honourable senator from de Lorimier, in some other passages of his speech. It is not true, as stated, that Sir Hugh Graham in 1911 did, or could, buy 20 counties in the province of Quebec at $2,000 apiece.

Hon. Mr. DANDURAND: I never said so.

Some Hon. SENATORS: Yes, you did; you insinuated it.

Hon. Mr. POIRIER: The House so understood it.

Hon. Mr. DANDURAND: If my honourable friend will read my remarks, he will see that I did not say that.

Hon. Mr. POIRIER: Does the honourable gentleman take it back?

Hon. Mr. DANDURAND: I will not take back what I have never said. I said that gentleman had subscribed; I did not say that he had carried the counties.

Hon. Mr. POIRIER: So much the better. I am glad to hear the explanation I am now getting from my honourable friend; but, verily, I understood his remarks to be as I now state.

Hon. Mr. DANDURAND: I did not say that he had even carried the counties. He attempted it.

Hon. Mr. CLORAN: Withdraw.

Hon. Mr. POIRIER: Venality, most unfortunately, exists in all parts of Canada, in all parts of the world; but it exists in the rural counties of Quebec, among the habitants, possibly less than anywhere else in Canada, or than anywhere else in the world. They do not love war—but they will fight and fight well for country and Empire, if called upon in the right way to fight. Nor do you likely, honourable gentlemen, nor do I certainly, love war.

By nature, by reason, by religious conviction, I am opposed to murder, and consequently to war, which is murder on a larger scale.

Hon. Mr. POWER: Poor theology, that.

Hon. Mr. POIRIER: As a consequence of this I am opposed, on principle, to conscription, as it is understood in Germany, because conscription is a perpetual preparation for offensive acts of violence. But, on the other hand, if a murderer attacks me and makes attempts upon my life, I will defend that life of mine to the full extent of my power. If that enemy, or a number of them assail my home with foul designs of wrecking it, and of ruining the beloved ones that dwell within it, then, if there is no other way of saving my home and self, of protecting my wife and children, I will turn, for purposes of legitimate protection, a man of blood. Such is exactly my position concerning forced military service, or conscription, to-day. On principle, I am opposed to preparing, by conscription or otherwise, young men and old, and training them to works of carnage, and making homicide a permanent human calling, a vocation, an institution. But, since my country is assailed, and all I hold sacred under the sun is threatened with violence and destruction; as countries endeared to my heart are also invaded and threatened with destruction; as democracy and liberty are at stake; as civilization now perilously hangs in the balance; I repudiate all my former pacific professions, and with the Marseillaise I clamour, "Aux armes, citoyens!"

A promise, nay an oath, to do what is wrong is not binding on one's conscience when that wrong is later on discovered. Neither is a promise to abstain from doing one's duty binding. Duty is paramount—duty to God; duty to country; duty to fellow men.

The honourable leader of the Opposition in this House said yesterday that Sir Robert Borden, at the beginning of hostilities, had said there would be no conscription and that he is now breaking his pledge by the introduction of this Bill. Because Sir Robert Borden, at the beginning of this terrible war, said on one occasion that he would, if possible, save Canada from conscription, is he now to be held strictly to that declaration? Let me illustrate. Because the chief of the Ottawa fire brigade, at the beginning of a fire, says, "We will call out but one or two companies," is he going, if the flames make headway and conflagration threatens the whole city with destruction, to refrain from calling the whole brigade, because he thought at the beginning he would not have to, and because he said so? If for these or similar reasons he did abstain from calling out the whole brigade, he would simply prove himself not equal to the trust imposed on him. If to keep an indiscreet word, if for vanity he allows the city of Ottawa to be destroyed, he is criminally guilty; he is something worse—a blooming lunatic, or a religious fanatic. We have in French a saying that covers this case of lunacy: "l'homme absurde est celui qui ne change jamais.'" If instead of the fire chief himself it is the surrounding crowd or mob who opposes the calling out of the whole brigade, of all the resources of the city of Ottawa, when the whole brigade, when all the available resources are needed, and at once, to save the city, the roles are merely reversed, but the obligation remains the same. Why, because I have publicly declared that I am a peaceable man, will I allow those of my kin and blood to be defiled and murdered before my eyes, without making an effort, a supreme effort, to save their honour and their lives? I will not rise to defend my benefactors, my countrymen, my friends, be-

cause, forsooth, I have declared myself a man of peace?

All the good reasons, all the justifications, all the excuses I may give for not doing what it is my human duty to do, may delude me and my crowd; but they will not delude other men; they will not deceive future historians.

It is to be regretted that in this controversy some orators, mostly outside of the precincts of this Chamber, have gone beyond the issues raised, and have assigned motives to and assailed the good faith and honest intentions of men differing from them in opinion. Personal attacks upon Sir Robert Borden have been particularly regrettable. Now, I hold no brief for defending Sir Robert Borden; he is well capable of defending himself, and if he is too proud to do it, his deeds will take care of him. I have only to say to my compatriots that when certain facts now hidden are revealed, when for example, the history of the formation of his first cabinet is known, the traducers of Sir Robert Borden will be forced to acknowledge that in those trying hours he showed himself and proved himself to be their most enlightened and best friend. He is the same enlightened and trusted friend of those of my creed and race to-day. His constructive work is now obscured by haze and mist and clouds, but when the sky becomes clear again he will be shown to all to be a totally different man from what he is represented to be by some extremists.

The world to-day is waging a war for which there is no equal in the annals of the world, saving possibly two—the Crusades and the invasion of Greece by the Persians. The Crusades were religious wars, the fighting for supremacy between Islam and Christendom. The invasion of democratic Greece, of Athens and Sparta, by the absolute kings of the east, was a war parallel to the present one, where republican France and democratic England are assailed by autocratic Germany, and all the reactionary powers of the world. History is likely to repeat itself. The flower of the Persian hordes was beaten at Marathon by the Athenian army of Miltiades, practically alone, just as the one million and a half of picked Teutons were lifted off their feet, beaten and hurled back by Joffre and the French at the battle of the Marne. Then came the invasion of Lacedemon and the penetration of the Thermopylae Pass by the three million men composing the army of Xerxes. Everything seemed lost; the Athenians deserted and burnt their beautiful city, and the whole of the peninsula prepared to die fighting for country and liberty.

What saved Greece and civilization at that time? The naval battle at Salamis, won by Themistocles over the Persians. May we not hope and expect another Salamis naval victory to be won by proud England, determining the fate of this war? The fleet of England is protecting the whole world to-day, including the United States and Canada, and saving it.

Honourable gentlemen, when this war is over, and the battle is won, and the world finally saved, accounts will have to be rendered; there will be a reckoning. The book of deeds will be open to the whole universe. What sort of a page will the pacifists, will the slackers, will the quitters, will the sinkers show? By slackers I mean no particular section of Canada, but all of them; and there are some in each and every province of the Dominion—English slackers, Scotch slackers, Irish slackers, French Canadian slackers, French Acadian slackers. If you want to know, go back and see what became of the Greek shirkers at the time of the invasion of their country and allied countries by the Persians. What remains of the grandiloquent speeches of their Agora demagogues? What is thought now, and what was thought then, of the reasons they put forward for not fighting alongside the soldiers of Miltiades at Marathon, or those of Leonidas at the Thermopylæ, or for not taking part in the naval battle of Salamis? Nothing remains of them but oblivion and shame. The same will be the fate of our deserters if there should happen to be any in Canada.

Many reasons have been given for Canada discontinuing its participation in the war. I find none that is not dominated by this warning of the Lord of Hosts: "He alone will be successful who perseveres unto the end." In sporting parlance, they have another way of putting it: "A quitter is a licked dog."

We are plunged into this war, honourable gentlemen, our swords deep to the hilt in blood. Canada went into it freely, deliberately, unanimously, Tories and Grits agreeing; the records of both Houses bear this out. Are we going to quit now, when the crisis is supreme? Will the leaders of the ring order our Canadian fighters to go to their corners, letting our allies—French, English, Americans, Australians, Italians—fight our battle, the battle of civilization? A blush rises to my forehead at the thought.

But let us examine some of the reasons that were given out to persuade us to desert the rest of the civilized world now

fighting for freedom and liberty, abandoning at the same time our heroic soldiers now at the front who, one and all, are calling for further help.

"This is England's war," I hear it shouted; "let England fight out its own battles, and fight them without our participation; we owe nothing to England." We owe England nothing? These words sound strange in the mouth of a daughter colony, referring to its mother country. Even had Great Britain not granted us the federal charter which has made Canada practically an autonomous country; which has made us all free citizens in a free country, she all the while protecting our first attempts at walking alone among the nations of the world; these words, "We owe nothing to England," would still sound strange. There is a ring of unnatural ingratitude in them. If we in Canada owe nothing to England, the rest of the civilized world owes it their civil and political liberties. They alone deny this debt of gratitude who have not tasted true liberty, who have not drank its wine, who, knowing nothing of its intoxication, have no craving for it. These are more to be pitied than angered at. We owe nothing to England? Why, if England and France fall, the struggle for freedom will have once more to be fought over again along the old lines, against the old-time tyrants and usurpers, and another Cromwell will have to be resuscitated, when the measure of oppression is once more full to overflowing; and the horrors of the French revolution will have to be repeated, and the citizens of the United States will have to fight again, not to liberate the negroes, but to free themselves from the bondage of militarism.

But who says that this is England's war? Did England declare this war? Did it prepare it, or prepare itself for it? Did it desire or provoke it? It is needless to recall what everybody knows. This war was forced on England by confederate Germany arrogantly starting on the conquest of the world, for which it had been preparing since 1872. The Hun plan of campaign, which is becoming better known, was to stagger France by a first fell blow, invade England by way of Calais, take Canada—which no Munroe doctrine could have defended—and make of this magnificent country the premier Hun colony, while the same wave of conquest would have flooded the Balkans down south to Bagdad.

The mighty fleet of England has rendered vain this hellish design, has saved us from German domination, has preserved for us our heritage of human freedom and political liberty. Who will say after this that Canada owes nothing to Great Britain?

So much for old England. The same has been said of France, and worse. He who says that we owe nothing to France, that humanity owes her nothing, might as well say that we owe nothing to the sun which illumines the heavens; that its light is offensive, because it dazzles; that its heat is dangerous, because it burns. And true enough, some species in creation shun heat; to the owl light is offensive; it prefers to it the darkness of night. "If all European nations had to perish except one, and that one were to be chosen for being the best fitted to continue civilization, that one would be France." This I quote from an American author. "Every man has two countries, his own and France." Who first uttered this laconism? An Austrian statesman, long before this war.

France and England stand to-day hand in hand at the head of human progress. With the United States they are the guardians of human rights and liberties. But of the three France perhaps is the most lovable. France, better than any other nation, either ancient or modern, has taught the meaning and shown the value of the words: chivalry, glory, liberty, honour. These constitute true civilization and true Christianity. She is among the nations of to-day what Greece was in olden times; she has the soul of frivolous, esthetic, heroic Greece; while in Great Britain dwells the spirit of ancient Rome. The two, England and France, are necessary; God has apparently made them necessary. Let France and England cease to-day leading nations onward, and freedom will shriek and human progress will soon come to a standstill. If they be replaced by the Prussians, if the torch were to pass into the hands of Kaisers and Sultans, then higher civilization would be disrupted; humanity would turn its face backward; tyranny and darkness would once again enshroud the world just as they did in the fifth and sixth centuries, when Attila and the Huns, sires of Kaiser William and of his subjects, succeeded in destroying Rome and overrunning Europe.

We owe nothing to France? The principles for which France stands are not worth fighting for? But look at what the French nation did three years ago, when practically alone on the western frontier, she stemmed the flood of Prussian invasion. Look at what she has been doing ever since; look at what she is doing now. The entire world is

amazed at the sight. Had the battle of the Marne been lost, or had the French, after winning it, deserted their allies, and concluded peace with Germany, then the Kaiser would have walked untramelled over Russia, in the east; and, in the west, he would have brought a million men and more to Calais; would have strewn the North Sea with mines just as he is doing around the island of Heligoland; would have planted along the northern shores of France and Belgium long-range canons which he was then alone to possess; would have made the strait of Dover less secure for ships than that of Gallipoli; and when the mighty and otherwise unconquerable English fleet would have been immobilized and rendered powerless to dislodge the Germans from Calais, then, with the aerial fleet of Zeppelins in readiness, the invasion of unprepared England would have been consummated. Consider, if you can without a shudder, what would have happened to Canada, the United States being at that time even less prepared than England was. And you say we owe nothing to France!

Strangely enough, the victory of the Marne is but a repetition of what France has, in centuries past, on more than one occasion, done to save Europe from barbarians when all human resources and hopes were apparently gone. At Soissons and at Tobiac she saved Europe from the Huns just as she is saving it to-day, and at Poitiers Charles Martel hurled back the Saracens and Turks in their victorious march over Christian Europe. It is for these and other similar deeds that a poet has said:

The soul of France is like a torch
That goes before the nations.
Glory has crowned her; truth has made her strong;
Her soul is freedom, and her name is song!

France at this moment is bleeding from wounds all over her body; she is bled white. Two millions of her sons have perished; as many more are wounded; she is using her last reserves; when Joffre came to Montreal and was asked what the Allies stood more pressingly in need of, he answered, "Men."

The other day, when the American contingent marched through the streets of Paris, children, orphaned by the war, knelt in reverence to the American flag, thanking, with tears, the great American republic for sending men over. Are we Canadians not morally bound to do all we can possibly do to help these heroic and silent defenders of Canada in Europe—to save them, and to do it quickly?

Hon. Mr. POIRIER.

But Canada is not at war, I hear a great many people say, and this war for which we are bleeding blood and money is not our war; it is none of our funeral. It would be folly to try to convince a blind man of the existence of light, more especially if he has made up his mind not to be convinced.

Germany's aim and plan, honourable gentlemen, was primarily to get possession of the colonies of Great Britain and France, and more especially of the Dominion of Canada, after England had been invaded by way of Calais and reduced to submission. As late as the week before last a supreme effort was made to break through the Yser river and reach Calais. Even to-day, when the Allied victories at the Marne and at Ypres have shattered these hopes, the Junkers of Prussia still cherish the old dream.

Speaking about the indemnity they intend to exact from England after the war is over, Prince Frederick of Lowenstein recently, at Munich, proposed as an installment the cession of Canada to the fatherland.

One of the many excellent reasons why Germany so ardently covets this our fair Dominion of Canada is to be found in the following lines of the Rhenish Westfalische Zeitung of late publication:

Germany will claim Canada as an indemnity of war, because this will permit the German Americans to shake the dust of the United States off their feet and pass across the line to Canada, where they would live under the folds of the German flag.

But the yell is heard: "We will fight and die when Canada is actually invaded." Canada, honourable gentlemen, is actually invaded. Our fighting lines, on land, are Flanders and the North of France; on the waters, they are the North sea and the Mediterranean. Would ye rather have them at Halifax, or Quebec, and wait till then to fight? Following this same logic, New Brunswick might say, after Halifax was blockaded by the German fleet, "We are willing to fight, but we will wait till St. John or Moncton is attacked;" and when St. John and Moncton were besieged, Quebec would shout, "We are ready to fight and die, but only when Quebec is actually invaded;" and when the glorious old city of Quebec was invaded, Toronto would clamour, "Wait until Ottawa is assailed and then, by jingo, we will show them what Scots and Loyalists can do;" and when the holy city of Toronto is in the throes of Hun aggression, Winnipeg and

Vancouver will sit unconcerned, because war has not been carried yet as far as the wild and woolly West.

This plea is a criminally absurd plea. If we wait until the shores of Canada are invaded, it will be too late; Canada and all our hopes will be gone irretrievably. As the Dominion of Canada is a political unit, made out of and diversified by several distinct elements, I will take up one of those elements, the French, and from among the French I will deal more particularly with the ethnical group to which I belong, the French Acadians. I need not and will not refer any more to the French Canadians. The descendants of the heroes of Chateauguay can well take care of themselves. Their history contains many, if not most, of the glorious pages in the annals of old and new Canada. En passant, let me regret that the proposition of my honourable friend the senator for Montmagny (Hon. Mr. Choquette) to establish a commission to review the finding of the Department of Militia, has not been agreed to. The figure 14,100, which is given out as being the total number of French-speaking-born soldiers who have enlisted in this war seems to be much below the reality. According to the statistics of the Militia Department 6,750 only, or less than one-half of these, hail from the province of Quebec. This seems to be erroneous. Many French Canadians, possibly thousands of them, having English surnames, were put down by the department as of English or Scotch or Irish extraction and nationality, who in reality are French. The same natural error has no doubt been made in the count of the Acadians, amongst whom we have Johnsons, O'Briens, Caissy, McWilliams, Young, White, Parry, etc., with not a drop of English blood in their veins. These were put down respectively as English, Scotch and Irish. Some, unfortunately too large a number, of Acadians, have taken English names upon enlisting. I will cite one case. Some nine months after the declaration of war a cablegram came with the news that a Shediac lad, by the name of Patterson, had been dangerously wounded and was being sent home. We knew of no soldier of that name having enlisted at Shediac; however, we prepared to receive him well. On his coming out of the train it was found out that the hero Patterson was an Acadian by the name of Petitpas. If you, honourable gentlemen, take into consideration that the proportion of recruits is greater in cities than in rural districts, and that, except for minor towns, the Acadians are mostly peasants, you will arrive at the conclusion that those of my nationality in the Maritime Provinces have done fairly well. We have one Acadian battalion, the 165th, and in some English battalions 30 or 40 per cent of Acadians are to be found in New Brunswick alone.

I heard it said, or read in an English paper, that in Prince Edward Island my compatriots had taken the cake, had beaten the record, stood on top of the list. Bravo for them! And why not? While the English, and Scotch, and Irish and Welsh of this Dominion have one good reason to fight in this war, we French have two. Not that we love England more than the Loyalists or the Scots do. We Acadians might well love it less or love it not at all, if we were to go back to 1755 and recall the horrors of the deportation and spoliation of our forefathers. But we do not go back to 1755, except for matters historical. As a philosopher has put it, human eyes have been placed in the forehead that men may look forward and onward and upward.

The generations of to-day are not necessarily responsible for what generations have done centuries ago; nor, in the affairs of to-day, is the whole Empire to suffer because we may have faults to find with a few—because some of our rights are denied us. What we Acadians in the Maritime Provinces look to and expect at the hands of the English majority is fair play, meted out to us with a liberal hand, in return for our absolute loyalty to them and to the Crown. We either have fair play now or have it not. If we have it, we will make it more secure and permanent by doing our full duty as British subjects and Canadian citizens. If we have it not, our refusal or hesitation in doing our full duty at this moment of supreme crisis will simply make it more difficult to obtain, at the hands of the majority, in school matters and other matters.

This is merely a digression. The other motive, the double motive, the Acadians have for joining the colours is because, alongside England, there stands beloved and beautiful France, land of our ancestors, prostrate, reeking in blood, terrible. It will not be said that when England, Italy, Serbia, Montenegro, Rumania, Russia, South Africa, Australia, New Zealand, Greece, San Marino, Portugal, Cuba, Panama, Japan, the Fiji Islanders, the Siamese, the United States of America, the savages of the United States, our own Canadian Indians, are joining in a common effort to

repel the Huns, liberate Belgium, save France and civilization, Acadia, the oldest of the French colonies on this continent, will sit silent, indifferent, unconcerned. If no one else from Canada would volunteer to join the colours and cross over to the gory plains of France, we of French origin should. This war is pre-eminently a Latin war. It is a struggle for supremacy between the Huns on the one side and the Latins, the Saxon-Celts and Slavs on the other. It is also a religious war in the widest sense of the word religion, Prussia representing brutal Christianity and the rest of the world humane Christianity.

My present attitude, honourable gentlemen, and coming vote on this question, is not wholly one of political partisanship. It is one of deep conviction, born of the duty I owe to my country, of the allegiance I have sworn to my King; it is innate in my French heart. Others, more prominent in the Maritime Provinces, took the same attitude at the beginning of the war; in fact, the leading Acadians in New Brunswick, in Nova Scotia, in Prince Edward Island, did so. Some, and more particularly the late Chief Justice, Sir Pierre Landry, the leading spirit among those of my nationality, at the beginning of the war, not only called upon his compatriots and countrymen to enlist, but also upon the Dominion Government asking for laws making conscription compulsory.

Shortly after war had been declared Mgr. LeBlanc, the Acadian Bishop of St. John, N.B., at a public meeting of citizens of all creeds and nationalities and political preferences, made a most impressive appeal to his people and to all Canadian peoples to enlist and to fight. And to fight for what? Listen:

> For England, our mother land, and France the land of our ancestors, the two nations that are in the fire front of civilization and human liberty.

Among other reasons for enlisting, he gave the following:

> As Canadians, our cause is bound up with the cause of Great Britain; her interests are our interests; if England falls, we are going to fall with her, and we are going to lose all the glorious privileges we enjoy. Canada, now so free, Canada that has such a brilliant future before her, will be reduced to a condition of vassalage..
>
> Failure for England in this war will mean England's destruction.

These words, honourable gentlemen, were uttered shortly after the battle of the Marne, but before our victory at Ypres. We had at that time just lost a naval engagement off the Chilean coast. His lordship, continuing, said:

> Our hope is in our young men. There is still enough patriotism and heroism in the young men of this province (New Brunswick) to make a supreme effort now for England's cause.

These ringing appeals for recruits ring with even greater force to-day, at this final and supreme crisis, than at the beginning of the war:

> Young men of New Brunswick, we appeal to you not to allow Britain, to whom we are indebted for our civil and religious beliefs, for our just laws, and for the protection and prosperity that we enjoy, to have her very existence imperiled without striking a blow in her defence. To-night from over the seas is wafted to us the cry of the Motherland: More men, more men! It is England's call to arms. Let every man, who is willing to heed that cry, enlist.

With my bishop, I will say to all Canadians, but more particularly to those of my blood and kin:

> Go forth to battle now, while the future of Canada is being fought for on the plains and river banks of France. Let the spirit of patriotism prompt you to say: "England never was nor ever shall lie at the proud foot of a conqueror."

These are, honourable gentlemen, some of the reasons to-day why all Canadians should rise to a man and make a final superhuman effort to win this war. There are other motives less lofty. These will appeal to the Canadian taxpayers, to those who hold that business is business, who say that Borden is ruining this country. This war will come to an end, and will be wound up in some sort of peace treaty. The Allies will either win or lose or make a draw of it. If we should lose, then God help us; we might as well be where the Kaiser is going, where the butcher of Belgium is gone. If we win, peace will be based on victory, and to the victor belongs the spoils. Leaving the other Allies to look out for themselves, England will no doubt hold what she has won in South Africa. Lloyd George gave it so to be understood the other day. She will take back Heligoland, with which she never should have parted; she may also send the German fleet to the bottom of the North sea, either before or after the terms of peace are signed.

But think ye that she will forget her colonies? What will be Canada's share in the compensation and reparations Germany will be condemned to make, if the treaty of peace is based on victory? It will not and cannot consist of territory; it will be in money, in making Germany refund to us

the one thousand million dollars we shall have spent helping to defeat the common enemy. If we want to be refunded our money, we must win this war; and to win it is necessary that the Allies, all the Allies, persevere with might and main to the end. Let not the example of Russia be followed in Canada, brought about by similar internal and external causes.

There remains this third angle to the triangle—a stalemate peace, a draw. If this war ends in a draw, let Canada prepare, not for one call to arms, but for permanent conscription. Germany will at once prepare for another invasion of the world, and the world will have to be ready to repel that invasion. It is because I am opposed to permanent conscription that I am in favour of the Bill that is now before us. Let us have this one application of the law of conscription, so that we may save our children and our children's children from having permanent conscription forced upon them. Let us spare Canada conscription for all time by voluntarily or otherwise submitting to or enforcing conscription for this one time, and doing it at once.

Hon. W. C. EDWARDS: Honourable gentlemen, having no romance in my nature, I shall have to try to give you a few commonplace facts. Making the same apology to this honourable House which I made when I addressed it three weeks ago, I will endeavour to deal for a short time with the question which is before the House. I shall deal with it perhaps differently from any other member, because I intend to discuss it more particularly from the economic point of view.

This question should be approached in moderation. It is a very delicate and very important question, and should be dealt with on its merits, and not politically.

Some hon. SENATORS: Hear, hear.

Hon. Mr. EDWARDS: My honourable friends say, "Hear, hear," but I should like them to confirm that expression by their actions.

Hon. Sir MACKENZIE BOWELL: It shows that they approve of the honourable gentleman's statement.

Hon. Mr. EDWARDS: Well, I should like to be sure that they do approve of it. As I have said, the question should be dealt with on its merits and not from any political consideration or bias. The whole question, not only of conscription, but the whole question of the war, is a very important one, perhaps the most important that has ever engaged or ever will engage the attention of Canada. I think I may claim that there are not two opinions in Canada as to the merits of this war and the part which Canada should take in it; but Canada, like the other countries engaged in the war, has her limitations, and I am much afraid that, with the exaggerated idea which Canadians have of the resources and capacities of this country, Canada has undertaken more than she can perform. If any one had suggested three or four years ago that it was possible for Canada to send to Europe 500,000 men, the statement would have staggered any Canadian, and, in my humble opinion, the idea of sending 500,000 men should never have been suggested, for it will be discovered before two years have passed that it is impossible for Canada to maintain such a position. The suggestion of 500,000 men being sent to the front was made by a visionary of Toronto, the leader of the Liberal Opposition in the provincial legislature. That honourable gentleman must never have studied Canada, her resources or her possibilities, or he would not have made such a suggestion.

In computing the number of men who may be spared by any country for military purposes, it is customary to allow a certain percentage of the total population, and it is a common practice, in making that calculation, to compare Canada with Great Britain or France, or sometimes Belgium; but there should be no comparison at all between Canada and those countries. In Canada, because of her sparse population, more men are required to perform our undertakings than would be required in any of those densely-populated countries. A statement was made before one of the committees of this House a short time ago that of the 7,000,000 people in Canada, 500,000 are engaged in railway occupations. I can hardly believe that statement; but if out of our population, which certainly does not exceed 7,000,000, any number approaching 500,000 are engaged in railroading alone, we can well understand what a great number of men are required to carry out all other undertakings in which Canada is engaged. It is not at all possible, I repeat, for a sparsely-settled country like Canada to send from her shores as many soldiers as a densely-populated country.

Then there is another consideration. Up to the present Canada has been a very large borrowing country. She cannot stand the same strain as a lending country such as

Britain or France; it is perfectly impossible. In the consideration of this question we have to think of her economic and financial capacity; and I say again it is simply insane—and I have no other word for it—to suggest that we can send the number of men suggested to engage in this war. Again, so far as that is concerned, this country has never committed itself to sending 500,000 men. The Prime Minister, I understand, on a New Year's day, supplemented the suggestion of the visionary from Ontario that Canada should send 500,000 men. No such suggestion was made by the Government or Parliament of Canada. I submit it is a mistake, and I now make the prophecy that it will be found to have been a fatal mistake, as far as Canada is concerned.

When an honourable gentleman last year spoke to some extent adversely of recruiting to the extent to which it was being done, I then felt as I feel now, and meant to follow him; but because of the exaggerated way in which he dealt with the question I did not feel at liberty to follow him, for I did not want to be put exactly in the same category as the one in which he placed himself. I then foresaw, and foresaw before that time, the famine that I claim is going to overtake the world; because if you take men from the productive forces of the world and engage them in military exploits to the extent that is now done, there can be no other result; and it is just as necessary to supply food and the other war requisites to the Allies as it is to send men. I claim that we are on the verge of a greater danger as regards food supplies than we are as regards the supply of men. The United States is now engaged in this unhappy and terrible war; and I take it that that great country, which up to the present time has made enormous sums of money out of the war is going apart from that consideration to do its duty in this war; and if that country does its duty in the supply of men to the same extent as Canada, she will send between 6,500,000 and 7,000,000 men to the front. If that is the case, is it not ridiculous for the Canadian people to suggest going far and away beyond their possibilities when that great country is obligated just as much as Canada is to supply its quota of men? The statement which I will now make may not be accepted by honourable gentlemen on either side of the House; but I say that Canada's obligation in this war is precisely what the obligation of the United States is, no more and no less.

While I speak as I do, I join with all Canadians in their general desire, without regard to section or province, to do everything that can be done for the prosecution and termination of this unhappy conflict; and I know of no dissenting voice from that desire except perhaps from a very few firebrands. But the question is, what are the best means? I claim that the means now suggested are not the best means, and that, instead of assisting in the prosecution of this war, they will be a detriment and an injury to the prosecution of it, as I will try to show later on.

Hon. Mr. DENNIS: Has conscription been a detriment and an injury in England, where six million men have been raised?

Hon. Mr. EDWARDS: As to that question, I will endeavour to show later on that the cases are not at all parallel.

Hon. Mr. DENNIS: And France, and Italy, and Germany?

Hon. Mr. EDWARDS: When this unfortunate war broke out and it was determined that Canada should take part in it, I was one of those strongly opposed to any such thing as an election during the time of the war. I believed that such would be a mistake, and I think the majority of Canadians felt that way. Conditions are such that I have changed my mind on that question—and I want it perfectly understood that I am not following any party, but I am speaking my own independent views according to the dictates of my own conscience.

When the Conscription Bill was brought down in the Commons, the Journal newspaper called me up and asked me if I had anything to say on that measure. I replied that I had not, that I would be called upon in my place in this House to say what I thought of it, and that it would be premature at that time to say anything. I was then asked if I would mind saying whether I was in favour of or opposed to the principle of conscription. I replied at once: "I am absolutely opposed to the principle of conscription." As to the extension of the term of Parliament, I firmly believed that it was undesirable to have an election during the period of the war; but at the same time I believed just as firmly that immediately war was declared the Premier should have invited the strongest and most capable men he could find in Canada to come to his councils under the difficult conditions that obtained. In that respect I thought a mistake had been made. I thought that what France did should have been followed here; that, disregarding parties, the Premier should have obtained

the strongest and most capable men he could find to come to the councils of the nation.

At the present session the question of a union government was suggested. The statement that I am now about to make will, I know, horrify perhaps both Houses, but I cannot help making it. The House of Commons, as constituted to-day, has not among its members, taking both sides, half a dozen men who should be in the Government under present conditions. There are more men sitting in this Chamber possessing the necessary experience—and I exclude myself from that number—to enable them to conduct the affairs of Canada than there are in the House of Commons. The reason for that is that in both political parties the question of party advantage is more studied, continuously and forever, than the great questions that should be studied by every deliberative body. Since Confederation we have had in Canada two strong governments—the government formed at Confederation, and the Government formed in 1896; but neither of those great governments possessed men capable of meeting the requirements of Canada under existing conditions. Parliaments such as we have had in the past cannot cope with the conditions that will face Canada in the future. Legislattion of an absolutely different character will be required if Canada is ever to recover from the terrible position of distress in which she will be placed in consequence of this war. The men required for the future will be men of strong, business calibre, men who understand and are capable of large things. In business undertakings, in Canada and every other country, a very limited number of men ever become capable of taking hold of the administration of large affairs; but it is a common thing for men of no consequence, with no experience whatever, to be placed at the head of the administration of the great departments of the Canadian Government. That may have been possible under past conditions, and we have struggled along; but for the future it will be impossible; and I say that nothing can save Canada from destruction but the administration of its affairs by the strongest and ablest men that Canada possesses.

I have said that I have changed my mind on the question of the extension of the term of Parliament. I am not speaking from a party standpoint. I am frank in saying that, while I am a democrat and a radical, I have no politics whatever in this Chamber; If I were in the Commons I might have a different view of things; but here, I am thankful to say, I have not. Since I entered this Chamber, I have dealt with every question on its merits, without any political consideration, and I will do so while I sit here. But I have changed my mind in the matter of the extension of Parliament, for the reason which I have given, and for this further reason, that so far as my observation goes the Canadian people generally feel that the present administration is incapable of administering, and that there should be an election—and I have heard this a great deal more frequently from Conservatives than from Liberals. Well, there is going to be an election, and I have not the slightest knowledge as to who is likely to win; but, unless the leader who is successful at the election chooses the strongest business men obtainable to assist him in administering the affairs of this country, absolutely irrespective of whether they are from the elected or not, then I say his Government will be a failure. But I make this prediction, that, no matter what happens, you will have in Canada a quick succession of changes of government for some time in the future: no government can administer for any length of time; for I am convinced that the people to-day are dissatisfied and unsettled, and nothing will satisfy them but an election. For that reason, I have changed my view as to whether there should be an election now or not. Taking my own personal feeling, I am sorry that an election should be necessary; but the people of Canada demand it. Whether it be bad or good, an election is absolutely necessary at this time.

Now I come to what is perhaps the kernel of this question of conscription. A great deal has been said of loyalty. There are probably a great many men on both sides of politics who are in the habit of waving the flag and displaying their loyalty. I do not belong to that class. I am so certain that I am a good loyal Canadian Britisher that I do not require to do any such thing. In this country to-day there is a disposition to point to certain men and a certain province on that question of loyalty. My honourable friend the leader of the Government (Hon. Sir James Lougheed) said yesterday that he would not name the Province; but I will name it: it is the Province of Quebec. The finger of scorn is pointed at the province of Quebec, claiming that she is not loyal to Great Britain. I deny absolutely in the strongest terms that the province of Quebec is not loyal to Great Britain. That province

is loyal to Great Britain; but she is not as loyal to France as she is to Great Britain, and I will give you the reason a little later. It is true that the province of Quebec has not volunteered to the same extent as the other provinces. I admit that, but there are many reasons for it. I have no doubt there are in that province a larger number of people who hold the views I personally entertain on the question of conscription. But, after all, the difference is only one of degree. It is nonsense to say that there are not throughout the other provinces of Canada many who are opposed on principle to conscription; and if there are a larger number in Quebec, it is only a question of degree. Quebec has sent thousands of men to the front, who are doing their duty there. Then why condemn the province of Quebec body and bones when the difference between that province and other provinces is only a question of degree? Quebec is a rural province; but the rural parts of Ontario have not responded to volunteering at all as the western provinces have done or as the cities and towns of Ontario have done, by any manner or means; and I venture to say that, if a referendum were submitted to the people, you would find that in the province of Ontario and in all the provinces there would be a large vote against conscription. As to whether it would carry or not I have no knowledge and therefore cannot say. As I have said, the population of Quebec is largely rural, and people are influenced largely by the education which they receive. In Canada there is a very considerable feeling that Canadians are under no obligation to serve outside their country. That view I have no doubt prevails in Quebec to a greater extent than in any of the other provinces. The people of Quebec have been educated to believe that service outside of Canada is voluntary.

There is another matter which I call to your attention. In considering the proportion of men who have been sent we must not overlook the fact that the families in the province of Quebec are about twice as large as those in Ontario; so that, if the proportions were properly calculated Quebec, in order to send her full quota should send to the front only about half or one-third as many men in proportion as Ontario.

I know the people of Quebec intimately; nobody in Canada knows them better, either in a business way, in a social way, or in any other way; and, with the exception of a few firebrands, I have yet to meet any French-Canadians who are not loyal British subjects. I have said that the people of Quebec are not as loyal to France as they are to Great Britain, and there is a good reason for it. It is many years since the forefathers of those who now live in Quebec came to Canada; there is no immigration to that province from France, and there is no association between the people of France and the people of that province. The leading citizens of Quebec visit Paris and are familiar with France and its conditions; but the habitant of Quebec knows nothing at all about France.

There is another matter relating to this question which must be considered. The clergy of Quebec have been largely instrumental in turning the sympathies of the people of Quebec against France because of conditions which I need not mention. The French Canadian people love Great Britain, there is no doubt about it, and they have given proof of that love in two of the wars in which Canada has been engaged. They love the freedom and the privileges of the British rule under which they live. There is a large section of our people, particularly in the province of Ontario, who do not know the French Canadian people as I know them, and who, in my humble opinion, are doing them an injustice on the language question. I think that if the people of Ontario understood the French Canadians of Quebec as I understand them, and if they had a greater number of French Canadians living among them, they would be a broader-minded people than they are. I am sorry to say it, but I think it is time that the people of the province of Ontario stopped pointing the finger of scorn at the province of Quebec. They think the French Canadians are an immoral people, they think they are an illiterate people, they think they are no people at all.

Some hon. SENATORS: No, no.

Hon. Mr. EDWARDS: What are the actual conditions? The standard of morality in the province of Quebec is higher than that of any other province in Canada. If any one wants proof of it, he can easily turn to page 653 of the Year Book and look at the list of convictions, imprisonments, and so forth, and he will find that what I say is borne out.

In all the learned professions Quebec stands quite the equal, and in some respects even the superior, of the great and proud

province of Ontario, to which I myself belong. The people of Quebec are an agricultural people, a pastoral people, a law-abiding and peaceful people, and a people who naturally hate war; but, notwithstanding that, are they not a courageous people? If I were going on an expedition to the North, or on any expedition requiring endurance and skill, I would choose above all others French Canadians from the province of Quebec to accompany me. Let the consequences be bad or good, we will have to live together after this war is over. A large portion of the population of this country are French Canadians. They were here before we were, and we should consider them, and should cultivate a good understanding with them. The reverse is done. I would not repeat here some statements which I have heard made by very prominent men in this country as to what should happen and what may happen after this unfortunate war is over.

In the prosecution of this terrible war we want to carry out that which will produce the best results for Canada and the Empire, and I want to ask—because it is plainly indicated that this Conscription Bill is directed more at the province of Quebec than at any other province—I am sorry to say it—

Some hon. SENATORS: No, no.

Hon. Mr. EDWARDS: Honourable gentlemen say no, but there is no question about it.

Hon. Mr. CROSBY: How can it be?

Some hon. SENATORS: Order, order.

Hon. Mr. CROSBY: I ask the permission of the Speaker. I want to ask in what particular is it indicated that this Bill is directed at any one province more than at another. I should like the honourable gentleman to explain how it is directed at the province of Quebec.

Hon. Mr. EDWARDS: There is nothing in the Bill that indicates it; but the spirit of the Bill and the spirit of the speeches which have been made, indicate it clearly.

Some hon. SENATORS: Oh, oh.

Hon. Mr. EDWARDS: Which will contribute more to the welfare of this country and the Empire a united Canada or a divided Canada?

Hon. Mr. DENNIS: Who is dividing Canada?

Hon. Mr. EDWARDS: I claim that the suggested conscription, instead of aiding in the prosecution of this war, will be destructive and hurtful to Canada and the Empire; and I regret excessively that this step is being taken, as a Canadian Britisher I do not desire that Canada should do less than her full duty in this war. As I have already said, Canada has undertaken far more than she can perform. Is it wise to diminish the productiveness of Canada at a time when Great Britain is dependent on the United States and Canada for her food supply?

We heard a speech yesterday in which an honourable gentleman made it appear that the result of this war was dependent upon the pittance of men that Canada could send to France. It is true that each country has to do its share; but all that can be added to what Canada has already done will not count for very much in bringing about the termination of the war, whereas the time will come when we shall be called upon to supply food, and therefore the people of this country should be engaged in production rather than in sending more men. A fatal mistake is being made. Volunteering is not absolutely at an end. It has lessened very much, and why? At the inception of this war, there were a large number of idle men in the West, and they all offered their services. $1.10 a day was the compensation offered; but wages have advanced enormously in this country consequent upon the war, and of course there is not the same incentive for enlistment today that there was. There is still an incentive, however, and I claim that greater good will accrue from the voluntary system than from conscription. I would rather have one volunteer than four or five men who are compelled to go to the front.

I wish to make a few remarks with regard to the speech of the honourable the leader of the Government (Hon. Sir James Lougheed) for whom I have the greatest respect and esteem. I will relate a little incident as to the motives of jingoes —I am not calling the honourable gentleman a jingoe—and their views. At the time of the Tercentenary in Quebec a few years ago, a dinner was given to Lord Roberts. I attended that dinner. A gentleman from Toronto sat at the opposite side of the table from me. Like all professional soldiers, Lord Roberts was not much of a speaker, but he did fairly well, and he expressed the pleasure that it afforded him to meet so many gentlemen who

had participated with him in the South African war. He said he was quite sure that at any time when England was engaged in just wars Canada would participate. In a loud tone the Toronto gentleman said, "Just wars be damned," intimating, of course, that whether England was right or wrong, Canada would be with her. Well, honourable gentlemen, I may say for myself,—and I have striven to find the justification—that I have never found a justification for the South African war. In my humble opinion it is one of the blots on British history. I would not have sent men to participate in it. The present war is entirely different. Unquestionably this is a war in the interest of humanity and the liberties of the world. I am not prepared to subscribe to the statement that I would join in a war or have Canada join in a war unless it was a just war. The statement has been made that this war is Canada's war. I dissent absolutely from that. The right honourable the leader of the opposition in the other House has made that statement several times, but I do not agree with it. There is no question at all that Canada should do its part in this war; but I differ from my honourable friend who made the statement yesterday that those who were anti-conscriptionists were slackers and cowards. I and my family have perhaps more immediate connections engaged in this war than any other Canadian family. At least from twenty to twenty-five of my near relatives are taking part in it and as many of my close connections, and I venture to say that we have had more relatives killed than any other Canadian family. I am confident also that if I were a young man I would be there; but, while that is true, the idea of conscription is repulsive to my nature; it is inconsistent with Canadian ideas, and is a condition to which a dependency such as Canada is should not be subjected. Canada's obligation is a voluntary one, and the condition of volition which is extended to the country should be extended to the people who compose the country. The principle of conscription is wrong, and it will be found that it is a very serious mistake.

My honourable friend (Hon. Sir James Lougheed) yesterday pronounced a doctrine from which I absolutely dissent. My doctrine, honourable gentlemen, is that the people are king, and must be king; and the suggestion of introducing into this country the very condition which we are supposed to be fighting against is something to which I cannot agree. I am sorry that my honourable friend—inadvertently, I presume, and not intentionally—made the statement that this Parliament, a Parliament existing to-day practically on suffrance, should take the responsibility of passing such a measure as this without submitting it to the people. Opposed to conscription as I am, and fundamentally opposed to it, if the people of Canada decide in favour of conscription, then I shall be for it, because I believe that the majority should rule; but I do not agree with the statement that a government such as the present one should assume the terrible responsibility of declaring that they are king and that the people of Canada are not king. I dissent, and dissent in the strongest terms, from any such declaration. No, honourable gentlemen; before any such law is put into effect the people should be consulted, and, whether it is right or wrong, the dictum of the people should prevail.

Hon. Mr. DANIEL: Will the honourable gentleman allow me a question? Is not the principle of conscription contained in the Militia Act, and has not that Act been in force almost since Confederation?

Hon. Mr. EDWARDS: I would ask my honourable friend, when was it enforced?

Hon. Mr. DANIEL: Fortunately for Canada, there has never been any occasion for putting it into force.

Hon. Mr. EDWARDS: The Militia Act, of course, provides that every man in Canada may be called out for the defence of his country; but there is nothing in the Act which says he shall go 3,000 miles away.

Honourable gentlemen, I dissent, and dissent in the strongest terms, from the idea that Canada has been in danger of invasion during this war, or in danger of German oppression. I know that such statements have been made in the United States by responsible men, including an ex-president; but I cannot accept their views. This country is just as safe from invasion as the great American nation.

Hon. Mr. CROSBY: Well, she is not safe.

Hon. Mr. EDWARDS: No army in the world could be transported across the Atlantic and successfully invade that country. And just so long as that country is safe, this country is absolutely safe.

Some hon. SENATORS: Oh, oh.

Hon. Mr. EDWARDS: Honourable gentlemen, there are too many who do not think, never did think, and are not capable of thinking.

Some hon. SENATORS: Hear, hear.

Hon. Mr. EDWARDS: Just before the outbreak of this war a book was written by a German showing the impossibility of Germany successfully invading Great Britain, because of the difficulty of transportation across a narrow channel only thirty miles wide. The transportation of troops for a successful invasion of the American continent is an absolute impossibility. It cannot be imagined for one moment that the great American republic could be suppressed and put under the rule of Germany. Why, it is absolutely an absurdity, a foolish absurdity; and, just so long as that nation is safe in that respect, I claim that Canada is also safe.

Honourable gentlemen, no greater mistake was ever made, in so far as the interests of Canada or the unity and welfare of the Empire are concerned, than this suggestion of enforcing conscription in Canada. I am unalterably opposed to it. If an amendment had not been moved, I was prepared to move, seconded by my honourable friend from Prince Edward Island, the six months hoist. I am willing to accept in lieu thereof the amendment which has been proposed, but it would have given me pleasure to move the motion which I have mentioned, much as I regret being obliged to vote against any Government measure. Honourable gentlemen, I am unalterably opposed to the principle of conscription, because I think it is detrimental to the best interests of Canada and of the Empire.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. C. P. BEAUBIEN: Honourable gentlemen, my opening words really mean an appeal to you. These are trying times, politically. Many a man who feels the currents of public opinion in this country growing swifter and swifter every hour, knowing that some day those currents must clash, is conscious of a great weight on his heart. I will sincerely confess that I am one of these men. This is a time for a man to speak his whole mind. There are reasons to be given; there are truths that should be heard, and warnings also, and this Senate, it seems to me, is the haven created by Confederation for voices, which, perhaps, could not be heard in a storm of public opinion such as the one we are at present experiencing. I come to this haven. I well know that I have no particular qualifications for it, except this, which I claim, of absolute sincerity and a desire to do my full duty.

My honourable colleague from De Lorimier (Hon. Mr. Dandurand) has pictured to you the state of mind of the French Canadian from the province of Quebec as far as patriotism is concerned. He has shown him to you as being, by force of circumstances, practically limited in his patriotism to Canada, his own land, and he has said that this natural propensity has become a creed. Honourable gentlemen, I believe there is such a creed, such a gospel, in our country. That is the Nationalists' gospel. True it is that we ought to be first of all faithful to our own land.

But, honourable gentlemen, are there not other duties? I may be wrong, but I hold this—and I have heard it not only from Liberals and Conservatives, but from Nationalists: we have the duty of gratitude. In this country we have British institutions; are they worth nothing to us? To my mind they are worth a great deal. Indeed, I have heard my countrymen, time and again, say that there are no political institutions in the world to be compared to British institutions. Honourable gentlemen, I am far from being an Imperialist; I confess it candidly. I know that when England is at war de facto we must be at war; that is self-evident. But in regard to active participation, I think the nation has a right to be consulted and to decide for itself. It has done so in the past; it did so in 1914; and I hope it will ever do so in the future.

We have other and deeper reasons for gratitude to England. In 1914, when war was declared on France, there was a painful tightening of the heart-strings of every man in this country who has French blood in his veins. For three days we asked ourselves in the province of Quebec, "Will France be crushed, or will England come to the rescue?" There was no treaty between the two countries. Oh, I know that it was England's interest to enter into that war at that time; still there are great resources in diplomacy, and England might have avoided war. What did Sir Edward Grey say when he faced the British Parliament? He said: "You are not obliged to go to war; there is no treaty, secret or otherwise binding you; but it is for you Britishers to say whether you should stand shoulder to shoulder with France. Look in your heart and give the answer." The answer came, and I and most of the people of my race were grateful for that, and we will so remain,—and when I say that I do not think very many of my people will deny it.

There is still another reason why we owe a duty of gratitude to England. We have

lived for the past three years in war; but has our territory been invaded? If not, why not? Is it not because the English fleet has defended us? Tell me, do we not live now under the protection of those mighty guns of the British fleet? True, the creed of my honourable friend (Hon. Mr. Edwards) holds, that we are obliged to defend only our territory; but with the British fleet protecting us by its chain of mighty dreadnoughts and guns, if we had not sent our Expeditionary Force to France what would we have spent for our defence? Not one cent; not one man. Should it have been so? Let me answer by asking: Is this our war, or is it not? If it is not our war, then I understand that we might have told England to fight single-handed; but if this is our war, if we are truly and seriously and terribly menaced, I do think a jury of my own people in the province of Quebec, with all the facts put fairly before them, would say that we are bound to assume a full share of the common defence.

This brings to me to what my honourable colleague from Ottawa (Hon. Mr. Edwards) has said. He has said that in this war Canada is not and never has been menaced —that Canada need not have feared conquest or aggression of any kind. Is that true?

Some hon. SENATORS: No.

Hon. Mr. BEAUBIEN: It was a very specious and very dangerous argument. The argument is simple and it seems forcible. My honourable friend said that the United States had an unlimited number of men, that they had all the fleets of the Allies to carry their men; and yet he said, if the United States, with all the fleets of the Allies at her disposal, can hardly send an army overseas, how can Germany do it? I will answer the question as best I can. No doubt my views will be contradicted, but they are my sincere convictions. In the newspapers we saw recently a very disturbing cablegram sent to the New York Times from London stating that the submarines had sunk 1,600,000 tons of shipping in one month. That statement proved to be erroneous; but the truth was that during that month there had been 600,000 tons of shipping lost through submarines. Mark the preface of the message, which was sent by Mr. Grasty to New York Times:

> Excluding steamers damaged or beached, but not sunk, raider losses or other losses, which the authorities deem it unwise to publish, shipping losses (actual sinkings) by U-boats for the first six months of 1917 were 3,507,257 tons, but at the present rate will exceed 7,000,000 for the year. The total losses, with the exceptions noted, from August, 1914, to July, 1917, were 7,706,291 tons.

Therefore, honourable gentlemen, up to the first of August present, 7,000,000 tons of the total world's tonnage of 40,000,000 tons had been sunk, and by the 1st of August, 1918, at least 14,000,000 tons, or more than one-third of the total shipping of the world, will have gone to the bottom of the sea. Mr. Grasty's message appeared to be so serious that the New York Times asked for confirmation from Arthur H. Pollen, a very prominent writer on naval matters, whose articles in "Land and Water" in London, caused radical reforms to be made in naval matters, and who subsequently was asked to go to Washington to advise the United States Government. What does Mr. Pollen say? He says that the probable sinkings will be between 700,000 to 750,000 tons each month. Further he says:

> If we are to be sure of inflicting military defeat on Germany we must first conquer the submarine. Conquering the submarine is an operation the right form of which has not yet been ascertained. It may be unattainable. If so, we must hope to beat Germany on land before our sea supplies give out. It is on the rightness of the American naval policy, on the swiftness and courage with which decisions are made, on the scale and inventiveness with which experiments are pushed forward that the attainment of victory and escape from defeat depend.

The New York Times says:

> Whether German submarines are destroying 1,600,000 tons of shipping every month, or 1,000,000, or half of 1,000,000 tons, the danger, not merely to the people of England but to the whole cause of the Allies and of democracy, is too great to be ignored for a single moment. Least of all, can we in the United States be pardoned if we shut our eyes to the extreme gravity of the submarine menace.

On June 29 Lloyd George said:

> Victory is assured, under two conditions. The first is that the German submarine attacks must be defeated or kept within reasonable bounds.

What does that last phrase mean? It means either that the sinkings must be reduced or that the construction of new boats must be increased. What is the rate at which boats and submarines are being constructed? This is what Mr. Grasty says:

> To arrive at conditions one year from now at the present rate of destruction and new construction, add 1,500,000 tons to the present total of shipping and subtract 7,000,000 tons.

Lloyd George recently sounded a more optimistic note. He said that next year

Britain would construct 4,000,000 tons of ships. Very good. What about Germany? The Germans now have 200 submarines operating in the Atlantic. How many do you think they build in a week? The average production is four a week. How many do you think they lose in a week? The average is one. What conclusion is to be drawn from these figures? The conclusion is that at the end of a year the number of submarines will have been about doubled and the shipping tonnage of the world will have been reduced by at least one-third.

Hon. Mr. BELCOURT: Will my honourable friend allow me to ask him what is the source of his information?

Hon. Mr. BEAUBIEN: Certainly. I find that in a newspaper. It is in a despatch from Washington coming directly from the American Government. I do not think there is any doubt as to its authenticity.

Now, in answer to the new chancellor, Lloyd George has lately said, that if Germany thought she could either starve England or stop the efforts of her army she was sadly mistaken. He said there was every reason to believe that the number of submarine sinkings would be reduced. What is the latest news? We find on the 26th of July that in the last week on record, submarines have sunk 21 ships of over 1,600 tons, instead of 14, which was the number sunk during the previous week. This is an increase of fifty per cent in one week. That is the condition of things on the Atlantic.

What is the condition on land? Honourable gentlemen know as well as I do what it is. I do not want to enlarge upon it. Every one in his heart feels that the hopes of the Allies have been crushed this year by Russia's retreat. From day to day, from week to week, from month to month, everybody has been expecting a crushing offensive. We have been waiting for it a long time, but it has not come. Why? Because nearly all the German armies of the Eastern front have been mobilized against the Allies on the Western front. Is it possible for a nation of 160,000,000 people, struggling in the throes of a revolution, to keep its armies together and to exact from them the greatest of sacrifices? You can answer that question as well as I. What is the opinion of Mr. Bonar Law on this question? This is a report of some of his remarks on July 27:

The speech of Andrew Bonar Law, the Government leader in the House, dealt largely with the Russian crisis. He said that all the nations engaged were staggering under the blow, but that the resources of the Allies were sufficient to make it absolutely certain that unless their hearts failed them, they must secure the results for which they entered the war. The struggle had reached the point where it was a question of staying power, and in this matter he had absolute confidence in the Allies. He was equally certain that if anything could delay peace, it would be any sign of faltering.

It seems to me, that for the time being at least, Germany is holding its own and more than its own. Gentlemen, what would be the result if Germany, freed from pressure on the East, should crush the French and British armies? What would be the result, think you, if Germany should enslave France as she has enslaved Belgium? Germany is to-day using 7,000,000 Belgian people. They are working for her, making submarines and preparing munitions and guns for the war. What would be the result, think you, if she conquered France and used 38,000,000 more people to work for her? How many submarines would be produced every week? How many months would it take to sink the rest of the British fleet? How many weeks would it take to starve England into submission?

Honourable gentlemen, do not think that I am saying this without serious consideration. If my voice does not appeal to you, let me give you an authority that I think you will listen to with deference. Mr. McAdoo, Secretary of the Treasury in the American Government, lately said:

We have always been an unarmed nation because we felt that we were secure. Our love of democracy has been so great that we did not want to take even a chance of militarism. We can no longer delude ourselves. Do you know what would happen if Germany should be victorious, as she would be if she could bring France and England to their knees? She would take the entire British and French fleets, release her own great fleet, which has been tied up in the Baltic during the war, and combining these with the most destructive submarine fleet on earth—because she has it—she would come here and put the iron heel of conqueror upon your shores. We should have to fall back to the interior, and there is no telling how long it would take to expel the enemy, if we ever did. If we could not do it promptly, do you know what would happen to America? We should have to make the most humiliating terms that any great nation ever made to get peace. We should have to pay an indemnity that would represent probably half of the wealth of America, which is $250,000,000,000, and you would have taxation upon your shoulders to meet that indemnity for a century to come.

I am not trying to alarm you. It is not my purpose to exaggerate. I would not misrepresent. I only want to make you realize, if you do not already realize, that you are in the midst of one of the greatest wars of all time. Because you are not actually contiguous to it in a physical sense as the nations of Europe are,

do not think that you are not concerned and that your future security and safety are not immediately involved. This is something you must realize if you would know what to do in the present situation.

I will next quote from an article written by a remarkable man, Mr. Wilfley, the Attorney General of the United States in the Philippines, the following:

We are at war with Germany because our independent existence as a nation is at stake. We are at war for the reason that if the French Republic and the British Empire are brought down, probably we will be forced to pay an indemnity of $25,000,000,000, which would involve our paying tribute to Germany for a generation at least and result in making that nation the most colossal empire the world has known. It is Germany's purpose, if her publicists are to be believed, to make us foot the bills of this war if she can. It is certain that should France and England be slain and Europe Prussianized our fate would be sealed.

We are fighting to guarantee, forever, our right to exercise free and absolute sovereignty over our own land—unrestricted, unhampered, and unproscribed by any foreign power. Victory to our cause undoubtedly will guarantee the independent existence of other nations, but it is a mistake to say that our main purpose in entering this war is to spread democracy throughout the world.

The time has come for plain speaking and candid dealing with the fundamental, essential things that control men's motives and direct their actions and cause them to fight. The quicker our people are made to realize that they are fighting for the most sacred and vital things of their existence—their homes, their fortunes, their freedom, and the independence of their nation—the better it will be for all of us and for those who are to come after us.

On July 14, President Wilson said:

The facts are patent to all the world, and nowhere are they more plainly seen than in the United States, where we are accustomed to deal with facts and not sophistries: and the great fact that stands out above all the rest is that this is a people's war, a war for freedom and justice and self-government amongst all the nations of the world, a war to make the world safe for the peoples who live upon it and have made it their own, the German peoples included; and that with us rests the choice to break through all these hypocrisies and patent cheats and masks of brute force and help set the world free, or else stand aside and let it be dominated a long age through by sheer weight of arms and the arbitrary choises of self constituted masters, by the nation which can maintain the biggest army and the most irresistible armaments—a power to which the world has afforded no parallel and in the face of which political freedom must wither and perish.

Honourable gentlemen, that is a great man speaking to a great people. The people of the United States, who number 110,000,000 and possess untold wealth, do not need to listen to mere political talk. They have already adopted conscription; there is no need to appeal to them for voluntary enlistments. It seems to me that a great man like Wilson, talking at this time to his people, perhaps the most powerful and the most wealthy in the world, must be speaking the truth. Every word that falls from his lips is pregnant with the warning of the danger that he sees, the danger against which he desires, if possible, to protect his country.

A great French writer, one of the greatest philosophers of our time, Bergson, has said of this war: "There are bees which sting their victims and paralyze them before they capture them. What if Germany should take Paris or London, the nerve centres of the two countries?" When I was in France last summer I heard from people who knew, what Germany had determined to do with Paris. She had cut that immense city, the metropolis, I may say, of the intelligence of the world, into seven big sections, and it was decreed that when Paris was taken by the Huns, France should receive the notification, "Either you must quit, or one-seventh of the city will be destroyed"; and a torch would have lit the four corners of that first section, and everything that the genius of man had erected there during unnumbered generations of the finest people in the world would have gone up in smoke, just as Louvain and Rheims have been destroyed by the Huns, without the slightest hesitation or remorse. Then another notification would come to the French people: "You know what has happened? Do you want a repetition of it?" And after a given time the torch would again be applied; and so forth, until either Paris was no more or the French people had lost their liberty.

Honourable gentlemen, may I cite another authority? I feel that I ought to do so—that I must strengthen as much as possible the arguments I am laying before you. I am conscious of my own weakness; so I crave your indulgence and the privilege of trespassing on your patience while I refer you to these authorities. They plead much better than I could ever do. What does Sir George Paish, the first man to be called in by Lloyd-George after the outbreak of war—what does he say? Let me read you his remarks as they appeared in The Statist:

If, instead of bothering with Paris, Germany had struck at once with all her ability against Calais she might have seized the port, and if she had done so it was quite upon the cards that she might shortly afterwards either have seized London or else utterly destroyed it.

I have one last witness to quote. You have heard him. The echo of his eloquence still vibrates in this building. What did M. Viviani say—another great man, coming

from a great nation, a man who knows, and who can speak the truth?

You Canadians who listen to me, you freemen who sit in this Parliament, pray mark my words. I realize that you are farther away than we are from the battlefields; the roar of guns does not reach your ears; you do not see the return of large numbers of wounded men; but morally speaking, you are just as close as we are to the fray. Confronting one another we have autocracy and democracy, and should, perchance, the freemen fail to win the war, democracy and universal justice would be defeated at the same time. It was in the cause of justice that at all epochs we drew the sword; it was in the cause of justice that Great Britain and France, together with their noble Allies, entered the war; it is to enable the children of men to enjoy after the war the advantages of a well assured and prolonged peace that we are fighting.

Mothers who now listen to me, it is for your children's freedom, it is to prevent the recurrence of any wars and to secure the peace of the world, that a whole generation is now giving its blood, and making to-day the supreme sacrifice.

Honourable gentlemen, the conclusion that comes forcibly to my mind—I wish I could repel it, but I cannot—is that we are menaced like France. Not at the same time; that is the only distinction. If France is conquered to-day, we shall not be conquered to-day; that is true; but what of tomorrow? If France is slain, what of us? Have we any special privilege to protect us? What is it that marked the poor people of the north of France for all the slavery and all the atrocities which they have suffered? What is it that distinguished the poor Belgians, who are now crushed so utterly that the whole world is horror stricken? Nothing. Their homes have been destroyed, their houses burned, their children shot like rabbits. What of our hearths and our homes, our families and our children? Is there anything to protect them? I cannot see that our fate would be different. Where is the man big enough to stand up alone in this country and say in reply to Mr. McAdoo, "you have a population of 110,000,000 people behind you, with unlimited wealth and resources, you are furnishing the Allies with guns and ammunition; you must be wrong in your apprehension." Where is the man who is big enough, in this age of big men, to stand up before President Wilson and tell him that he is wrong? If there is danger threatening the United States, how much truer is it of Canada? In this haven where, as the current of public opinion stops at the door, my voice can be heard, let me say this: How much greater would be the danger for my own dear province of Quebec, where a four-inch gun, brought up the river, could slay half its population? Who would bear the first blows? What would be the first targets for the guns rushing up the river, if not the steeples of our churches, if not our public institutions, our convents and colleges? Am I wrong or am I right? I wish sincerely that I were wrong, but I cannot come to that conclusion.

There is another article of that creed. You men of experience in politics, you who have held crowds spellbound, you can truly estimate the value of a captious argument. The argument is: "We are menaced? That is your conclusion. It is, you say, the conclusion of great men? Well, then, tell us, in the name of all that is sacred, why, if we are menaced, why do you send our men and our guns out of our country instead of keeping them at home?" Honourable gentlemen, I do not intend to answer that question myself. Again I call upon a big witness from the south. This is what Mr. Lansing said on the 30th of July, with reference to that argument:

Saying that the "future of the United States is at stake," Mr. Lansing continued, if any of you have the idea that we are fighting others' battles and not our own, the sooner he gets away from that idea the better it will be for him, the better it will be for all of us.

Imagine Germany victor in Europe because the United States remained neutral! Who then, think you, would be the next victim of those who are seeking to be masters of the whole earth? Would not this country, with its enormous wealth, arouse the cupidity of an impoverished, though triumphant Germany? Do you think that they would withhold their hand from so rich a prize?

Let me then ask you, would it be easier or wiser for this country single-handed, to resist a German Empire flushed with victory and with great armies and navies at its command, than to unite with the brave enemies of that Empire in ending now for all time this menace to our future?

Primarily, then, every man, who crosses the ocean to fight on foreign soil against the armies of the German Emperor goes forth to fight for his country and for the preservation of those things for which our forefathers were willing to die.

I think that is a complete answer, and should be accepted, coming as it does from the Secretary of State of the United States.

Another article of that creed is this: Canada has limited powers and resources. If you do not stop the expenditures incurred in the name of this country, and stop drawing upon its manhood for the purposes of war, you will precipitate us into bankruptcy. I will try to answer that as best I can, and briefly. Are we doing more than the rest of the Empire? That is the first question. Canada has a population of seven and a half millions; she has under arms about 418,000 men, or 5½ per cent of her population. Australia has a population of 4,900,000;

she has 362,000 men under arms or 7 per cent of her population. New Zealand has 1,100,000 people; she has under arms 65,000 soldiers, or 6 per cent of her population, The white or European population of South Africa is 1,275,000; South Africa has under arms 60,000 men, or 5 per cent of her population. Newfoundland has 250,000 people; She has under arms 31,000 men, or 13 per cent of her population.

Some hon. SENATORS: Hear, hear.

Hon. Mr. BEAUBIEN: Wait, honourable gentlemen. I want your applause for the last. Great Britain has 44,000,000 people she has under arms five and a half million men, the equivalent of 12½ per cent. France has 38,000,000 people; she has six and a half million soldiers, or 17 per cent of her population.

Some hon. SENATORS: Hear, hear.

Hon. Mr. BEAUBIEN: Are we suffering financially? There are, briefly, two ways of finding out by touching the pulse of a people whether it suffers from poverty or not. Firstly, the savings bank deposits; secondly, the vehicle of business, the note circulation. In 1917 the savings deposits in the banks totalled $909,505,000. Are we losing or gaining wealth? What did we have last year? Last year we had $767,600,000. The increase in savings deposits in one year amounted to more than $132,000,000.

In note circulation we have $165,267,000, as against $123,373,000 last year, a gain in one year of $41,894,000.

Now, honourable gentlemen, one objection, and a serious one, can be presented to me. It may be said: "True, we are living in prosperity, but it is only artificial prosperity." I admit that readily. There are other countries as much exposed as we are; for instance, France, leaving aside Belgium—France, that has saved our life twice at least. But is she prosperous? I was through France last year, and I saw the untold misery of her people, although they were not complaining—no, but smiling through it all. Is France prosperous in that condition? France is exposed to be crushed at any minute; and our turn may come next. Is that true, or is it not true? The danger is the same; the maturity of the danger is different. We have artificial prosperity, but we have more: we have untold resources in the country, the resources of every young nation. Old nations which are tottering under the blows and misery and loss of blood brought about by the war have not our resources untouched; they have not our artificial prosperity, and still their effort is infinitely greater than ours. What is the war? It is an undertaking with unlimited liability. Whether you want it or not, everything we have is at stake in this war, and if we do not defend it, what is the difference, except that it is still more at stake? But do not let us run away with the idea that if we keep our money, if we keep our men, we keep our country free, we keep all those resources, we keep all that is worth living for; no that is a lie.

And there is more. Our debt is going to be a crushing debt, but if we are beaten what will the Kaiser make that debt? And why not? Why, the Germans rob in the north of France; they steal in Belgium, and they kill the people who defend their property. We are not sacred and above those threats and menaces. No; the hand that has crushed those people can crush us tomorrow just as well; and that is why I say, if the war is crushing to us, the consequences of the war if we lose will be infintely worse.

Another article of that creed referred to by the honourable gentleman from Ottawa (Hon. Mr. Edwards) is this: "We should cease our efforts to fight; we should devote all our efforts to feed the Allies." That also is a catchy objection. It is true we have unlimited land, and we can be of great assistance in that respect. But there is an answer to that. The soil of France can produce twice as much as our own soil. If the French people called back from the trenches the requisite number of men they could feed themselves copiously, and they would not require assistance from us. What are they doing? They are fighting the Hun, and they are fighting hunger. They have both duties. We have both duties, for the same reason; we must fight the Hun and we must fight hunger. It is true that it is more difficult to make two efforts than to make one. When you have two such tasks, one or perhaps both may not be as well performed; but when you have to meet them, you call on all the resources of your courage and manhood and face them, and do the best you can.

The last objection to which I intend to refer is this: "Why should the United States not continue our effort?" I admit that is a serious objection. It is true that the United States has an unlimited number of men, while we have few. We require more for the field and for industries, I admit. But now is the time to put forth

all of our strength—not to-morrow. When the armies of the United States are in the field, and have replaced those of Russia, upon whom we can hardly count to-day, there will, I believe, be a certain relief for Canada. But now the fate hangs in the scale; now, when the enemy and the Allies are gripping each other by the throat, so to speak, and looking into each other's eyes for a sign of exhaustion, is the time for us to make our supreme effort. We must do all we can, and the Allies must do all they can. Later on, when the tide has turned, and the mighty armies of the United States will have been thrown with full force into the scale in our favour, then perhaps Canada will take a breathing time.

But there is another answer to that objection. Do you remember what the leading men of this nation said at the beginning of the war? Do you remember that momentous day when Canada freely but proudly went to the rescue of our two mother countries? Do you remember what was said in the name of this nation? We said that we were in to the end. That declaration was ratified by the country. It was heard over the sea. Still at that time there was no very serious danger for Canada. Everybody thought that with the coalition of the Allies, Germany would surely be crushed. Did you at that time entertain any serious expectation of aggression? No. At that time we thought that it was our duty to go and fight for liberty and justice, and we went. But the danger was remote. Still, with that danger as remote as it was, our public men, those who really led in Parliament, those who represented the nation, without distinction, without one dissenting voice, they said we were in to the end. We now know the tremendous force developed by Germany, and what kind of a foe she is. She has laid waste part of Europe; she has accomplished practically the dream of her statesmen for twenty years past; she holds that portion of Europe stretching from Antwerp to Warsaw and from Bremen to Jerusalem and the Upper Euphrates, for which she has been craving for so long. With terrible offensives that we never could foresee, Germany is every day menacing the world. Now that we have that frightful danger face to face, what shall we say? Have we not said, "To the end"? Is it not our national and individual interest to stay to the end?

There is another reason. When we began we never dreamed of atrocities such as have been committed, for we thought that there would be a certain humanity in the way war would be carried on. Is there any to-day? What pity can you expect from such a foe? Is there any quarter that we can hope for? We did not think that Germany would have the audacity to conquer by terror; that she would respect nothing; but now we know it. That danger stares us in the face; it is upon us if we lose. What shall we say? Nay, what can we say? If it is true that we are menaced by what has happened to Belgium, what can we do but fight to the end? I know that it is customary to wave the flag, but I do not intend to do it. I think too much of that has been done, as we shall realize a little later on. Politicians on both sides have aroused dangerous sentiments and bad passions. But let me tell you candidly what I think of our soldiers. They have been called to arms, and they have responded nobly. The call was to the proud standard when we said, "To the end;" and the boys came, and they went across, and their motto was, "To the end." When the Canadian Trade Commission was in France last year, at every city where we stopped people said, with enthusiasm and emotion and gratitude that I cannot depict, "You brave little free nation, you have come of your own accord, you have come to stay with us to the end; your soldiers have said so, more than that, they have lived up to their motto." It is true there are no braver soldiers; there are no soldiers more esteemed, more revered in all the armies of the Allies, than the Canadians. They have gone into the fight with that motto, "To the end," they have died for that motto; and they are now mourned for that motto.

If you want to know what a promise of that kind means for France, please remember Verdun. What happened there? They mustered the best arms of France and the best generals, knowing that the pressure of the whole army would be applied there to reach the heart of France. They told those men, "Stand and die;" and the men answered, "They shall not pass!" and the Germans did not pass. That motto, "they shall not pass!" is now written across Verdun in letters that will be flaring centuries from now. Those are the people who received the promise brought by our soldiers to France; and side by side with the Canadian soldiers, are those men who said, "They shall not pass!" the men who saved France, who saved Europe and the world, the men who are now decorated with the Cross of the Legion of Honour because they have lived up to their pledge, and made true the words,

"They shall not pass!" Let the people in my country who have been honoured by that Cross of the Legion of Honour not forget that it is the same cross that now decorates the city of Verdun and all those brave men who have fought and lived up to and kept their word, "They shall not pass!"

There is an objection made with reference to France. The question is asked: "Do you think that if we went to war France would help us?" Honourable gentlemen, I need not tell you that that also is a very specious argument. Are we going to war for France? Are we breaking peace and giving the best that we have when we are not obliged to do so for our own sake? What is the real situation? How should that question be put? It should be put in this way: If France were defending herself and the world in Canada, instead of on her own territory; if we had borne the brunt of the first blow; if France were interested in the war, as she is to-day, and if we called for more men, what do you think that brave and generous country would do? That is the fair way to put the question, and if it is put in that way I need not call for an answer, because there is but on judgment on the chivalry and generosity of France. If France were in our place to-day, she would do what we are doing and more.

Now, honourable gentlemen, I am coming to the Bill. If it is true that we must continue our effort, how shall we do it? By the voluntary system? There are two objections to that. The first need is for infantry; and, considering the wastage and losses, the voluntary system does not produce satisfactory results. But let us waive that objection. There is another and very much more serious objection. We have withdrawn from the life of the country 400,000 men. We are suffering from that loss. Agriculture is suffering. Certain essential industries are suffering. Why? Because men have been withdrawn indiscriminately. We all know perfectly well that 400,000 men cannot be taken from a population like ours without the country suffering. The prime objection is that men have gone who should not have gone. Men have gone when agriculture and industry claimed them principally and primarily.

Honourable gentlemen, if the war were beginning to-day, if we wanted to avoid that error, what would we do? That is a plain, frank question. I have heard even Nationalists say that they would prefer conscription to the voluntary method of enrolment. I have heard them say time and again that undue pressure was brought to bear in certain cases, and that married men with obligations, and men who were especially required to feed the nation had gone away. If we had the power to retrace our steps, would it not be in the interest of the nation to select the men who should go? If that was the case before any men had gone at all, now that our population is impoverished to the extent of 400,000 men is it not much more necessary now to take the precaution of selecting those who should go?

But there is more, Sir. Under the voluntary system how can the idler be made to do his duty? I am not talking of slackers; I will come to them later on. Take the case of the man who does nothing. In my opinion there is no place for him to-day in the life of the nation. The man who does nothing is a nuisance, and we cannot afford to have nuisance in the country. Men must work. Those who foresee the difficulties that will face us after the war must come to that conclusion. Those who cannot fight the Hun must work if they are able; they must fight hunger; if they cannot go to the trenches, they ought to go to the fields. How can that be accomplished?

The people of my province are opposed to conscription. I am not fatuous enough to think that there are not a great many men among them with more intelligence and with as much patriotism as I have. The immense majority of them are sincere. They hate compulsion. I cannot help saying that this is one of the most trying things that I have ever done in my life. I am conscious that I am now standing in opposition to the will of nearly the whole of my people. I am deeply sorry for it. There is but one thing that I plead for, fair play. I have nothing to gain but everything to lose, by the course which I am going to take, and even my good friends on this side will agree with that when I have finished. I do not share the opinion of those who oppose conscription. I have fought them for years, especially since the war, but there is one thing which I cannot deny, it is that when everybody else was in favour of the war, some of them had the courage to be against everybody else. They were wrong. That is my deep conviction. But there is one thing I can learn from them, that is to have courage, and I intend to have it.

Selection is the best way of avoiding the errors and the difficulties that have existed in the past; therefore I am in favour of the principle of the Bill. Of course honourable gentlemen, you will readily understand that

I reserve to myself the right to offer amendments to the Bill if I think they may render it more acceptable. Now comes my second sacrifice because—and I have absolutely no shame in saying it. I am a confirmed and convinced Conservative and always have been. I have the deepest reverence and affection for my chief, and if I vote against my party on this question it will be with regret; but I confess not with as much pain as if I found myself against my people when they were assailed as they are now, when they do not deserve one tithe of the accusations aimed at them. I need not say that my people are not brought up with military ideas. I do not want you to take my word for that, although I believe you credit me with sincerity. I ask you to accept the testimony of one of your own witnesses. What does the Montreal Star of the 16th of June say? I will read it:

> The British-born with their instantly-acting instinct of patriotism, enlisted at once. They constituted something like eighty-five per cent of the first contingent. This was not because they were more loyal than the rest of us when we all had time to think it out—it was merely because their patriotism was more instinctive and automatic. It took the Canadian-born a little longer to emerge from the miasmic fogs of pacifism; but they were presently marching into the gap bravely.
>
> French Canada—with much the same mental attitude to begin with—was much slower in taking fire. Why? Largely because their instinctive patriotism had become wholly local. They were loyal to Canada alone. They were long divorced from France—first, by the conquest when they were deserted; next (let us remember in fairness) by the British demand that they cease to look to France which was then our enemy; next, by the Revolution and its subsequent war upon their cherished religion.

I could read an article from the Winnipeg Telegram along exactly similar lines, but I will not do so. Let me simply tell you that when the campaign for voluntary recruiting took place in the province of Quebec, those who did their best were met by one man and his friends. This man raised louder the clamour and menace kept alive by him before the people of Quebec for fifteen years. That man was Henri Bourassa. What did he say? For fifteen years, he has said: "If you allow soldiers to leave this country to go and fight the wars of England, you will have conscription." Others of us went to our countrymen, both Liberals and Conservatives, and asked them to do their duty. We said that there was no danger of conscription, that it was a menace held out by Bourassa to frighten the people. We were sincere in saying so. What was the effect, Sir, when like a thunderclap, conscription was announced in this country, the man who had been prophesying conscription was regarded as a real prophet by the people of my province. What was the effect on those who wanted to do their duty, and affirmed that there would be no conscription? Those were believed to have deceived their countrymen. Those upon whom the load had been placed, those who had answered the call of their country, were heard no more, and the man who had been preaching the opposite creed was proven to be right. I am not blaming anybody. It is useless to blame anybody, and that is not my purpose, but it seems to me that it is my duty to show how circumstances govern things. Ten, fifteen, twenty—yes, one hundred years might have passed and we might not have had this war. This war is the greatest that the world has ever seen, but circumstances brought it about and at the same time seemed to prove to the whole of my province, that what this man had said was true. There is no use in denying it. Why am I telling this to the people of other provinces? Because I do not want you to believe, what has been stated too often, that my countrymen do not know how to answer the call of duty. They are misled, yes; but they are a generous and courageous race.

What happened next? For the past year, or more, what has been printed in the newspapers of the province of Quebec—the Liberal newspapers? My honourable friend from de Lorimier (Hon. Mr. Dandurand), who I know is sincere, has trespassed on political ground for the purpose of showing where the responsibilities lie. Well, I will continue and finish the story. What has happened during the past year? In all the leading Liberal papers of the province of Quebec you have seen statements like this: "We are for the war, but we are against robbers. We desire to put forth our best efforts, but we want efficiency. In other words, we desire to serve the mighty interests of this war, but we cannot ignore our own private interests."

What has happened to the Conservative party of the province of Quebec? Let me tell you. Those who have tried to lead that party have done their best to stem the tide, but the Conservative party in the province of Quebec is dead to-day; it has died of the war. The Conservative leaders fought against Bourassa. It was shown by circumstances that he was right and they were wrong. They have resisted the Liberal party, but what could

they do? When, in spite of the indifference which often confronted them, they had given the best of their intelligence and energy, and thought they had convinced their people, what happened? Just a few words were said, and all their work was undone: "Those are politicians. They are not playing an honest game. That is petty politics. They are for the war, because they are making money out of it."

Now, honourable gentlemen, let me cite an article which will show whether I am exaggerating or not, an article which appeared in the Montreal Daily Mail of the 30th of July last. A political leader of no small importance in the Liberal party of the province of Quebec tells my people why he is against conscription. Listen and you will understand:

Why did Borden introduce conscription? Not to win the war; he deceived you on that, it was to gain the elections which are now coming. (Applause). He introduced conscription, not to win the war, but in order to set the English of Ontario against the French of Quebec and the French of Quebec against the English of Ontario. He introduced conscription after we had voluntarily sent 420,000 of our men to the front. A system which allows us to get 420,000 men voluntarily is good for another hundred thousand.

An Hon. SENATOR: Hear, hear.

Hon. Mr. BEAUBIEN: I want my honourable friend to continue to say, "hear, hear." We all know where we stand in this matter. Let my honourable friend be patient.

Sir Robert Borden said on many occasions that he would never introduce conscription. He told us clearly that not a word was said to him in England about conscription, yet three days after he left the steamer he came to Ottawa and immediately proposed conscription. Do you know why? Because he went to the other side with a man whose biography was written by Judge Galt, the Hon. Bob Rogers. He crossed the sea with Borden.

Rogers said to Borden, "If you don't bring conscription we are lost; you know we stole so much, we administered so badly, etc., that we will have no one to support us. We must have conscription in order to set the French Canadians against the English Canadians and vice versa." That is the political pact of the Tory party to-day. We see in the Ontario papers and in the Conservative papers of Montreal columns upon columns of matter written to excite one race against the other. That is the policy of Sir Robert Borden.

Do you understand, honourable gentlemen, why it is that we in the province of Quebec who have tried to do our best have been defeated? Do you think that those words were uttered by a man of my race, a man of no standing perhaps, a man of no influence perhaps? No. Those words fell from the lips of an Englishman, a man of authority and position in the province of Quebec, a man highly respected in that province. Under circumstances such as those, how can you expect that my own people will not be misguided? How is it possible, when your own people—for that gentleman is not the only one—men of your race in high positions have spoken with as little restraint or truthfulness? I do not wish to name anybody. My purpose is not to arouse acrimony, but quite the reverse.

Further, mistakes have been made. I quite understand that war cannot be carried on without mistakes. Very often our own counsels were not heard. Perhaps there were good reasons for that.

Hon. Mr. CHOQUETTE: Will the honourable gentleman give us the name of the person whom he has just quoted?

Hon. Mr. DANDURAND: No, no.

Hon. Mr. CHOQUETTE: I would ask the honourable gentleman to give the name of the person whom he quoted with reference to Sir Robert Borden.

Hon. Mr. BEAUBIEN: I would say to my honourable friend that perhaps we do not look at things from the same angle. That is my answer. I will tell the honourable gentleman in private, after the sitting, if he so desires. I have nothing to gain by doing it; the only result would be perhaps to humiliate a man, and I do not want to do that.

Hon. Mr. CHOQUETTE: There is no humiliation in it.

Hon. Mr. BEAUBIEN: Well, if the honourable gentleman accepts these words which I have quoted as being up to his level, let him do so. I will name no one now, but I will give my honourable friend——

Hon. Mr. CHOQUETTE:—Is he an Englishman?

Hon. Mr. MURPHY: The honourable gentleman (Hon. Mr. Beaubien) has already said he was an Englishman.

Hon. Mr. BEAUBIEN: I was saying that mistakes have been made. Yes, very serious mistakes have been made. So far as we are concerned, there may have been not a word about them; but it is results that count. What was the result? For instance, we worked hard to assist Asselin in raising a regiment. Asselin was a brave,

intelligent and deserving man, who went overseas through sheer patriotism. Moreover, he was a Nationalist. We had great hopes that such a regiment would go to the front. It did not. I blame nobody, but I say that also was an obstacle which we had to meet.

I have here a newspaper not one word in which is written without the permission of the chief of the Liberal party here and those who advise him. I do not say, remember, that he actually controls the newspaper; but the policy which he dictates must be followed. It is a newspaper which is now being fed with a spoon. The day after conscription was voted in the House of Commons, what did that newspaper say? There appeared in it, in big, flaring headlines: "Borden with his majority, has voted the condemnation to death of 100,000 Canadians."

These are facts. But there are still more. Systematic attacks have been made on the province of Quebec—on my race. They all have come from the same quarter. I will not name it; it would be useless. My purpose, I repeat, is not to create more division, but to show you how it is that the mentality of my people is being moulded. If you want evidence of that, I could quote from newspapers which I have before me, not one of which is controlled by a French Canadian. I have here an extract from an editorial in the Montreal Star of the 6th of July, addressed to the English race in this country. It says that conscription is not a punitive measure, that some people in this country evidently think it is, and that the sooner that impression disappears the better. Do you think that this editorial in an English paper in my own province would have been written without cause? It was written because the attacks were daily becoming worse and worse, until English-speaking people who live amongst us could not help crying out: "Stop! You are killing the cause which you desire to serve." I could cite an article from the Montreal Gazette along practically the same lines, in which that paper says it is not by kicks that you make people do their duty.

Honourable gentlemen, what is the conclusion to be drawn from all this? The elections must take place. It makes no difference whether people who think they should not take place go on praying that they may be averted. The elections will take place within such a short time that, whether the Government desire it or not, they cannot put the compulsory service law into operation before the elections are held. It is a physical impossibility. Why, then, attempt it? Within that short time you cannot have conscription but you produce more irritation. I am now addressing myself in all sincerity to my party. I have served it to the best of my ability for years. I appeal now to my chief. Why make the situation more difficult? Why make it worse than it is? Do you not think that we, who have our pride of race, are not sufficiently humiliated by what is taking place at meetings where people who have nothing at stake say anything and everything? Do you want this state of things to continue? What will it bring to this Parliament? Do you think that people in such a state of agitation can well choose the men whose shoulders are strong enough to bear the burden? Is it not a time for my friends in the Government to say to the country: "We will not put this measure into operation before the elections," so that trouble makers shall not be elected by our people and by yours? For it must not be forgotten that every shout of anger coming from one province has a deep echo in the other. There are on both sides of politics persons whose interest it is to make trouble, because trouble only can make them. They are, I know, the minority, and I am appealing to the majority. Those who love but their party may want to cause trouble, but it is to those who love their country more that I am making this earnest appeal. Give us the assurance that this Bill will not be put into effect until after the elections. Then, honourable gentlemen, those who say it is a punitive measure will find it very difficult to maintain their accusation.

Those who make all sorts of false pretenses will have a last chance to lead my own countrymen into error. You will have less hatred on both sides, and that is what the country most requires. Do not forget that the most troublesome days are to come. Yes, unhappily I believe so. We have still to finish the war, and we have to carry the weight of the war; and is it not true that this is a duty for the best men? Let us have the best men. I am thoroughly imbued with that idea, and, being so, I must vote for the amendment. I am sorry to leave my party, but still more pained to part from my own people. This is the only course open to me, and I follow it. My vision may be short; that is not my fault; but, seeing where my duty lies it would be my fault if I did not follow the

way of duty as I see it the right way, the high way.

To every man there openeth
A way, ways, and the way,
And the high soul climbs the high way
And the low soul gropes the low,
And in between, on the misty flats,
The rest go through and fro,
But to every man there openeth
A high way and a low,
And every man decideth
The way his soul shall go.

Hon. P. A. CHOQUETTE: It was not my intention and my desire to speak to night, but one of my colleagues, being my senior, being absent, asked me to take his place. I am somewhat disturbed by the extraordinary speech delivered by the honourable gentleman who has just sat down —extraordinary by its delivery, extraordinary because it was evidently prepared for the next election, for some of the parishes where the honourable gentleman gave views directly opposite to those he announced to-night. The honourable gentleman said that his vision may be short; but we cannot say the same thing for his speech, and my hope for him is that his vision may be a little longer, but that in future his speeches may be a little shorter, which will be better for the House and for the questions that may be debated. For the present I would like to refer to some extraordinary statements made by the honourable gentleman, because I saw some weeks ago in the Montreal Gazette a very complimentary reference to him as a strong conscriptionist who was going to vote for the Bill. He has denied that entirely, but he did not deny it until to-day. On the contrary, the Ottawa Journal states that the honourable gentleman has changed his mind and is now going to vote for the amendment. It seems to me that the honourable gentleman is thinking one way, speaking another, and as to voting I am not sure what he will do. I was very much surprised, after hearing him shouting about conscription and describing how the Huns might come to this country with machine guns, burning churches and convents and kicking out the people, to find that the honourable gentleman has four or five brothers, all young, good-looking like himself, and rich, and I thought that surely he was defending his own brothers who were at the front fighting the Huns; yet to my surprise I am told that they have not enlisted, but are waiting for the Huns to come and smash their houses. I do not like to say these things; but when a man speaks so strongly for conscription, saying that a man must go and fight the Huns, I think he should first give an example not only by words but by deeds, and go over there and fight when there is so much necessity to prevent the Huns from coming over here and killing everybody.

Before entering on my argument I wish to make some more preliminary remarks. I was scandalized when I saw the honorable gentlemen on the other side yesterday heartily applauding the reading of the letter addressed to my honourable friend the leader on this side (Hon. Mr. Bostock) by Sir Clifford Sifton. If I were wicked enough to punish them for their applause, I would read the attacks I find in the Tory papers and speeches of some Tory gentlemen to the effect that Mr. Sifton was the greatest boodler we ever had in Canada—that he was not only a bad and dishonest politician, but was put out of the Government of Sir Wilfrid Laurier because of things pertaining to his private life. We find all that in black and white in the Tory papers of some years ago. But he was applauded yesterday by the honourable gentlemen opposite because his name was affixed to a letter which was intended to injure Sir Wilfrid Laurier and his friends, although it contradicted what he said a few weeks ago to the effect that Sir Wilfrid's amendment asking for a referendum was right, and that he was going to carry the country with that. I could cite two or three names of members of Parliament to whom he made that statement. What has happened since then? Mr. Sifton must have said to himself: "I am going to support the Tory party, because that will be a whitewashing for me, and it won't leave in their eyes any crime of my private or my political life, and then I can say what I like in politics without being attacked by them." We know also that Mr. Sifton has made money in the war, and if my information is correct he has made a million or two on wheat in the last few weeks and also in buying horses for the French Government last year.

The honourable leader of the Government said in his speech that there were slackers and quitters, and that conscription was to get them. In saying that he was insulting his own chief. Who was the biggest slacker if it was not Mr. Borden himself, when he said that there would be no conscription in this country? Was he not then a slacker? Sir Sam Hughes, the ex-Minister of Militia, said that Sir Robert Borden had not only opposed conscription, but opposed recruiting—that Premier Borden had asked

him on many occasions to "slow down on recruiting;" and Sir Sam added that the reason why the voluntary system fell down was because of the influence of prominent men who wanted cheap labour and big profits; that they had influenced the Imperial Munitions Board, the Cabinet and the Prime Minister; that Sir Thomas White had warned the Premier that manufacturers were protesting because Toronto's recruiting was too fast. I assert that there was an unjust attack against the province of Quebec made by the honourable leader of this House in his speech.

What is a slacker? Here is a little clipping from the Montreal Gazette of August 27, 1915, speaking about civil servants and a lack of patriotism:

Toronto, August 26.—A severe attack was made on the patriotism of the Ontario civil servants by John Beverley Robinson—

A big man up there—

who declared that although 300 in the Parliament Buildings had been promised full pay during absence if they enlisted for overseas service, only 10 had answered the call. Of these, two were married men and five of the others were unable to pass the medical examination.

Are those men slackers? Are they the men to whom the leader of the Government was alluding yesterday? If he says they are, then I will let him settle the case with those men in Toronto.

Now, passing the other subjects, I must congratulate the honourable member for de Lorimier (Hon. Mr. Dandurand) on the clever speech he made yesterday about our past. He gave a short and true history to show the mentality of the people in our province. I wish to cite a good authority to show why our province thinks that we are not obliged to defend any land, but that if Canada is ever attacked it will be for England to defend us to her last man and last dollar. In the debate on Confederation, page 665, Sir John Macdonald himself said that the Canadian delegates would discuss in Britain the question of defence, and he had no doubt they would be met in the most large-hearted and liberal spirit by the English Government, and that that Government would pledge itself to its utmost resources in men and money for our defence. My honourable friend from De Lorimier referred to the signing in 1849 of the annexation manifesto when the Tory Loyalists, because an act of justice was signed by Lord Elgin, went down to Montreal to sign that document, and, aided by prominent men, burned the Parliament Buildings and sent rotten eggs to the Governor General. There were no Frenchmen in that; there were no Liberals in that, I think. They were all English Tories, and you know what happened. When they are slandering Quebec they do not say a word about this, but I intend to repeat this here, and to send back these true accusations to those who are accusing us wrongly.

The honourable gentleman from Russell (Hon. Mr. Edwards) has this afternoon rendered justice to Quebec, and has spoken of the morality, the good conduct, and the true loyalty of the people of our province. He has brought before his compatriots of Ontario the fact that we are a loyal, moral, law-abiding people, and that criminality is ten times less in Quebec than in Ontario. It is only fair that he should be asked for proof of this statement. As he is not a lawyer, I will furnish the proof, not to injure my friends in Ontario, but simply to prove that his statements were true. In the criminal statistics of 1915 published by this Government, Parliamentary Documents Nos. 17 and 18, Volume 51, No. 13, 1916, there is a compilation of the convictions in the whole Dominion, and they were as follows:—For murder: Ontario 7, Quebec 5. For manslaughter: Ontario 17, Quebec 9. For abortion: Ontario 10, Quebec 2. For rape: Ontario 172, Quebec 34. For bigamy: Ontario 42, Quebec 3. For procuration: Ontario 20, Quebec 6. For shooting, stabbing and wounding: Ontario 120, Quebec 37. For assault: Ontario 729, Quebec 347. For refusing to support family: Ontario 73, Quebec 9. And so on. So we find that for one conviction in Quebec there are five or six or eight in Ontario. I do not say this with the intention of shaming my honourable friends from Ontario, but to bear out the statements made by my honourable friend from Russell, who so bravely defended us this afternoon.

More than that, Sir, in the speech made in the other House by the honourable member for Red Deer, Dr. Clark, it was said that in certain sections of the country the people were losing their sense of proportion. In the Montreal Gazette of June 25 last I read of an incident concerning Lord Beresford. This is the article:

Smashed Plates at Savoy Hotel—Lord Beresford Found He Had Been Eating Off German Ware.

There was a curious scene when Lord Beresford was speaking at a luncheon of the British Empire Productions Association at the Savoy Hotel to-day. He was dealing with the presence of Germans in the country, when he

happened to pick up a plate from the table, and saw, according to the inscription on the back, that it was made in Germany. "Here is a pretty state of affairs," exclaimed Lord Beresford, "we actually have been eating off German plates." A succession of crashes followed as a number of guests raised their plates and hurled them to the floor, smashing them.

When men like Lord Beresford are losing their heads in that way, I am not surprised that some of the people in the provinces are losing their heads over conscription. While speaking of people losing their heads, I may quote some statistics about insanity in Quebec and in Ontario. In 1914 the number of persons committed for insanity in Quebec was 8, in Ontario 237; in 1915 in Quebec the number was one, in Ontario 195. I state these things to show that we are just as good, morally and mentally, and just as loyal as the people of any of the other provinces.

On motion of Hon. Mr. Choquette, the debate was adjourned until to-morrow.

RESEARCH COUNCIL BILL.

FIRST READING.

Bill 83, an Act relating to the Honorary Advisory Council for Scientific and Industrial Research.—Hon. Sir James Lougheed.

The Senate adjourned until to-morrow, at three o'clock in the afternoon.

THE SENATE.

Thursday, August 2, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

NEW SENATORS INTRODUCED.

The following newly-appointed senators were introduced and took their seats:

Hon. Angus Claude Macdonell, of Toronto, Ontario, introduced by Hon. Sir James Lougheed and Brigadier-General Hon. Mr. Mason.

Hon. Roderick Harold Clive Pringle, of Cobourg, Ontario, introduced by Hon. Sir James Lougheed and Hon. Sir Mackenzie Bowell.

STATISTICS OF EXPEDITIONARY FORCE.

Before the Orders of the Day:

Hon. Mr. LANDRY: I should like to inquire of the leader of this House as to the accuracy of the figures given in his speech on the Military Service Bill. There was something said with regard to this question yesterday, but I think we might come to an understanding if I were to point out the figures that are missing. The honourable the leader of the House said:

> I present the following statistics of our Canadian Expeditionary Force: Reported enlistments to 31st July, 1917, 418,102; gone overseas to same date, of whom 136,400 in France, 127,543 in England and elsewhere, 263,943; 31,010 killed, died, missing and prisoners, and about 20,000 discharged or returned for discharge, 51,010.

The statement is correct to that point.

> In Canada, or about to embark, 22,812; discharges, etc., in Canada, reported discharged as shown on detailed statement attached, 64,552; discharges not yet reported through districts, or for whom documents are not yet available for classification, about 10,910.

Taking all these figures, he gives a total of 418,102; but when we add them together we find that they total only 413,227. If we deduct that figure from the 418,102, we have a difference of 4,875. I do not know where to put that difference.

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend that I presented the statement furnished by the department. Honourable gentlemen will observe that the numbers of discharged or returned men are approximate, which may account for the discrepancy. I think the figures should be sufficiently accurate for the purposes of this discussion.

IRREGULAR NOTICES OF MOTION.

QUESTION OF ORDER.

Before the Orders of the Day:

Hon. Mr. CLORAN: I wish to call the attention of this honourable body to the method of dealing with notices of inquiries which is being adopted, I do not know by whom or upon whose authority. Yesterday I gave notice that I would ask the Government if they had tendered a seat in the Senate to the Hon. Thomas Chapais, a leading Conservative in Quebec. I want a plain answer to that. It does not appear in the Minutes of Proceedings.

Hon. Sir JAMES LOUGHEED: No, I do not see it.

Hon. Mr. CLORAN: I am asking why it is suppressed. This is a very grave matter. Are we going to introduce Kaiserism and Prussianism just because honourable gentlemen opposite have a majority of one or

two? What is it going to be when they have more.

I put another question: "Is it the intention of the Government to bring men from the House of Commons, after voting on a public measure, and to allow them to vote again on the same question?"

Hon. Sir JAMES LOUGHEED: I rise to a point of order. There is nothing before the House.

Hon. Mr. CLORAN: Yes, there is. I am calling the attention of the Chair to the suppression of facts.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: Yes, you can call order.

The Hon. the SPEAKER: I find in May, 12th edition——

Hon. Mr. BEIQUE: Honourable gentlemen——

Some Hon. SENATORS: Order.

Hon. Mr. BEIQUE: I beg leave to say what I intended to say. I am calling the attention of His Honour the Speaker to the fact that if there is a point of order we should have an opportunity of discussing it before his ruling is given. If a ruling is being given——

The Hon. the SPEAKER: I am answering the question. I find in May, 12th edition, page 217:

> A notice wholly out of order, as for instance containing a reflection on a vote of the House, may be withheld from publication on the notice paper.
>
> When a notice, publicly given, is obviously irregular or unbecoming, the Speaker has interposed, and the notice has not been received in that form. He has also directed that a notice of motion should not be printed, as being obviously designed merely to give annoyance.

I heard the inquiries read by the honourable gentleman from Victoria (Hon. Mr. Cloran), and I asked the Clerk to give me those two inquiries. Upon reading them, I found that they were out of order, and were designed merely to give annoyance.

Hon. Mr. LANDRY: I understand that His Honour the Speaker is not deciding the point of order, but is just relating what he has done.

The Hon. the SPEAKER: I decided that those two questions were out of order.

Hon. Mr. LANDRY: The honourable the Speaker is not now giving a decision on a point of order.

The Hon. the SPEAKER: Yes.

Hon. Mr. LANDRY: There was no point of order raised.

The Hon. the SPEAKER: I gave a decision, and if any honourable gentleman is not satisfied, he may appeal from it.

Hon. Mr. LANDRY: No. His Honour the Speaker is just relating what he has done.

Some Hon. SENATORS: Order.

Hon. Mr. LANDRY: What is the point of order?

The Hon. the SPEAKER: I have given my decision.

Hon. Mr. LANDRY: I am not appealing from the decision. I am saying that the Speaker has not ruled on the point of order, but has related to the House what took place. The honourable gentleman from Victoria gave notice of two inquiries, and the Speaker said that he found them out of order, and accordingly told the Clerk not to have them put on the Order Paper. All that is very proper; but perhaps His Honour the Speaker will tell us whether he communicated with the gentleman who gave notice of the inquiries. That should have been done as a matter of courtesy.

The Hon. the SPEAKER: He was absent.

Hon. Mr. BEIQUE: May I call the attention of His Honour the Speaker to the answer which he gave me? I rose because it seemed to me that the honourable the Speaker was going to give his decision on the point of order, and he said that he was merely going to answer the question. Therefore I call the attention of His Honour to the fact that, unwittingly no doubt, he has misled me, because I was claiming the right to speak on the question of order before the House if there was one. I think His Honour the Speaker is confusing two things. Undoubtedly he can exercise the right to which he has referred of allowing these questions or not, subject, of course, to the judgment of this House, but he has not the right to prevent discussion on a point of order. In other words, he cannot transform the decision, which he has made ex parte, into one from which there can be no appeal and on which there can be no discussion.

The Hon. the SPEAKER: Once again I say that I gave my ruling on these inquiries, and there is an opportunity to appeal from the ruling.

Hon. Mr. CASGRAIN: Suppose the Speaker ruled out something in error—I am not speaking of this case—would there be no appeal to this House? Would it be within the power of one man to rule out anything he chose, like a Czar of Russia?

Hon. Mr. BELCOURT: Are we to understand that hereafter points of order are going to be decided by the Speaker without an opportunity of members discussing them? For my part, I strongly protest against any such thing.

Hon. Sir JAMES LOUGHEED: My honourable friends are becoming unduly excited.

Hon. Mr. CLORAN: I rise to a point of order. There is nothing before the Chair.

Hon. Sir JAMES LOUGHEED: I do not know whether it is due to the heat of the day or not. The senator from Victoria division, Montreal, yesterday gave notice of certain inquiries. They were manifestly improper. I assumed the responsibility of having the attention of the Clerk directed to the impropriety of permitting them to appear on the Order Paper. It is a principle laid down in May and other books on Procedure——

Hon. Mr. BELCOURT: May I call my honourable friend's attention to the fact that he is now discussing the point of order, whereas my honourable friend from De Salaberry (Hon. Mr. Béique) was prevented from doing so.

Hon. Sir JAMES LOUGHEED: No, I say no one prevented his doing so. It was when His Honour the Speaker was on his feet stating why he held that the questions were out of order that my honourable friend rose and said that he proposed to discuss the question of order.

Hon. Mr. BELCOURT: No, no, that is not the fact. My honourable friend could not have been listening. His Honour the Speaker had not given his ruling when my honourable friend rose. The Speaker told him to sit down as he was going to decide the point of order, and then he went on to decide it.

Hon. Sir JAMES LOUGHEED: I did not understand it so. I would ask His Honour to recede from that position if he misunderstood the attitude of the honourable gentleman from De Salaberry (Hon. Mr. Béique), and permit a discussion of the point of order. I am sure that if His Honour the Speaker did take that position, he did it unwittingly. I was under the impression that my honourable friend had risen after His Honour had proceeded to give his decision.

Hon. Mr. BELCOURT: No, no.

The Hon. the SPEAKER: I had no intention of stopping the discussion.

Hon. Mr. BELCOURT: That may not have been the intention, but that is what was done.

The Hon. the SPEAKER: Pardon me, I did not do it. All that I said to the honourable member for De Salaberry was that the ruling was that the two inquiries which were read yesterday by the honourable member for Victoria were out of order, and that if my ruling was not satisfactory he could appeal to the House. Everybody knew what those inquiries were when they were read yesterday. I decided that they were entirely out of order and gave my ruling accordingly.

Hon. Mr. DANDURAND: If His Honour the Speaker will allow me to say so, I think that perhaps he went a little further than he should have gone. It was his duty to notify the Senate that he had decided that the questions should not appear on the Order Paper, which would explain their absence. Then it appertained to the Senate to challenge that ruling and to call upon His Honour for a full discussion and a full explanation of the point. If the ruling were challenged and the question discussed, then a judgment could have been given, and there would have been a full and general discussion of the question. I am speaking academically, because I was not in the House at the time.

Hon. Mr. BEIQUE: My purpose was not to discuss the merits of the question, because I did not know what question had been put; but I saw clearly that the honourable the Speaker was acting under a misapprehension, and I wished to prevent his closing the door prematurely to a discussion if any member wished to claim his right to discuss the point of order.

Hon. Mr LANDRY: Are we to understand that, when the honourable the Speaker decides to prevent the insertion in the Order Paper of a notice of motion by any member, that decision is final, or have we a right to discuss the question before he gives his ruling?

The Hon. the SPEAKER: When a notice of an inquiry or of a motion has been given,

and is considered completely out of order, surely it is the right of the Speaker to rule whether that notice should be placed on the Order Paper or not. After that, any honourable gentlemen who is not satisfied has a right to make a motion to blame the Speaker, and to have an order given by the House that the notice which has been presented shall be inserted in the Order Paper.

Hon. Mr. LANDRY: I think the honourable the Speaker misunderstood me. The Speaker has the right to prevent the insertion in the Order Paper of any motion if he thinks it improper; but the question I asked was whether that prevented senators from exercising their right to discuss the question.

DIVORCE BILL.

On the Order:

Third reading of Bill T2, an Act for the Relief of Albert Edwin Gordon.—Hon. Mr. Taylor.

Hon. Mr. DENNIS: Before that motion is put, I would like to have this order discharged and put on the Order Paper for Wednesday next, the 8th instant, so that we may have a chance to know what we are voting on.

Hon. Sir MACKENZIE BOWELL: It has not been the custom in the past to vote on these Bills without the opportunity of reading the evidence, and I thoroughly agree with the suggestion to postpone.

Hon. Mr. TAYLOR: If objection had been made that the evidence had not been printed, I would have been quite willing for the order to be discharged and placed on the Order Paper for a later day, and then discussed with closed doors. This case was heard two years ago, and a Bill was reported, which passed this House and went to the House of Commons; but Parliament was prorogued before the Bill could go through. The case came before the Divorce Committee again this year. It was defended two years ago, and also this year, and I think every member of the committee, including the leader of the Government and the leader of the Opposition, will agree with me that, although the evidence is now laid on the Table and every member can read it if he wishes to, that evidence should not be circulated throughout the country. That was the opinion of the committee If the House discusses the matter with closed doors, it can then, if it so decides, have the evidence printed; but I am satisfied and every member of the committee will agree with me, that it should not be distributed through the country.

Hon. Mr. BELCOURT: Do I understand that the evidence is going to be printed, or is not going to be printed?

Hon. Sir JAMES LOUGHEED: It is not going to be printed.

Hon. Mr TAYLOR: It has been printed for the first Bill that was granted, but not for the last one.

Hon. Mr. SPROULE: As a member of this Senate, I dissent entirely from the contention that we are justified in passing any Bill of that nature without having before us the evidence upon which such Bill is based. No man should desire to go it blind in that way.

Hon. Mr TAYLOR: The evidence is on the Table.

The order stands for Wednesday, August 8th.

MILITARY SERVICE BILL.

CONTINUATION OF DEBATE ON MOTION FOR SECOND READING AND HON. MR. BOSTOCK'S AMENDMENT.

The Senate resumed from yesterday the adjourned debate on the motion of the Hon. Sir James Lougheed, that Bill 75, an Act respecting Military Service, be now read a second time, and the motion of the Hon. Mr. Bostock in amendment thereto:

That the following words be added after the word "time":

"With the understanding that this Bill will not come into force until after the general election."

Hon. P. A. CHOQUETTE: Honourable gentlemen, having yesterday made some preliminary remarks, I will now for a few minutes discuss the particular reasons I have for opposing this Bill.

Of all the motives that impel me to oppose the enactment of conscription in our country, the one which I deem to be the most powerful and convincing is the pledge to the Canadian people that there would be no conscription whatever—a pledge officially and publicly made by the Prime Minister on the floor of the House of Commons in the clear words which we all remember; a pledge which was repeatedly given, and in which we put our faith until, all of a sudden, the same Prime Minister so strangely wheeled about. Some honourable gentlemen of this House may think that I am rather touchy, and I will not deny that, as a Canadian, I feel greatly

humiliated when I see the Prime Minister of my country going back on his word so light-heartedly and unceremoniously. I am still more humiliated when I realize that his rating of the majority of Parliament proved to be almost correct: a majority was indeed found ready and willing to tread in his footsteps at his first beckoning. On the other hand, I may say that I doubly rejoice, both as a Liberal and a French Canadian, that Sir Wilfrid Laurier considered himself bound by his words as recorded in Hansard of January 17, and felt that only by the people's will could he be released from his promise.

All of us are agreed that a most ignominious stain, which Von Bethman-Hollweg and the German Government can never blot out of history, is their phrase, "a scrap of paper," and their refusal to honour a treaty which they had signed. I fail to perceive any distinction between the German case and that of the Canadian Government. An elementary pride forbids us, it seems to me, from giving more worth to the declaration of a German Prime Minister than to that of a Canadian Prime Minister. Our public pledge to the people of Canada should especially impress our English fellow-countrymen. They know—at least it is they who claim—that England has entered this war in order to honour her signature. Although for eight days she tried to avoid being drawn into the conflict, she at last decided to join in—not on account of the Entente Cordiale, say her political men; not because her trade and her dominion over the ocean were endangered; not because France was in peril, and Germany triumphant; but simply because, after having pledged the neutrality of Belgium, she was no longer free to choose, according to the official declaration of the British Government. Later on I will have a word to say on all that. Acting under the same principle, I wish to make it clear that in opposing conscription in my country I am moved not so much by a desire to oppose that measure as by my conviction that a pledge made to the people of Canada should be respected. If I censure those in power for their unexpected change of mind and lack of good faith, it is not, as some honourable gentlemen may be inclined to believe, because I intend to pity my people and those who are about to be conscripted. Some members may give a wrong interpretation to what I am going to say, and accuse me of lacking patriotism. Those whom I really pity, and whom I consider to have been betrayed by the sudden wheeling round of our Prime Minister and his colleagues, especially his French Canadian colleagues, are the volunteers who have gone forth, the maimed and the dead, whom we induced to sacrifice their lives by imposing upon their courage and self-denial—those young men from whom we have stolen one year, two years, three years of life under the false and delusive pretense that there would never be any compulsory military service in their country. I pity also the mothers and fathers who placed confidence in the pledge of the Prime Minister, and who to-day sadly and bitterly reproach themselves for having urged their sons to enlist before their turn.

In the midst of the unjust denunciation of the people of my province which we hear in these days, and all the invective intended to cast opprobrium on them, it is no little gratification for me to note how their character is made up. For, if they fully trusted the pledged word of the Government, the leader of the Opposition, and the Parliament of this country, it shows what they are—trustworthy men accustomed to the laws of honour. It never occurred to them that such a pledge could be broken, except by the people's will. When the Prime Minister suddenly dashed conscription at them, they were stunned, wondering whether it was the same man who had made the pledge, and to-day they cannot enter a protest strong enough to do justice to their feelings.

It does seem strange that French Canadians should to this day remain trustful and confiding, when Ontario has enacted that odious Regulation 17, and other provinces have treated as "scraps of paper" the constitutional rights of the French to their own schools and to the use of their language. Nevertheless, Canadian Frenchmen have kept on trusting a man's word, no matter who or where, and I doubt whether honourable gentlemen of this House will not respect them the more for having done so. For my part, although I am not a perfect model of party discipline, I can easily understand, especially under such circumstances, the reluctance of all the English Liberal members to part from their old leader. They must have felt that, besides their political allegiance, they were breaking a still more inviolable tie—a compact, I would say—that absolutely bound them to follow the conduct of their leader in order to be true to the laws of honour and to the Canadian people. Indeed, to break that tie would amount to breaking their word.

Although deceived, the people of Quebec find some comfort in thinking that we can be very proud of the great Canadian statesman hailing from our province, the true Canadian statesman, Sir Wilfrid Laurier, who would not end his straightforward and highminded career, based upon the principles of democracy, by allowing history to record of him such a derisive and scornful treatment of the Canadian people.

If we never differed in opinion I am afraid that public life in Canada would be "the dullest and dreariest walk." Nothing is more to be feared than stagnant blood in the veins of a nation. So I hasten to say—contrary to the general opinion which prevails at the present moment—that I do not apprehend any fatal outcome for our national unity from the existing cleavage. When I study the inner nature of this conflict of French and English elements, I find that it is essentially a sign that Canada is growing in population and in years; that we have come to face more difficult tasks and more complicated problems; that we have decidedly gone beyond that particular period of time in the development of the nation when we had chiefly to concern ourselves with the material existence of our people. Up to the present time public men in Canada have had to discuss figures more than ideas. The contending parties as a rule have argued about the burden of taxes and the increase of our national debt, about scandals imputed to the Administration, about dry and arid questions of trade and commerce, that is to say, about matters that concerned more our material welfare than our way of thinking and thwarted the natural inclination of each race. But this time we come to a concept, to an ideal, the nature of which is to oppose to each other the two predominant elements of our country—the French race deeply rooted and with a chauvinistic attachment to the land, and the Anglo-Saxon race, a cosmopolitan race, found in all parts of the world, and with the characteristic of being at home in any country but without local attachments. For it is a trait of the Anglo-Saxon to take with him, wherever he goes, the land of his birth, and to remain tied to the apron strings of his mother country. There lies, in my opinion, the cause of the unexpected conflict respecting conscription. Whenever atavism, which is the constitutive element of a race, has anything to do with a question arising in this country, we must expect divergent currents of opinion, which cannot be kept in restraint.

Does this imply that our Canadian unity must inevitably cease to exist? Not at all. For the time being it may be weakened, but it will spring up again as soon as the subject of contention shall cease to exist, and our whole population will be exclusively interested in the welfare of Canada. Whatever may happen, national unity never dies in a country merely on account of a diversity of religions and languages. To really endanger this unity or give it a mortal blow, the conflict must arise between people belonging to the same ethnical group and speaking the same language, as, for instance, is the case in Ireland. How can it be expected, indeed, that, with two distinct bloods running in the veins of the Canadian people, this nation will live perpetually without any difference of opinions and contrariety of sentiments springing up now and then? It would be contrary to the laws and history of humanity. Has not Belgium given and is she not still giving a magnificent example of national unity, although her whole history is made up of language and school conflicts, brought about by the different mentality of the two groups forming that heroic little nation? Is there any country more jealous of its liberty and independence than Switzerland? She freed herself from tyranny and she stands ready to resist invasion and oppression. And yet how many intestine wars have been fought by the Celtic, Germanic, and Latin elements that constitute her population. Her national unity remains unaltered and cannot be questioned.

As for ourselves, if we are placed to-day in this sad predicament, it is because—why not say it frankly?—we hastily, heedlessly, and extravagantly blazed abroad blustering protestations of our unbounded devotion and absolute self-denial, offering to sacrifice the life of all our young men and to lead our country as a victim to the altar of Great Britain. French and English Canadians equally blundered in so unconsciously deceiving themselves and suffering each other to be imposed upon. For our part, we in Quebec spoke and thought of sacrifices for the Empire that we could not afford and had no right to make; you in the English provinces took those ideas of sacrifices for granted and expected still more. Well, it is not true, in spite of all that has been sometimes loudly declared in our name, that the Quebec province, though glad and ready freely to help England, stands ready to give for the benefit of the Empire "her last man and her last dollar." When the honourable Solicitor General of Canada, for in-

stance, announces that he is quite ready to bankrupt our country to help to win the war, English-speaking people may be sincere in applauding his utterance—although I doubt whether any among them realizes what national bankruptcy would mean; but in the province of Quebec we think that this proffer is absurd and reasonless; and I know that I am not mistaken when I assert that a great many sensible Englishmen think as we do. Also we consider that the honourable Minister of Railways and Canals talks through his hat when he says that he is prepared to remove the rails on all of our railroads to ship them to the Allies. Upon hearing the honourable minister announce in the House of Commons his readiness to do that, English members again clap their hands and acclaim the speaker. We in Quebec, together with many judicious and patriotic people in the English provinces, believe that such ideas border upon aberration, if, indeed, the Minister of Railways and Canals is not playing to the gallery. We certainly admire you, all English-speaking men, when you spontaneously rise and take off your hats to sing "God Save the King"—an English hymn, the origin of which is essentially French! In fact, we rise with you, take off our hats and heartily sing, "God Save the King;" but we feel that you should kneel down with us afterwards to sing our true national hymn, "O Canada," instead of voting its banishment, as have done scores of your leading social women in this very city of Ottawa, the capital of Canada.

It is, then, because we place Canada before the Empire that you accuse us of disloyalty—and some wretched and irresponsible people go so far as to accuse us of cowardice. It is because we place Canada before the Empire that so many newly-born Anglo-Canadians, fresh hands on our ship of state, cannot understand the attitude which the province of Quebec is assuming towards conscription.

But, I ask you, is not ours a most reasonable and right-minded attitude? Could any stand be manlier, more truly democratic, and marked by more consideration for what is fair, than the protest of my province against conscription, especially when this protest is immediately followed by the manliest, fairest and most democratic offer: "Show us that the majority in our country are against us, and we will submit; let the electorate decide, and we will submit if the majority are in favour of this nefarious conscription law!" But never will Quebec submit to such a law passed in the House of Commons by servile members without a mandate, and approved in the Senate by a majority secured through a transfer from the other House of men who had already voted upon this wicked Bill.

In this connection I may quote, in proof of what I have said, an editorial which appeared in the Montreal Gazette on July 24, headed, "New Senators To-day," and which said:

> The vacancies will be filled to insure the passage of the Military Service Bill. . . .There are nine vacancies, one from Manitoba, three from Quebec and five from Ontario, and the Government will fill enough of these to-morrow to make certain of the adoption of the Bill.

That shows the absolute disregard for the will of the people by the Government which is pressing this Bill on the country. Under other circumstances I should be glad to welcome to this House these men, who are able and highly respected in their respective professions, and some of whom I know personally; but I am sorry to see them coming to this House pledged to vote for the Government, in order that the Government may be assured of a majority for this nefarious Bill. The Government must have sent for those gentlemen and said to them: "Here is a vacant place in the Senate; will you accept it?" The answer would be, "Certainly." But the Government, or the Prime Minister, would say, "Well, you may accept it on one condition." "What condition?" And the answer would be, "That you vote for the Bill." "Certainly, I will vote for it." I know some of them who were against conscription not long ago, but who, according to my information, now intend to vote for the Bill. I say that is a disgrace—not to the honourable gentlemen who have been appointed, for I have nothing to say against them; but I say it is a disgrace to the Government to bring in members to repeat their votes on conscription and to ensure the passing of this objectionable measure without referring it to the people. If I were speaking outside of the Senate, before a Board of Trade or a shareholders' meeting, about such a transaction, I should say that this is a transaction "c.o.d."

If this law is enacted under these conditions, I am bound to say that we will fight it to the bitter end by all legal and constitutional means. And yet such is the attitude that you will characterize as being tantamount to disloyalty, cowardice, and desertion of a sacred cause, as some have dared to say.

Since the question of conscription has come up for discussion in the House of Commons, French Canadians have had to bear up under numerous attacks and under

insinuations so framed as to be even more injurious than slanders. But English-speaking people should know by this time the history of our country; and, if they do not, they should learn it before proceeding further with their bitter denunciations. You understood, honourable gentlemen, did you not, why it never occurred to us that we should take those attacks too seriously, and why we have only answered them from time to time. If your numerous mushroom colonels who have been so bravely hurling insults at us had taken the trouble to open a book and study the history of our people, they would never have dared to talk about us as being slackers or poltroons. Every page of the peace treaties concerning the French Canadian race gives the lie to their insinuations and reproves their statements with a stinging irony. In reading the history of Canada, the mushroom colonels I am referring to, and birds of the same feather, would have learned that it is not in our blood to be afraid of firearms any more to-day than yesterday, since the first guarantee demanded by the treaties, the first precaution taken by the victors towards the handful of Frenchmen who remained here, always consisted in taking their firearms away from them. At all events, I suppose that the father of the Conscription Bill, the right honourable Prime Minister, who comes from Grand Pré, is not thinking of deporting and dispersing the French inhabitants of Quebec, as were expelled the faithful and unfortunate Acadians, in whose name, I suppose, the honourable gentleman from Shediac (Hon. Mr. Poirier) spoke yesterday, thanking this Government for what their forefathers had done against his people.

Speaking about mushroom colonels, let me refer for a moment to a matter of history in this country. This is not the first time the French Canadians have been attacked. We have been similarly attacked since the cession of Canada to Great Britain. In 1760, at the time of the cession, we were accused of being cowards. But who were those who accused us? What was their calling in life? I will quote from a book—not a French book, not even a Canadian book, but one published in England, "The History of Canada," by Kingsford—to prove what sort of men were those who, after the cession, so unjustly accused the French Canadians of cowardice. There are some of their offspring in this country to-day, but, thank God, the great majority of my English-speaking fellow-citizens are honourable men and do not hold the same opinions as certain people in Toronto. What does Kingsford say about those who were slandering the French Canadian race after the cession, and who took to task the then Governor General of Canada, General Murray, for giving justice to those to whom justice was due? Here is the report which General Murray made to the Earl of Shelburne, as taken from the history of Canada, by Kingsford, volume 5, page 188:

> The whole population, exclusive of the King's troops, doth amount to 76,675 souls of which in the parishes are nineteen Protestant families, the rest of that persuasion, a few half-pay officers excepted, are traders, mechanics, and publicans, who reside in the two towns of Quebec and Montreal. Most of them were followers of the army, of mean education, or soldiers disbanded at the reduction of the troops. All have their fortunes to make, and I fear few of them are solicitous about the means when the end can be obtained. I report them to be in general the most immoral collection of men I ever knew; of course little calculated to make the new subjects enamoured with our laws, religion and customs, far less adapted to enforce these laws and to govern.

I desire to say here that those men, especially in Toronto, by whom we are so bitterly attacked, must be the descendants of that "immoral collection of men" following the army who, in order to make their fortunes, were ready to do anything to crush the French population, the first inhabitants of the country, who were trying to respect and obey the laws under which they were living.

There is another point, one which the honourable gentleman from Montarville (Hon. Mr. Beaubien), who preceded me, has tried to impress upon us: it is the German scare. Last evening the honourable gentleman pictured our population in the hands of the Germans, our churches destroyed or burned, and the population of this country dispersed. Honourable gentlemen, it seems to me that the German scare was not very great in England a short time ago, for I recall a speech which was made in December, 1898, by Joseph Chamberlain, the father of Imperialism. Speaking at Leicester, Mr. Chamberlain said:

> The natural alliance is between ourselves (that is, England) and the great German Empire.

Mr. Chamberlain only nineteen years ago declaring that the natural ally of England was Germany! That, I admit, is not the present position, but I do not see why the German scare should be so great. If we are not afraid of handling firearms when need be, there is another fear which we in Quebec are equally proud not to know, and that is the German scare.

There is a laughable picture clumsily drawn to stir us up and win us to conscription; that is, the coming of the Boches—it is a repetition of what the honourable gentleman from Montarville (Hon. Mr. Beaubien) said yesterday—our country occupied, our homes in ruins, Halifax, Quebec, Montreal, Toronto, under a shower of shells, and even Mr. Cochrane's mines destroyed! Along this line of thought, a pretentious saying was coined which does not lack a certain literary effect, but which, when looked at closely, sadly reflects upon the Allies. "Our first line of defence is in Flanders," is the eloquent cry going up in Parliament and in public meetings. We have heard that cry from the lips of the honourable leader of the Government and from the honourable gentleman from Montarville. I really do not know how much deceit or how much sincerity enters the minds of those who have invented and invent these and similar ghastly stories, but I heard them the other day fall with so much seriousness from the lips of as grave a personage as the honourable Minister of Trade and Commerce that I hasten to allay his fears. If any one feels a great anxiety about Mr. Cochrane's mines and Mr. Flavelle's bacon, we are not in the least worried in this respect in Quebec, and such silly talk will never convince us of the necessity for conscription. No, the German nightmare does not obcess us to that extent. We do not allow ourselves to entertain doubts that are so offensive concerning the valour, courage, and power of resistance of the French, English, and Belgian troops fighting overseas for their own homes; nor do we think that it is absolutely necessary to send over a handful of Canadians to prevent the soldiers of the Kaiser from trampling the Allied armies under their feet.

That we should be afraid of the Boches here? That we should fear an attack from them? That we should dread our country being occupied? But do they not realize that, in having recourse to such an argument to make us favourable to conscription, they are, on the contrary, furnishing us with a most formidable proof of the ineffectiveness of conscription? Does this fact not mean, and publicly acknowledge—to the high gratification of the Boches, I am sure—that out of the two hundred million Russians and thirty million Italians; out of the forty million French and seven million Belgians, who constantly have before their eyes to stimulate their courage and excite their anger the red glare of their burning homes; out of the forty-five million English who daily find among ruins the blood-stained limbs of their wives and children, and who have but to step across the Channel to witness the carnage of their own people; out of the one hundred million Americans who have ringing in their ears the groans of the Lusitania victims—does it not, I say, attest that the conscription which they want to force upon us has not, after all, succeeded in drawing out of these five hundred milions enough brave men to stand their ground against peoples notably inferior in numbers? I do not see that any other conclusion can be arrived at in regard to the usefulness of conscription, especially if we take into consideration that we have succeeded under voluntary enlistment, without being bound in any way, as far as Canada is concerned, in recruiting over 430,000 men out of our seven millions, and sent them to the battlefields over the seas.

No, this picture of the German scare does not worry us a bit. But, in the event of such an unlikely occurrence, should it happen that for the lack of a few hundred thousand Canadians more the mass of our Allies were to be overthrown by the Huns, with the terrible results which may well be imagined for the Board of Trade of Toronto, the nickel mines of Mr. Cochrane, the cold storage plants of Mr. Flavelle, the shoe factories of Mr. Ames, as well as for the dividends of steel company shareholders and manufacturers of munitions, in all of which are directly interested quite a few members of both Houses—well, I maintain even then that it would not be for the Americans and the peoples of Europe to put to shame our small Canadian nation, any more than the Prime Minister of England or the President of the United States could make our Canadian Prime Minister bow his head. What would be patent to all would be that they had not made for themselves one-half the effort that we have contributed for them. And I assure you that would have no weight with me in favour of conscription.

Is the Conscription Bill necessary? I answer no. One of the reasons why there have not been more enlistments in Quebec is that the affairs of the Militia Department have been improperly administered. It will be sufficient for me to state what happened at the opening of the Valcartier camp. 33,000 men were sent there, a good percentage being French Canadians, although the majority were English-born. It was said by the English officers and soldiers: "We do

not want any French Canadians—the war will be very short." They said that it would be a big picnic for them to go to France, and that they would carry the day easily. That was the opinion of the English-born element. More than that, the French Canadians were insulted and discouraged from enlisting. The English officers decided to have their mess separate from that of the French Canadians, and not to associate with them. The Governor General had to come in and rebuke those officers. While the Governor General was there, an English lieutenant endeavored to pass in front of a French Canadian colonel who was a member of the staff, and who told him that he had no right to pass. What was the result? He was insulted. He, a good French-Canadian soldier, resented the insult, and, as a consequence, this mean, small officer had to spend two or three days in camp under his tent. These are some of the incidents that were reported to me. I intended to bring them up in the House, but I was told by French officers that it would be no use, that it would simply make matters worse. So French-Canadian officers and soldiers were continually insulted. I am glad to add that in the majority of cases the insults were offered by Englishmen, men not born in this country; but, considering the circumstances, is it surprising that the enlistments among French Canadians were not greater?

Sir Wilfred Laurier was himself insulted by Tory papers accusing him of not assisting in recruiting, when, as a matter of fact, he spoke in many places in the province of Quebec, urging men to enlist, and, though he was doing as many Liberal leaders have done, that was the treatment he received. If proper men had been put in proper places, not only 5,000 men but 50,000 would have enlisted. I say without hesitation that if Sir Wilfrid Laurier were to come into power to-morrow, and call for more men under this same voluntary system, within a very short time we should have 20,000 more French soldiers, many of them from Ontario, provided they were officered by men of their own race.

We have not even received credit for what we have done. According to the records, we have given 14,000 men. I challenged that statement in the House and asked the Government to give me an opportunity to go through the records of the Militia Department without cost to the Government, and I would prove that more than 25,000 French Canadians had enlisted; but the Government has refused to accept that challenge. While speaking on this matter, I will read from the Montreal Star of the 30th of October, 1916, an article taken from the New Witness, which is as follows:

> The first Canadian contingent contained 5,000 French Canadian volunteers. Since this contingent left Canada, six battalions of French Canadians, containing in all 7,200 men, have been raised in the province of Quebec. At least twenty-five per cent of the Scotch and English battalions of the province—7,000 men—are French Canadians. The Maritime provinces have furnished a French Canadian battalion of 1,200 strong, while some 3,000 French have enlisted in the other battalions of those provinces, Ontario and the West have furnished at least 4,000 French Canadian volunteers, who have enrolled in English regiments. If we added to the 27,400 already mentioned the French Canadians of the Army Medical Corps, the Army Service Corps, the Engineers, and the battalion of foresters (ninety per cent of whose personnel is French Canadian), we should probably find that at least 40,000 French Canadians were enrolled in the Canadian army at the time when the article of the correspondent of the Times was written. For the purposes of this argument, however, we may put the figure at 35,000. But the statistics previously cited for the enlistment of the Canadian-born population must now be rearranged. The 20,600 added to the French Canadians must be deducted from the English Canadians enlistment. In other words, taking the figures of the 1911 census as a basis for calculation, 1.7 per cent. of the French Canadians have enlisted, as against 1.9 per cent of the English Canadians, in whose favour the balance has been deliberately inclined. It is needless to comment upon these figures.

When National Service cards were sent out in Quebec everybody was anxious to sign them and to assist the Government. I read an article from the Quebec Chronicle of the 9th of January, 1917, which says:

> It cannot be made too clear that both the public men and the clergy of the province of Quebec are doing their duty towards National Service and doing it well. Illustrations of this fact are furnished by the public meetings held last Sunday in three of the leading French districts of the province. While illness prevented the presence of the Hon. Dr. Blondin, M.P., at the Plessisville meeting, it was announced by Cure Dupuis, and addressed with much success by Mr. H. A. Sirois, representing Colonel Chauveau, while three Cures of the neighbourhood summoned the Fraserville meeting which was also largely attended, and was addressed by a number of public men, including Mr. Gauvreau, M.P. At Montmagny again, the Rev. Mr. Grenier was amongst the speakers of the day. As was so well said the other day by the Montreal Gazette, "the strongest pronouncements against the work of the National Service are coming from English-speaking provinces, and in some cases at least originate with men of English birth. In Quebec, where representative bodies or representative men have spoken, in French, the National Service has been commended. The attempt to make it appear that Quebec is the recalcitrant and disagreeable member of the federation family is getting some bumps over the facts."

As we all know, the Quebec Chronicle is a Government organ, controlled and published by General Watson, now at the front. The article which I have just read from that paper confirms what I have said, that in cases where we have been called upon we have done our duty in the past, as we are doing it to-day, and doing it freely and frankly, as men ought to do. But we do not want to be coerced or compelled to do it. How is it that some of the best French officers in the country were put aside? How is it that General Lessard was not given an appointment, and that General Landry of Quebec was nearly left out in the cold? What has not been said about Quebec and Sir Wilfrid Laurier? I do not know whether Sir Wilfrid Laurier will be the new Prime Minister or not; I hope he will. I no not know whether he will resign the leadership of the party or not. But all I know is that, defeated or successful, leading the party or otherwise, in this country Sir Wilfrid Laurier will always be head and shoulders above the ministers of the day, above those who have slandered him, above those who have deserted him, particularly at this crucial moment, not for the party, but for the country. Sir Wilfrid Laurier and the Liberals and the French Canadians are not cowards. You must remember, especially you Liberals, what happened in 1896 on the question of provincial autonomy in Manitoba. We were then fighting for the principle of autonomy. There was strong opposition to us Liberals in Quebec, especially to Sir Wilfrid Laurier. Religion was somewhat mixed with politics on account of the Remedial Bill; the clergy were fighting us; but, taking our political life in our hands, because we thought we were right, and that it was a free question, we put our faith in the people, and we won. Though it was a burning question, the people of Quebec were not more stampeded then than they would be now if this Conscription Bill were submitted to them. Sir Wilfrid Laurier came back to power after that great fight, and the great principle of autonomy triumphed. He remained in office for fifteen years, and I may say that he kept in office those who to-day, on a principle still greater, I maintain, than the one fought on in 1896—those who now desert him, and on so liberal and democratic a question.

I do not see why to-day these Liberals, as we from Quebec did in 1896, do not take their political lives in their hands, if necessary, and show their confidence in the people. This all goes to show that neither Sir Wilfrid Laurier nor the Liberals nor the people of Quebec are cowards. When a question is put fairly before them, they are able to decide of their own free will. They do not like to be compelled to do what they are willing to do of their own accord, in military matters or otherwise. I repeat, let them have officers of their own race, who understand their language; let them have chaplains of their own religion, and within a month there will be twenty-five or thirty thousand more Frenchmen willing to go to the front. The French Canadians were not only insulted in camp, but also in this House, and I was myself one of the victims. Last session the honourable member for St. John (Hon. Mr. Daniel) took the liberty of saying that he was ashamed that I had said in this House on April 21 the following:

> In Quebec I have seen men walking about the streets for twelve months. They are good men, and I have nothing to say against them, but for the past year they have been putting in their time going to the theatres and cafés.

It was a very plain matter to an outsider. Why should so many soldiers be loafing in the streets when they are paid by the Government for going to the war, having freely enlisted? Why should they not, then, be sent to the front? I was taken to task for having said so, though it was absolutely true. In the House of Commons Debates of January 30, 1917, I find, on page 273, the following statement of Sir Sam Hughes, ex-minister of Militia:

> I wish to relate another incident. One day I drove fifteen miles through the Valcartier camp, and I found 21 officers on duty out of some 1,500. Having made inquiries, I found that the fishing was good up in the mountains, and that the company was very genial at the summer hotels. In other words, the whole camp had degenerated early in the game into a huge picnic party.

Though the Minister of Militia made that strong statement against the soldiers, and especially the officers, the honourable member for St. John never opened his mouth to rebuke him, probably because he was an Englishman. Why should we have so many officers and soldiers sent on a picnic like that, an enormous sum of money spent every day for nothing, as money is now spent for the thousands of officers who are picnicking in London, and, in spite of that have the Conscription Bill to compel more men to enlist? I see in Quebec to-day men in khaki walking on the streets, rich young bachelors under thirty, who were in camp in 1914. Why not send them to the front? Some of them knew that I was going to

speak in this House and came and begged of me not to name them. I promised them, but I hope that they will be very soon sent to the front, or will discard their khaki dress and cease to draw their big salaries. The small places they are filling in Quebec, I am told by competent men, might very easily be filled by wounded returned soldiers. Yet, in spite of that, the Government is asking that men be taken from the farms and sent to the front. Is this not a disgrace? Let us proceed first with the men who have already enlisted, and then, if it is absolutely necessary, we will send more.

It has been said that only the province of Quebec is against the Conscription Bill; yet, in the other House, almost thirty members from Ontario and the West have declared from their seats that if a referendum on it were granted, the Bill would be defeated. That shows how the Government respects the people's will.

The day before yesterday I received the following letter from a man in Toronto, who asked me not to give his name, because if it were published the bank with which he is doing business would crush him. He writes:

Conscription has created much gossip in this part of Ontario, especially in big-hearted Toronto, and more especially against your native province. We have an element of ineligibles who are the loudest talkers in favour of conscription, as they well understand that their hides will not be taken off; but the younger element is strongly opposed to it but do not talk loudly. They are doing much thinking, and if a referendum could be given us the question would be decided. Bordenites are divided, and everything points to defeat of his party in the coming general election, which cannot be far away. Old time Tories like myself have never so far recognized Borden's Government only as a mongrel government. All petitions that are gotten up here for the holding of pro-conscription meetings in Toronto are signed by ineligible persons of over 45 years of age and this fact impresses itself upon the young and eligible men very much. Native-born eligibles up here are saying: I thank God for such men as the Quebec Canadians; and say: You may lead Quebeckers, but you cannot drive them. Give us a referendum.

That shows the feeling in Toronto—and I have several dozens of letters like that.

It is not necessary for me to read what Baron Shaughnessy and other prominent men have said about conscription. From an important Montreal paper, the Pharmaceutical Journal, the organ of the Pharmaceutical Association of the whole of Canada, of June 28, 1917, I take this extract:

If it could be seen that Canada could, from this on, help more by producing food and necessary requirements for Great Britain and for the war than by sending 100,000 more men and as a consequence fail in production, what a solution it would be! It would avoid a disruption of our people; it would avoid national bankruptcy—for we must produce to be able to pay our increasing liabilities; and finally it would ensure its natural future to Canada.

This paper says what every business man asserts, that what is necessary is food and munitions, not men. What would you do with 100,000 men if you could not feed them? Is it right to say that if we send 100,000 more men the Allies will have victory? No. Keep the men on the farms and in the factories here, and you will get better results over there. Though we are against conscription, we are all willing to help voluntarily, though for my part I do not believe that when the Empire is at war Canada is at war. I am willing to do my share, but I believe that the production of food and sending it to Europe is what is necessary to beat the enemy.

Honourable gentlemen have said that they are in this war for liberty and for humanity. That is all very true. But I find that no less a man than Sir George Foster, speaking in Toronto before the Canadian Club on the 6th of November, 1916, was reported in the Toronto Telegram as follows:

Sir George outlined the work of the conference at which the allied nations of Japan, France, Russia, Belgium, Serbia, Britain, Italy were represented, and pointed out the findings of the conference were absolutely unanimous. "This war is not an offensive war, but a war of defence," said Sir George. "It is not only a challenge at arms, it is also a challenge of economic superiority."

Thus we see that the Minister of Trade and Commerce, coming direct from the war-zone, says that it is a war for economic superiority. Is it, then, also advisable for us in Canada to bleed ourselves to send men over there? England has never asked for men, still less for conscription. I find a Canadian Associated Press despatch, which I translate as follows:

The Canadian Associated Press is authorized to say that the attention of Hon. Walter Long, secretary of state for the Colonies, was drawn to the publication of despatches saying that Sir Robert Borden had proposed conscription in Canada because he had been forced to do so by the Imperial War Cabinet. Mr. Long declared that there was not the least foundation for this claim, and that Sir Robert Borden had not been forced to impose conscription either by the Imperial War Cabinet or by the Conference. The question had never been mentioned, and the last thing which the members of the English Government would do would be to intervene in a matter which affected only Canada. Mr. Long added that he had seen Sir Robert Borden frequently, up to the day of his departure from London, and when he departed Mr. Long had not the least suspicion that conscription would be imposed in Canada. He added that he regretted that conscription was to come to this country to divide the races in the country.

Now, we know that public sentiment cannot have free expression in this country. We know that shortly after the commencement of the war, when Mr. Bourassa came to Ottawa to express his views on this question, he was prevented from speaking in the Russell Theatre by men wearing the King's uniform. We know that meetings have been prevented at Toronto and at Winnipeg, and that within the past few days soldiers have gone so far as to wreck a church in England where a peace meeting was being held, and break up the meeting. So we see that free expression of opinion on this important question is prevented.

Now I wish to address myself especially to the honourable leader of the Government. When the Naval Bill was before the Senate in 1910, I had to take a stand against my friends. I took the same stand on that important Bill as I am taking on this one, because it was going to change the political situation of this country and make us take part in the business of the Empire. I took the position that such an important question ought to go before the people. I took that stand honestly and independently, as I do now. When that Naval Bill came before the Senate, the present honourable leader of the Government here moved an amendment about similar to the one that has been moved in the House of Commons in regard to this Military Service Bill. That amendment read as follows:

> That all the words after the first word "That" be struck out and the following inserted:
> This House is not justified in giving its assent to this Bill until it is submitted to the judgment of the people.

I voted with him on that. I should have been glad to have him vote with me this time.

Sir JAMES LOUGHEED: You had better come with me.

Hon. Mr. CHOQUETTE: The amendment moved on this side of the House is that we ought to consult the people, and I do not see why my honourable friend should change his view on a question that is more important than the Naval Bill of 1910, for the principle at stake in this instance is much greater. It is a question of life and liberty for the people of this country. This Bill is brought forward by a moribund Government, one-fourth of the seats in the Commons being vacant, and these same words are before us now, asking us to vote that before the Bill is enforced we should consult the people. What harm is there in that? My honourable friend will probably vote against that. He will then be in the same position as the honourable member from Montarville (Hon. Mr. Beaubien): he changes his view. I believe in the people. They may be wrong sometimes, but not very often. When they pronounce on a question which is fairly put before them, their general opinion is pretty correct. I am of the same opinion as that expressed by the Right Hon. Mr. Balfour in the other House, when he used the following words:

> We are convinced that for every human combination who have reached the degree of civilization and development that has been reached by all the great western communities, there is but one form of government, under whatever name it may be called, and that is the government in which the ultimate control lies with the people.

If there is a political question on which the liberty and life of the people are at stake, let them have their say on it, and especially so, as I said before—and I cannot insist too much on that—when the mandate of those representing them has expired. The present question involves all that is dear to the electors of this country—the leaving of their homes, their families, their fathers and mothers, their sisters and brothers, to go and have their lives taken from them. If there is a question that ought to appeal to every man, especially to every Liberal, every real democrat, it is this one, because those especially interested in it are those who will pay with their money and their lives. If, under our form of Government, the ultimate control, as Mr. Balfour said, lies with the people, it is the very time to apply this principle. As for myself, being against conscription, I would rather vote for the six months hoist; but I am willing to put aside my strong antipathy for the Conscription Bill, because by this motion, if it is adopted, the people will have the last say. Put the Act on the Statute Book if it pleases you. I do not like that, but I will accept it provided you ask the electors whether it shall be enforced or not. If there is an election and conscription, I will be the first to say to my friends and compatriots: "Vox populi vox Dei—if you have no legal or constitutional means to oppose it, your duty is to submit to the law and go;" and with me they will all bow to the will of the people. That is the reason why, though with reluctance, I will vote for the amendment.

Hon. E. L. GIRROIR: Honourable gentlemen, I do not propose to follow the honourable member from Grandville (Hon. Mr.

Choquette) in all the arguments which he has made, as there are some questions which he has discussed of which I know absolutely nothing. There is one point, however, upon which he and I can agree, and it is this, that neither of us is especially afraid of the Germans. I admire the honourable gentleman's courage and valour in that respect, and, with these few remarks regarding what he has said, I shall proceed to discuss this question as I understand it and believe it should be discussed.

I intervene in this debate to say that I am opposed to conscription as much as I am opposed to war and rapine and plunder. I believe in the fullest liberty, the widest liberty. I am opposed to militarism, which has been the curse of Europe, and it is for these very reasons that with all my heart I support this Bill.

I have heard many arguments in opposition to this measure which would be all very well in time of peace, but which, in my humble opinion, have no application under present conditions. We all love peace, but surely that does not prevent us from realizing that our rule of conduct in time of peace would be a very silly rule to follow in time of war.

In peace there's nothing so becomes a man
As modest stillness and humility;
But when the blast of war blows in our ears,
Then imitate the action of the tiger—
Stiffen the sinews, summon up the blood.

We all wish to win this war, but are we not tempting fate if we do not take the sternest measures to ensure a lasting victory?

Let us pause for a moment to consider what Germany stands for and the system under which we would have to live if she were victorious.

General Friedrich von Bernhardi, a German military officer, in his book, "Germany and the Next War," a translation of which was published in this country in 1914, said, speaking of the Hague Convention:

But it is quite another matter if the object is to abolish war entirely and to deny its necessary place in historical development. This aspiration is directly antagonistic to the great universal laws which rule all life. War is a biological necessity of the first importance, a regulative element in the life of mankind which cannot be dispensed with, since without it an unhealthy development will follow, which excludes every advancement of the race and therefore all real civilization. War is the father of all things. The sages of antiquity long before Darwin recognized this.

In such cases might gives the right to occupy or to conquer. Might is at once the supreme right, and the dispute as to what is right is decided by the arbitrament of war. War gives a biologically just decision, since its decision rests on the very nature of things.

The apostles of the peace idea must be confronted with Goethe's manly words:

Dreams of a peaceful day
Let him dream who may.
War is our rallying cry,
Onward to victory!

Then he says:

Thus we must look at the business of war or the sword with the eyes of men asking, why these murders and horrors? It will be shown that it is a business divine in itself, and as needful and necessary as eating or drinking or any other work.

Let those, then, whose desire it is to live in peace, who think we should be permitted to till the soil and continue in our peaceful occupations rather than be forced to take up arms in this struggle, ponder over the words of this exponent of German thought. Is it possible that we in Canada object to sending a small proportion of our population to the fighting line to prevent the propagation of these German ideals, and that we have no fear of the German military system, which compels every man of military age to bear arms, and which imposes on its population even in times of peace the most rigid militarism the world has ever seen? Surely we are prepared to make a stern effort to prevent the establishment in this country of the rankest kind of militarism under German domination. We are asked, honourable gentlemen, nothing more than this, that we adopt compulsory military service temporarily in order that it may not be permanently imposed on this country.

But it has been said there is no danger to Canada from Germany. I have never been able to discover on what that assumption is based. But if it were true, would we, a part of this great Empire —which is fighting for liberty and freedom and justice to all—to the weak as well as to the strong, which is battling for the greatest cause for which war was ever waged—would we, I say, be playing the part of men if, because we, isolated as we are, far removed if you will, from the actual scene of the conflict, refused to come to the assistance of England, Scotland, Ireland and Wales, which may suffer an attack at any moment? Remember, also, that nothing stands between Germany and Canada but the British fleet.

Britain has, with her armies and her fleet, protected us for centuries. We Canadians, no matter in what part of the world we might be, were able in every danger or difficulty to call for the protection of the strong

arm of the motherland. And when that mother calls out to us for help, are we to reply: "Canada is not in danger?" Surely we are not going to render ourselves unworthy of the great races from which we have sprung, those races that because of their sterling manhood, their courage and fidelity, have so long dominated the world and shaped its course.

This Empire and her Allies are holding back and pushing back the German hordes in a struggle the greatest the world has ever seen. There is as yet, I am bound to say, no striking gain on either side that has not been compensated for by a corresponding gain on the other. Do we realize that Germany to-day holds 548,537 square kilometres of territory seized by her since this war began? Against this we could show 900 square kilometres held by France and 25,500 square kilometres by Russia, which is fast disappearing from Russian control. Let me give you the items that make up these figures. Germany holds to-day, in Belgium, 28,980 square kilometres of territory; in France, 19,220; in Russia, 280,490; in Roumania, 100,000; in Serbia, 85,867; in Montenegro, 14,180; in Albania, 20,000. Mr. Arthur Henderson, of the war council, estimates that seven millions of men have already been killed in this war; that the total casualties of the war exceed the whole population of Great Britain and Ireland; that as many young men have already been crippled for life or severely wounded in Europe as there are of the same age in all the United States.

Can any one, seeing these things, knowing these facts, say there is no danger? Why, honourable gentlemen, the whole world is in danger. No one can truthfully say that England is not in danger. Her ships are sunk on the high seas, of which she has been so long the undisputed mistress. Her coasts are bombarded—a thing never before believed possible. Even innocent school children, little boys and girls of tender age, are ruthlessly slain. Any one who reads the press must be impressed with the seriousness of the situation. And yet they tell us that we are not hearing the worst. The very heart of the Empire has been invaded on sea and in the air; lives and treasure have been destroyed at the very foot of the throne.

What is the situation in Russia to-day? Is it not alarming? Miles of territory are being wrenched from the grasp of one of the most powerful of our allies. Thousands of her soldiers are being made prisoners. Guns and ammunition and supplies that have cost the allies untold millions and the value of which, measured by the toil and labour and sweat and blood even, that it has cost us to put them on the Russian front, is enormous, are daily falling into the hands of our enemies. Will Russia be able to recover herself? Will that mighty nation on which we counted for so much assistance be a hindrance instead of a help to victory? I will leave it to some of those wiseacres who seem to me to be like Nero, fiddling while Rome burned, to answer that question. And if Russia fails us, do you think it will be less fatal to our finances than the sending of some of our workers, if you like, to France and to Flanders? It does seem to me, though I am no captain of industry, that we are tied up with England and with Russia and the rest of our allies, financially, as well as otherwise, and that our future prosperity and financial security depend more upon whether we can secure an early victory than on the number of workers that we shall have left in Canada now or after the war.

Some seem to think that we can win this war without making sacrifices; that the business of this country can go on as usual while we are beating Germany. I am not of this opinion. I believe that Germany will fight to the last ditch and that we shall have to work for victory—yes, fight for it with our coats off. This morning's papers tell us that there is gloom and anxiety in London. It is plain, is it not, that the great drive that has succeeded a fortnight of intense artillery preparation, has not been entirely successful.

We have lost Lens; we have lost Westhoeck. Our brave boys are falling bleeding and dying; are we going to smile and smile, and theorize, and argue over things that can well wait, or shall we send men to replace them, not next month or next year, but now when they are wanted?

The danger is self-evident; it is appalling. I am not an alarmist, I hope, but I believe we owe it to those who have placed in our keeping this great heritage that we take no chances. The system of our defence is a chain of many links. What if one of those links should break? Is it not a fact, an undeniable fact, that some of those links have already been strained almost to the breaking point? The output of ships in the whole world in 1916 was about two million tons, and in the last four months the enemy has sunk about a million and three-quarter tons of British shipping alone. Lord Beresford, in the British House of

Lords, in a debate which took place about July 26, said:

The statistics showed that between August, 1914, and January, 1917, the British, allied and neutral loss was 4,000,000 tons sunk. From January, 1917, until now we had lost nearly 4,000,000 more. The average rate of loss, taking the months from January till now, was 8,000,000 tons a year. When we commenced war there was 49,000,000 tons of shipping in the world, of which the British, allies and neutrals had 30,000,000. That has been reduced already by 8,000,000 tons.

His opinion was that now we had not much more that 22,000,000 or 23,000,000 tons. Against that we had to consider what the Americans could put in the water, including ships taken from the Germans, which was about 2,000,000 tons; but a large number of these ships were not suitable for cargo carrying. The output of the British and the allies was about 2,500,000 tons. After the first two years of war shipbuilding went down terrifically, so we were not nearly beginning to make it up.

He did not think we could make up altogether more than 4,000,000 tons a year.

They had not only to consider the shortage in steel, but the shortage in engines, too. He thought the position very dangerous and asked the Government once more to alter the returns of losses which were most misleading. They put in the arrivals and departures of all ships, but only the losses of British ships and did not put in the tonnage which was really the whole question.

Do we, honourable gentlemen, sitting here in this House, believe and understand this situation better than a man like Lord Beresford, who sits in the House of Lords, at the very seat of government of this great Empire, and who is in a better position than we are to obtain the facts? Is not that alarming? Is not that a hard blow at England, who depends mostly on these ships to supply her with food? And if England, the heart of the Empire, is in danger, does that not involve the colonies? If the heart ceases to beat will the blood continue to flow through the arteries, animating the whole body of the Empire with life and warmth and vigour. When the flag of England is swept from the seven seas, God help Canada.

We are told that we should not fight so far away from home, that we should wait until the shores of Canada are attacked before we undertake to make a defence. I cannot agree with that position. I think that on this question we should take the conclusive evidence which is furnished by the action of the Government of the United States, a power that did everything that it was possible for any power to do to keep out of this war, a power whose doctrines and teachings have been from the first that it should not interfere in European wars. This nation, holding these views, has been forced into the struggle because it knows that if England, or France, or Russia is conquered, if the British fleet is swept from the seas, then the shores of America will be attacked. The people of the United States know and realize that it would then be too late to defend their liberties, their privileges and institutions, which they all hold so dear. Let me quote Secretary Lansing, addressing the members of the Officers Reserve Corps:

Emphasizing the peril of German imperialism to the United States and the world, he declared his belief that the German people would not cast off the yoke of autocracy "until the physical might of the united democracies of the world have destroyed forever the evil ambitions of the military rulers of Germany." That, he added, is the only way to restore the peace of the world.

Mr. Lansing sought to drive home to the student officers the righteousness of the cause for which they had volunteered to go to France and fight, asserting that the allies would win "because our cause is the cause of justice and of right and humanity."

Asserting that "the future of the United States is at stake," Secretary Lansing said that "if any of you have the idea that we are fighting others' battles and not our own, the sooner he gets away from that idea the better it will be for him, the better it will be for all of us."

"Imagine Germany victor in Europe because the United States remained neutral. Who then, think you, would be the next victim of those who are seeking to be masters of the whole earth? Would not this country with its enormous wealth arouse the cupidity of an impoverished though triumphant Germany? Do you think that they would withhold their hand from so rich a prize?

"Let me then ask you, would it be easier or wiser for this country single-handed to resist a German Empire, flushed with victory and with great armies and navies at its command, than to unite with the brave enemies of that empire in ending now and for all time this menace to our future?

"Primarily then, every man who crosses the ocean to fight on foreign soil against the armies of the German Emperor, goes forth to fight for his country and for the preservation of those things for which our forefathers were willing to die. To those who thus offer themselves we owe the same debt that we owe to those men who in the past fought on American soil in the cause of liberty."

I subscribe to every word that is uttered by that able statesman of the United States.

If, then, there is danger, how can we meet it? Not, in my opinion, by sending food and supplies alone, not by sending men alone, but by sending both food and supplies and men to the fighting line. Lord Kitchener early in this war called for men and yet more men, and every one in a position to know what is required has ever since re-echoed that call. Have you ever heard of any one in a high office in any of the allied coun-

tries, at the front or elsewhere, who has not at one time or another emphasized the need for men? The Premier of this Dominion, bearing manfully and well the great responsibilities which this titanic struggle has placed upon him comes home from the front with a full knowledge of conditions there, and one of his very first acts is to make the statement to Parliament that it would be necessary to introduce a measure of compulsory service. The men now in the trenches, or who have been in the trenches, say that the great need is for more men. This is clear from their letters home and from the resolutions passed in support of this Bill by the different War Veterans Associations. Only last night Sir Robert Borden on Parliament Hill addressed the returned soldiers of this city, and when he told them that we were going to send more men to assist their comrades who were dying and falling in the cause of liberty and justice at the front, his words were cheered to the echo by those wounded men. After all, are not these men the best judges of what is required in order to complete what we have set out to accomplish—to overpower, as I have already said, a well-organized and powerful enemy? Sir Robert Borden tells us that Germany has added one million men to her fighting line this spring. She has added guns and ammunition and supplies as well. Could she have done without any one of these things? Are we to believe that any one seriously contemplates leaving our men to be killed off one by one, well fed it may be, but without adequate reserves of Canadians to replace and relieve them? Such a thought is, I believe, unworthy of our great ancestry, and should not be entertained for a moment.

The voluntary system has not been an absolute failure with regard to the number that have enlisted under it. It has failed miserably to obtain results at all adequate to the sacrifices it has entailed on the manhood of our country.

There seems to be a general opinion in this country that we have sent more men in proportion to our population than any other part of the Empire. Mr. N. W. Rowell, the great Liberal leader in Ontario, speaking on July 10, at Harrington, Ontario, said that had Canada done as well proportionately as her sister dominions in furnishing men for the battle line in France and Belgium, she would have sent overseas, up to February last, 20,000 more men than had gone. The magnificent work of the Canadians on the firing line, said Mr. Rowell, had placed Canada among the leaders of the nations of the earth, but people should not feel because of this that she has done her share. Figures corrected up to February first showed that Canada, with a population of eight millions, had sent 284,400 men overseas. Australia, with a population of 4,900,000, had sent 300,000 men overseas; New Zealand, with a population of 1,100,000 had sent 65,000 men to the front; South Africa, with an European population of 1,276,242, had contributed 60,000 men to the war; Newfoundland, out of a total population of 250,000, had sent 31,000 men. Canada, the largest and most thickly populated of Britain's colonies, has sent only a little more than 3½ per cent of her population, while Australia has sent six per cent, New Zealand six per cent, South Africa five per cent, and Newfoundland twelve per cent. Great Britain, continued Mr. Rowell, has given more than three men, and France more than four men, for every one given by Canada.

Lady Aberdeen, speaking at New York on July 15, declared that Ireland had given 310,000 recruits to the allied cause since the war started, 140,000 having enlisted from Ireland, and 170,000 men of Irish birth having enlisted in England. She declared that Ireland, with a population of four millions, had sent a greater proportion of her manhood into the fight than had Canada.

I believe these figures are substantially correct and ought to be a complete answer to those who say Canada has done enough. Those who say that Canada has done enough mean that Canada has done her share. It seems to me that what each nation at war with the Central Powers must and should do is its utmost. Nothing short of that will bring this war to a speedy conclusion. Had Belgium and France waited until their Allies had done their share before throwing their whole available force into the conflict what would have been the result? The result would have been that Germany would ere now have conquered.

If we are to stay in this fight it is time we adopted some systematic way of securing the men we require. It is no answer to say that the Government has made mistakes; every Government does. The ex-Minister of Militia was not infallible. Sir Robert Borden at one time thought there would be no need of conscription; so did we all. If my memory serves me rightly, it is not so long since some of us thought there would be no war, and we said so. But war did come, and if conscription is

necessary to win the war, and I believe it is, then I am for conscription.

The present Bill is a fair and equitable measure. Its very strongest feature is that it adopts the selective system. The burden is not, as under the voluntary system, all placed on the willing horse. The state benefits in that those most needed at home are kept there, while those best suited for work at the front are sent to the front. The individual benefits because those who have the greatest responsibilities at home remain there, while those who have lighter duties and less binding ties at home go to the fighting line. Can any man tell me that a system which compels this country to support the children and widows, the fathers and mothers of the men at the front, as against one which first sends there the men who are not charged with these responsibilities, is a rational system?

"But," it is said, "you have established courts of appeal to decide finally who should be selected; the rich man will appeal from one court to another, and the poor man, not being able to appeal, will suffer." Could we not apply the same argument to the poor man's position in our courts of law? And does any one suggest that we abolish our system of courts? Is the power of money greater with these courts than it would be without them? Ask yourselves this question. I do not fear the answer.

I am opposed to submitting this question to the electorate either by means of an election or by referendum, for the following reasons:

First, because, if this question were referred to the people, the soldiers at the front would not have an opportunity to vote.

Second, because those who failed to respond to the call would thus have a greater influence in determining the result than that to which in my opinion they are entitled.

Third, because in many parts of Canada the British and Canadian born men of military age have practically all enlisted, leaving there a foreign-born population, the majority of whom are opposed to Canada's participation in the war.

Fourth, because I fear that many of our people, though thoroughly loyal, are not in possession of the information in the hands of our military authorities and for this reason fail to realize the momentous character of the struggle in which we are engaged;

Fifth, because I believe that the referendum is opposed to our system of responsible government.

I do not think it can be questioned that we would find it practically impossible to record the votes of our soldiers. The hospitals, the trenches, yes, even the prisons of Germany, would have to be invaded by the returning officer in order that anything like a fair proportion of our fighting men could be given an opportunity to vote. Many are so sick from wounds and suffering that they could not be asked to vote, and these heroes are, in my humble opinion, the best entitled of all our people to have a hand in the determination of this question. Those who failed to respond, and their relatives and friends, would naturally seek to justify the stand they have in a manner taken against their going to the fighting line. I am not questioning their right to have stayed at home. Our system was a voluntary system, and the moment you question the right of any man to do as he pleases, to stay at home or go as to him seems right, you imply that the system is compulsory and not voluntary.

Is it not a fact, Sir, that in many parts of Canada the young men born within this Empire have practically all enlisted? Can you expect that the foreign-born population in these districts will have the same interest in this war as those brave fellows who have died and are dying that this great Empire shall live? Is it too much to say that the members of the two Houses of Parliament are in a better position to judge as to what measures are necessary in the present crisis than a large part of our population who have not been able to make as careful a study of the situation? I wish to reflect on no one, but surely this proposition is self-evident. It may be said that this is true of all questions. That may be, but no question that I know of has ever come before this country that is so vital to its very existence as this one. Under our form of government the people govern, it is true, but only through their representatives in Parliament. If every question that is to be decided by Parliament has to be first submitted to the people by referendum, then we must frame a new constitution. Sir Wilfrid Laurier in the Debate on the Naval Bill in 1912-13 made this clear. He said:—

I have only one word to say as to the sub-amendment which asks for a plebiscite. This has been discussed in the press at great length. Speaking as an admirer of the British system of parliamentary government, I do not see any possible reason why we should depart from the

usage and rules of that system. Many of our friends derive their ideas upon such a proposal from the United States and from Switzerland, both republics, in which the executive is elected by the people for a term of years, and has no right to initiate legislation. But under the British parliamentary system we hold the executive responsible for their action or non-action, as the case may be; we hold them responsible for presenting necessary reforms and for failure to present such reforms. Therefore, while I am strongly in favour of consulting the people, I am in favour of that consultation, not by the method in vogue in the republic to the south of us or in Switzerland, but by means of a general election, which is the custom under the British parliamentary system.

And yet the leader of the Liberal party, the same man who in 1912 and 1913 uttered these words the other day rose in his place and moved that the matter be submitted to the people by means of a plebiscite.

If we were not at war and this question came before Parliament, I would favour an election; but since we are at war, and because I do not believe we should delay, I should like to see this law enacted as soon as possible. We are placed here with the responsibility of dealing with this question, and we have no right to shirk the responsibility or endeavour to escape it by placing it on the shoulders of others. We are bound, in our duty to Canada and the Empire, to act promptly and energetically. Precious time would be lost before a law based on a referendum or election could be enforced.

It is not an easy thing to give one's life for one's country. It is because it is so hard that such an Act is regarded rightly as the highest form of patriotism. Nevertheless, if the safety of the State requires it, if the preservation of our homes and our institutions require it, it has always been held that the sacrifice must be made; otherwise no country could maintain its integrity.

At the beginning of the war our leaders and public men defined the cause for which we are contending. Let me quote from a few of them. Mr. Asquith, then Prime Minister, spoke as follows in the House of Commons in England:

> If I am asked what we are fighting for, I reply in two sentences: in the first place, to fulfil a solemn international obligation, an obligation which, if it had been entered into between private persons in the ordinary concerns of life, would have been regarded as an obligation not only of law but of honour, which no self-respecting man could possibly have repudiated. I say, secondly, we are fighting to vindicate the principle which in these days, when force, material force, sometimes seems to be the dominant influence and factor in the development of mankind, we are fighting to vindicate the principle that small nationalities are not to be crushed, in defiance of international good faith, by the arbitrary will of a strong and overmastering power.

Sir Robert Borden, in our House of Commons, on August 19, 1914, made this statement:

> Not for love of battle, not for love of conquest, not for greed of possessions, but for the cause of honor, to maintain solemn pledges, to uphold principles of liberty, . . we have entered into this war.

Sir Wilfrid Laurier in the same debate said:

> The testimony of the ablest men of these nations, without dissenting voice, is that to-day the allied nations are fighting for freedom against oppression, for democracy against autocracy, for civilization against reversion to that state of barbarism in which the supreme law is the law of might.

Surely in a fight for such ideals we are prepared to make the greatest sacrifices. And not the least of the sacrifices that we should make would be to practice a little more moderation in our treatment of those who do not see eye to eye with us on this question. But while we are prepared to practice the greatest moderation in the discussion of this question, once the law is enacted by the majority of this Parliament I trust that no man will be permitted to defy it with impunity. Minorities have their rights, but the will of the majority must be final.

With a full realization of the magnitude of the struggle in which we are engaged, and of the great issues that are involved, issues so far-reaching and of such vital importance that if we should fail in securing a complete victory this world would be set back a thousand years, and the blood which our ancestors through the centuries that have passed have poured out for the sacred cause of liberty, security, and justice, would have been shed in vain—with these thoughts before us, I say, is it too much to ask that we put aside recrimination and fault-finding and racial prejudices and present an united and unyeilding front to the enemy? We have our internal disputes and disagreements which, after all, are the greatest stimulus to a vigorous and healthy manhood, and can do no real harm provided they are always kept subservient to national interests. Can we not let our special claims be filed away till the war is over, when our hearts, relieved from the great burden of anxiety which we have borne during three long years, will be opened with a wide and generous sympathy for our brothers in arms and a compelling desire to smooth away their difficulties.

May I be permitted to quote the concluding words of President Wilson's message to Russia, which expresses better than I can what I have in mind:

For these things we cannot afford to pour out blood and treasure; for these are the things we have always professed to desire; and unless we pour out blood and treasure now and succeed, we may never be able to unite or show a conquering force again in the great cause of human liberty. The day has come to conquer or submit. If the forces of autocracy can divide us, they can and will overcome us; if we stand together, victory is certain and the liberty which victory will secure. We can then afford to be generous, but we cannot afford then or now to be weak or omit any single guarantee of justice and security.

Let Canada, then, go into this fight with every sail unfurled. And when we have won a glorious victory, and the flags of that higher civilization for which we stand are planted on every summit and nailed to every masthead the world over, we will then, during a lasting peace, freed from the anxieties and worries which now beset us, put our own house in order.

I am very glad to be able to say, that in the province and county from which I come the young men of all races and creeds have done their part nobly and many have already paid the extreme penalty for their devotion to this country and this Empire. We are proud of their valour and of their loyalty. I cannot but mention the fact that in the Diocese of Antigonish the voice of His Lordship Bishop Morrison has been a potent factor in arousing our young men, encouraging them, and instilling into their minds lessons of loyalty and patriotism. He has in this respect in a sister province, New Brunswick, a worthy fellow-worker in the person of His Lordship Bishop LeBlanc, whose eloquent and noble appeal was so aptly quoted in the other House by Mr. Robidoux, the honourable member for Kent. It would be well if all our leaders and men of influence followed the example of these eminent bishops. In the years to come it will be said of them, in grateful remembrance by their people, that in a great and trying crisis in the history of this country their instinct of true leadership never once failed them, and that they directed the footsteps of their faithful flocks along the paths that would redound to their honour and glory and help to preserve for their children this splendid heritage.

Before I conclude I wish to say a few words in regard to the subject of a coalition government. I believe the time has come in the history of this country when men of all political parties should get together and try to form a government that will be able to enforce conscription. I realize that in some parts of the country the opposition to this measure is very strong and I believe that the representative men from those different parts, with the responsibilities which they have as members of this great commonwealth, should put aside their feelings with regards to racial, religious, or political differences, and stand shoulder to shoulder with men of other creeds and nationalities in this the greatest fight the world has ever seen for justice and for liberty. The great men of Canada in the past did this. We know that Confederation, which is the foundation of our national existence, was brought about by the union of men of different political parties. Men who were sworn enemies politically got together and laid the foundation upon which our national edifice stands. This country can never repay the debt it owes to men like Macdonald and Cartier, Brown, Tupper and Tilley. Those men gave a service to this country that our people will remember for all time to come; and I feel sure that, if a similar sacrifice were made by our leading men on both sides of politics now it would redound to their glory and that of this country in years to come. I know full well that it would be of the greatest possible assistance to Canada and to the Empire in this tremendous struggle. Surely the principles for which we are contending are worth the sacrifice. I know that I occupy a very small part in the political activities of this country, and I realize that my voice is a very feeble one, but feeble as it is, and uninfluential as I am, I do sincerely and from the bottom of my heart make this appeal—that, be we French or Irish or Scotch or English, Catholic or Protestant, Liberal or Conservative, we should get together once and for all, and stand as one man in the effort to win this war.

As a British subject I am proud of the splendid part which my country is playing in this great conflict. Her fleets and her armies have never once failed to live up to their glorious traditions. We realize to the full, and it shall forever be our proud boast, that our country has stood to the last invincible and unconquered in her noble fight for justice and freedom and liberty.

But while I cherish these thoughts with gratitude and with pride, may I be pardoned if at the same time my heart dwells with satisfaction on what France also has accomplished? That country has been devastated; her beautiful treasures of art, the work of her greatest minds during centuries of toil and effort, have been utterly destroyed; everything that the labour of her people through the long years of her civili-

zation has accomplished has been entirely swept away; her cities, towns, villages and hamlets have been burned to the ground; even the very land itself, and the trees and the shrubs have been all ground into one mass of filth, amidst which stand all the marks of utter desolation. Her children have been ravished and carried into captivity; her bravest and best, young men and old, mowed down as with a scythe; yet she stands forth and fights on with a calmness, a devotion, and an unflinching bravery that claim the admiration of the entire world. It has been said that the ideals of her people are not our ideals; that she is not worthy of emulation, and that we should not be asked to fight for her. For my part, looking at the grand role which France has played in this great tragedy, I may say fearlessly that I can think of no higher ideals than hers.

I will conclude by reading a letter from a young French soldier to a confidante in France, showing what the French ideal is in this war:

Dear J——: To-morrow at dawn, to the strain of the Marseillaise, we shall charge the German lines. The attack will probably finish me. On the evening before this great day, which may be my last, I remind you of your promise. Keep up my mother's courage; for a week or more she shall receive no news. Tell her that when an advance is at hand no soldier can write to his loved ones; he must content himself with thinking about them. And if the time goes by and she hears nothing about me, let her live in hope; keep up her courage. Then, if you learn at last that I have fallen on the field of honour, let your heart speak those words that will bring her solace.

This morning I attended mass and took communion some few metres back of the trenches. If I die, I shall die as a Christian and a Frenchman.

I believe in God, in France, in victory. I believe in beauty, youth, and life.

God guard me to the very end. But if my blood is needed for our triumph—Thy will be done, O Lord!

Would that we in Canada could all be animated by the same lofty sentiments!

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. L. G. POWER: Honourable gentlemen, before entering upon the subject which is immediately before the House, I think that it is only right to say a few words with respect to a doctrine that was laid down by the honourable the leader of the Government in this House (Hon. Sir James Lougheed) on the day before yesterday. It is a somewhat extraordinary doctrine to be laid down in a democratic country like Canada, inhabited by an intelligent population, like the population of Canada. Here is what the honourable gentleman said, as appears at page 385 of our official report:

It may be asked at this point, who is to determine when a man should place his life in defence of his country? The answer is, the Government of the day. The Government is charged by the people of the state with the supreme duty of determining what the safety of the state requires, what military necessity demands from us in the hour of danger. Upon the Government of the day and upon it alone rests this important and solemn duty. If the Government does not voice the sentiment of the state, then it is subject to displacement; but so long as the Government is the Government of the state nothing short of a revolution can say it nay in pronouncing on this all-important question. This is so obvious as not to require any elaboration. No group nor clique nor section of the country can logically claim immunity from the duty of defending the state when the Government of the day has issued the call to arms. The refuge of the recreant and those who fail in their duty is naturally a denial of the duty of the Government of the day to say what the state demand. But a great people need never be deluded by the voice of the unpatriotic, who are recreant to the representative institutions under which they live and are protected.

I desire simply to make this observation regarding these remarks, that, whatever might be said with respect to that doctrine during the recess of Parliament, it will strike every parliamentarian as a most extraordinary doctrine to lay down while Parliament is actually in session.

Hon. Sir JAMES LOUGHEED: Will my honourable friend tell me who expresses the opinion of Parliament but the Government of the day? When I used the term "the Government of the day" I referred to the opinion of Parliament as expressed by the Government.

Hon. Mr. POWER: The honourable gentleman did not say so.

Hon. Sir JAMES LOUGHEED: That is manifest; any one can read that. The Government only represents Parliament.

Hon. Mr. POWER: If the honourable gentleman will wait, I shall deal with that a little later.

The question may also be asked, whether the citizen of the state has not a right to pronounce upon the justice of the struggle which is now being waged, or the results which may flow from it in relation to our own country. My answer to this is that the Government of the day must necessarily speak for the whole people, and likewise pronounce not only upon the justice of the struggle, but what its probable result may be and what the imperative duty

of the citizen is under such crucial conditions as those through which we are passing.

Now, honourable gentlemen, it will be remembered that in August, 1914, at the beginning of the war, the Government did not take that view. The Government summoned Parliament, intimated what they thought should be done and asked the authority of Parliament to do it, which Parliament freely and unanimously granted.

To talk of a referendum at such a time does violence to every instinct of defence. To say that the Government should ask every craven to his country—

I call attention to the very vigorous language in which the honourable gentleman speaks of those who do not agree with him.

Hon. Sir JAMES LOUGHEED: Yes; so intended.

Hon. Mr. POWER (reading):

To say that the Government should ask every craven to his country, every pacifist, every slacker, every recreant to public defence, every coward who fears to face the enemy, every Socialist who preaches disloyalty, every alien who asks the protection of our country at the expense of the lives of the men who fight for it to say that the Government shall ask a verdict from the thousands who proclaim their disloyalty from the house-tops, would constitute a farce out of the greatest tragedy that the world has ever seen enacted. If this proposition is unsound, then nothing short of a revolution must supersede the right of the Government to thus defend the state.

The honourable gentleman, in speaking of the referendum, was, I suppose, referring to the amendment moved by the right honourable leader of the Opposition in the House of Commons. What was that amendment? In the negotiations which took place a short while ago between the leader of the Government and the leader of the Opposition, the proposal of the leader of the Government was that a coalition should be formed and that the Conscription Act should not go into operation until after the general election. Remember, that was the doctrine laid down by the leader of the present Government. The doctrine now laid down by the honourable gentleman (Hon. Sir James Lougheed) is that all who think differently from him, all who think as the leader of the Government thought a little while ago, that we should wait and not put this Act into operation until after the general election, deserve all the opprobrious epithets that he applies to them.

Hon. Sir JAMES LOUGHEED: I have not said that.

Hon. Mr. POWER: When he talks about the thousands who proclaim their disloyalty from the housetops, I do not know of whom he is talking. I am not aware of any thousands. I do not know anything about the alien enemies who may be in the Northwest, but the only people in the part of Canada that I know anything about, of whose loyalty there is any question, are Mr. Bourassa and his friends, the gentlemen through whose alliance the present Government came into power. Our great object is that the cause of civilisation and liberty shall triumph in the present worldwide conflict with barbarism and tyranny. That is, or should be, our great object; and, honourable gentlemen, with the possible exception that I have referred to, I think that is the great object of our people.

I have seen the question raised, I think in one of the Government papers of the attitude of the leader of the Opposition, Sir Wilfrid Laurier. That right honourable gentleman, in his speech on the second reading of this Bill, in declaring himself in favour of a referendum, said that if the people pronounced in favour of the Bill he would accept it with his whole heart. On the third reading of the Bill, when it was clear that the referendum was not going to take place, he said:

I have been asked as to what my policy is. I may say that it is the same as it has been from the first. I am in this war to the finish.

Some Hon. Members: Hear, hear.

Some Hon. Members: Oh.

Sir Wilfrid Laurier: I am in this war under the voluntary system to the last. I am in this war as Australia is in it to-day. Australia voted against conscription but still she is in the war. I am sorry that on an occasion of this kind I cannot see eye to eye with my honourable friends on the other side.

Since then, only yesterday, I think the right honourable the leader of the Opposition brought up the very, as I think, discreditable letter which was read the day before by my leader in this House, and he contradicted the statement contained in it and said again in the most emphatic way that he was in the war to the end. I think that is quite enough to say about the leader of the Opposition. We are all in favour of winning this war.

I may venture to express my dissent from the attitude taken by some of my own political friends with respect to the war. For instance I cannot agree with the honourable gentleman from Rideau (Hon. Mr. Edwards) when he says that there is no danger to Canada, that Canada is not running any risk, and that apparently it is not absolutely necessary that Canada

should do so much. The honourable gentleman from Grandville (Hon. Mr. Choquette) said something of the same kind. I cannot agree with those honourable gentlemen, I think that the existence of Canada as a free state depends upon the result of this war, just as much as does the existence of freedom in England and France. It is our duty, as a matter of course, to do anything that is reasonably within our power to help to win the war.

The practical question arises, then, how can Canada best help? Some honourable gentlemen seem to think that Canada can help better by sending food across to the other side of the Atlantic. Others think we should send munitions and warlike supplies. Well, I think these things are necessary. I think that if Canada is sending food and munitions of war to the old country she is helping, and I do not know but that possibly it is the best way she can help; but I quite agree with the honourable gentleman from Antigonish (Hon. Mr. Girroir) that, after all, it is our duty to send more men to help those who have already gone, and to do it within a reasonable time. I think most of us agree that more men should go. Then, the question is, should this service be voluntary or compulsory? On that point, perhaps honourable gentlemen will allow me to quote a short speech that I made in this House on the 29th of May last. I quote from the report of the Senate Debates, at page 97:

> My position is this, honourable gentlemen. I do not undertake to pronounce an opinion as to the merits of conscription. Conscription may be wise or it may be unwise. If I were called upon now, without any further consideration, to vote on the matter, I do not feel quite clear as to which way I should vote. There are a great many considerations to be weighed and thought over, operating on both sides of the question; and, as I have not given the matter the serious consideration which I think every member should give to an important question, I do not feel prepared to express any opinion on the subject. By and by, when one has had time to weigh the arguments pro and con, he may be in a better position to form an opinion.

That was a perfectly honest expression of my sentiments at the time, and I may say now that, as far as my inclination leaned one way or the other at that time, it was to vote in favour of conscription. Naturally one would like to know why I did not continue in that frame of mind.

There are two or three things to be said in favour of the voluntary system. In the first place, the service which is given by the individual's own free will is a better service than that given under compulsion; and, further, it is more consistent with the British theory of individual liberty and independence. If you can get the men that you need by voluntary enlistment, then I think it would be a great mistake to resort to compulsory enlistment. Every one admits that under the voluntary system Canada has done nobly. I think that no one would have dreamed in August, 1914, that within three years Canada would have sent over 420,000 men to back up the Allies. I think it is quite an important consideration that up to about three months ago the people in this country—and in the legislature—almost without exception, were in favour of the voluntary system. I take the liberty of quoting what Sir Robert Borden, the First Minister of this country, said in 1916, in the House of Commons when challenged by the leader of the Opposition:

> My right honourable friend has alluded to conscription, to the idea in this country or elsewhere that there may be conscription in Canada. In speaking in the first two or three months of this war, I made it clear to the people of Canada that we did not propose any conscription.

Then he said:

> I repeat that announcement to-day with emphasis.

Could anything be clearer or more to the purpose than that? When Parliament met in January of this year, the right honourable gentleman made a speech in which he assumed the same position. There was no reference to any change in policy. It was only in the month of April or the month of May that this wonderful change took place.

I know that there have been gentlemen who have said, "Oh, well, we ought to have had conscription from the first." I do not think that the Government is to be blamed because it did not introduce conscription at the beginning, because to have introduced a complicated measure like this in the August session of 1914 would have involved very considerable delay in getting our first contingent on to the other side. The then Minister of Militia succeeded in sending 33,000 men to the other side within two months. I think that was a great achievement; and, while I do not propose to enter into the differences between that honourable gentleman and the right honourable the leader of the Government, I think Sir Sam Hughes deserves credit for the celerity with which he got our first men off. Those men got to the other side in good time, and made themselves felt in a very emphatic way within a very short time after they landed in France. The question is, what particular reason can

any one give for the change of system? I have not heard any reason given. It has been alleged in a sort of general way that voluntary enlistment has not been successful, but that has not been made clear, and before I sit down I propose to show that it is not true.

I have already quoted what Sir Robert Borden said in January, 1916. Now, a certain number of gentlemen who habitually vote with the Liberal party have, on this question of conscription, ceased to follow their leader; but I notice this. Take, for instance, the case of the senior whip of the Liberal party in the House of Commons. I find that while he voted against his leader on the referendum question, he used language which went to show that he doubted the wisdom of the change. This is what Mr. Pardee said:

> The Prime Minister has asked members of this side of the House for suggestions. May I meet that request by earnestly urging the national advisability of preceding the operation of the Bill by a last big and sincere appeal to the patriotism of young Canadian manhood to voluntarily come forward to back their brothers at the front. Under direct and real Government leadership in this respect—and with the conscientious co-operation of Canadians of all parties, all classes, all provinces—I believe that Canadian patriotism would yet make the actual operation of the compulsory service measure unnecessary. Such an appeal, backed by an earnest educational campaign, and conducted in the true spirit, would, I verily believe, result in the coming forward of the 100,000 men required, and more. If this can thus be done—and I yet believe it can—is it not worth while to save a situation fraught with serious possibilities of schism and strife, a situation which may all too easily produce a moral effect neither creditable to Canada nor helpful to the cause we aim to serve? I sincerely trust that the Prime Minister will give earnest consideration to this suggestion.

Here is a bit of evidence showing what the feeling of the country was up to a short time ago. I find that Mr. McCoig quoted this from Mr. Hearst, the Premier of Ontario:

> The Prime Minister found little, if any, sentiment among the British people, urging compulsory service in Canada. There may be some among Canadian army men, but the British people have received so much more help from Canada than they looked for at the outset, that they are not disposed to demand more.

Hon. Mr. CROSBY: What is the honourable gentlemen quoting from?

Hon. Mr. POWER: I am quoting the comment of Mr. McCoig.

Hon. Mr. CROSBY: In what paper?

Hon. Mr. POWER: That is my affair. It is taken from the Commons Hansard. If the honourable gentleman will go to the Commons Hansard he will find it there. The honourable gentleman has no right to cross-examine me.

Hon. Mr. CROSBY: Have I not the right to know the name of the paper you are quoting from? I leave it to the Speaker. Mr. Speaker, I think I have the right to know.

Hon. Mr. POWER: It is taken from the Commons Hansard. I cannot give the honourable gentleman the page. Then, we know the attitude which has been assumed by the Toronto Globe of late, and that has carried a good deal of weight. The Toronto Globe resembles Sir Robert Borden in this way, that it has made a complete change of attitude. This is what the Toronto Globe published editorially:

> The Globe, in its editorial columns, has constantly pointed out that in a country such as Canada conscription is an impossibility, and that no responsible statesman of either party, capable of forming or leading a Canadian War Ministry, would propose compulsory service. Nor has The Globe unduly criticised the failure of the Borden Government to do more than it has done to assist volunteer recruiting. The criticisms of The Globe and of most Liberal papers have been exceedingly mild when compared with the vitriolic denunciations of the Toronto Telegram, the Winnipeg Telegram, the Montreal Mail, and other journals that have absolutely no sympathy with the Liberal party.

So that honourable gentlemen will see that up to a recent time there was no sentiment in favour of conscription. I shall show a little later that there was no necessity for resorting to conscription. But I wish now to call attention to the fact that the gentlemen who are advocating the forcing of conscription on the country before the elections are really doing more to weaken Canada and injure her future prospects than they would do by letting the conscription Bill wait till a later date. The truth is that one would almost imagine that we were going to have something in the nature of civil war, from what we see in the papers and hear from people on both sides. I do not think there is any danger of civil war; but as a matter of fact, there is an unfortunate gulf opening between the people in favour of conscription and those opposed. The labour element and the bulk of the French element are strongly against conscription; and, with a very general sentiment throughout the country amongst certain classes against it, I am satisfied that it would be almost impossible to carry this measure into effective, honest, and just operation. In the Bill, as I think will ap-

pear when we go into committee on it, there are opportunities for favouritism and dishonesty which are very likely to be made use of.

I stated a while ago that the voluntary system was more creditable to Canada than conscription. Honourable gentlemen are fond of quoting what the men in the trenches say. Here is a well-known young Ottawa gentleman, Lieutenant James, who was one of the writers for the Citizen newspaper, and who is now at the front. The Citizen published a letter from him the other day, in which he said that if conscription were necessary it ought to come, but he was sorry that Canada was not able to keep up the voluntary system to the end —that it would have been more creditable. Undoubtedly it would.

The position is just this, that Sir Robert Borden, for reasons best known to himself, changed the opinion which he had expressed in a public and emphatic way on more than one occasion; and now, any of the numerous people who agreed with Sir Robert Borden in believing in voluntary service are denounced as if they were traitors and all sorts of evil things because they have not been able to change their base as rapidly as he did. I think that Sir Robert should give very satisfactory reasons for his change of base before he expects other people to follow him.

The bulk of the Liberal party are now where they were before. They believe in carrying the war to a successful issue, but they believe in doing it by voluntary service.

As to the necessity for this change, I would first direct attention to the fact that the Prime Minister of Canada, in April last, reviewed in England a Canadian army of 50,000 men. That did not look as though there was any shortage, for reinforcement or otherwise. I have not noticed that Sir Robert has talked about that incident, but that statement was published, and was undoubtedly correct.

Now let us turn to the official reports and see what they show. I have here a statement dated the 14th May, which was submitted to the House of Commons by the Minister of Militia a month later, and he said that while there was another return out, the change between this statement and the later one was so trifling that he thought better to use this. What does this statement show? It shows that on the 14th May there were in England 126,241 Canadian troops who had not yet gone across to the Continent. The wastage would not amount to more than 8,000 per month; I think that is what is permitted in a force of that size. At that rate it would take between ten months or a year before all that force would be exhausted; so that there is not any excessive urgency.

The statement also shows that Sir Robert Borden knew what he was talking about when he proposed to allow the Military Service Act to remain unacted on until after the elections, because he knew there were sufficient troops in England to keep the Canadian force at the front up to the required number for several months. I noticed that on the same day the Minister of Militia submitted that statement in the House of Commons, the First Minister made a statement, but restricted his remarks to the infantry regiments. I am willing to accept the view that we have to consider the infantry, because reinforcements are not so necessary in the artillery and other branches of the service. But what do I find? I find that at that time, in May last, there were 67,387 men belonging to infantry reserve regiments. There was also a fifth division not included in that statement which contained 11,015 infantrymen; so that we have 78,402 infantrymen for reinforcements.

Another thing that has to be taken into consideration is that at least one-half of the men who are reported as wounded come back. The ex-Minister of Militia stated in the House of Commons that sixty-five per cent of them came back. But I am willing to take it at only fifty per cent, which would mean 6,000 more men. So that we would have in England 84,000 men for reinforcing purposes. That seems to me to be a very respectable number.

The Minister of Militia brought down a report on the 11th of June. The allegation was made that the number of recruits was less than the number of casualties. But honourable gentlemen will bear in mind that fifty per cent of the wounded come back. Taking the present year —because up to the end of last year, at any rate, no question was raised— the casualties reported to the record office from February 1, 1917 to April 30, 1917, were 17,645. This same statement shows that the number of recruits enlisted during those months—February, March and April—was 19,584. That is, there were nearly 2,000 more men enlisted than there were casualties.

With a force of 126,000 in Europe, with the recruits in Canada exceeding by 2,000 per month the number of casualties, where

is the necessity for resorting to this autocratic, and I think crooked and very objectionable, means of raising men. It does not strike me as being necessary at all.

As honourable gentlemen will see, this Bill is based on the declaration contained in the preamble, that recruiting has failed. I do not undertake to go into the questions that have arisen in the province of Quebec; but we all know that great mistakes have been made in dealing with the question of recruiting in that province; and since the Prime Minister made the announcement with respect to conscription there has been practically no serious effort made to secure voluntary recruits. I say that if we had kept on, if a better system had been introduced in Quebec, we should have had no difficulty in securing more recruits than there were casualties.

I might mention that the Halifax Chronicle, which is looked upon as the mouthpiece of the Liberal party in Nova Scotia, was at first very strongly in favour of conscription, but now takes the same line as Mr. Pardee, Mr. McCoig and others, that the Government should make a vigorous effort to promote voluntary recruiting so as to avoid the necessity for conscription.

There is this to be said with respect to voluntary enlistment, that if the Government were to start even now a vigorous recruiting campaign they would get more men in shorter time than they will get by this complicated Bill which is before us. Any one who has read the Montreal Gazette of to-day will see that that paper condemns the attitude of the honourable leader of the Opposition in this House respecting conscription. The article says:

> He objects that conscription has been sprung on the country, without preparation. Has Mr. Bostock spent the last six or eight months under the soporific influence of the Catskills? During those six or eight months the enactment of a conscription law has been repeatedly and insistently urged upon the Government by men and newspapers of Mr. Bostock's own party.

That is what the Gazette thinks now. And this is what the Gazette said not long ago. I read from the Gazette of the 24th of March last:

> An Ottawa newspaper remarks that "wrestling with a straw man called Conscription has been a favourite political sport since war began in the province of Quebec." There is considerable justification for the charge, it must be admitted, but the game has by no means been confined to this province. In Winnipeg there has been much agitation in the same matter, and aldermen have denounced the conscriptionists and won votes by it. Also, current issues of the London, Ont., papers report that, in accordance with the request of the British Columbia Federation of Labour, the local Trades and Labour Council has "unanimously passed a resolution opposing conscription in Canada, embodying a vote of non-confidence in the Government in connection with the National Service registration, and demanding that the Militia Act be not enforced without first taking a referendum vote of the people on the question." The bogey man, or the straw man, it will be seen, is travelling through more than Quebec.

That paper speaks to-day of the demand for conscription, and here, in this article, written four or five months ago, you find it ridiculing the idea of conscription. By the way, I may say that while I do not agree with the sentiments of the Gazette, I am very glad indeed that one of the gentlemen who control the paper has been made a member of this House. He is one of a family who deserve well of the country. I have known more than one of them, and I think highly of them.

To summarize, honourable gentlemen, I say that the voluntary system is a nobler and more manly system than that of conscription; that the voluntary system does not tend to cause disunion or trouble throughout the country; that by the voluntary system you avoid the expense, the complication, and the botheration involved in the other system, and you avoid also the delay. Here we have the bridge that has carried us over, and we had better continue to use it. It is not well to swap horses while crossing a stream. Honourable gentlemen, I think I have shown—I think the figures given by the Minister of Militia himself show—that this change is unnecessary.

I am obliged to you, honourable gentlemen for having listened to me so patiently. I expected it from my own friends, but I am thankful when I am treated in that way by the other side.

Hon. D. O. L'ESPERANCE: Honourable gentlemen, before I enter into the remarks which I intend to make on the subject now before this honourable House, I wish to refer to a matter which is more personal to me, that is, the point raised this afternoon by my honourable colleague from Grandville (Hon. Mr. Choquette). He was at great pains to find out whether the senators who have been recently appointed had come here bound by a promise or a guarantee. I will answer for myself, and I know that my honourable colleagues will be able to answer for themselves. I wish to tell the honourable gentleman, and to tell this honourable House, that, so far as I am concerned, I have never been ap-

proached, either directly or indirectly, by any one in the Government or outside of the Government, to ask me whether or not I would support the Bill now before the House. I am sure that the honourable gentleman from Grandville, who knows me well, and all who are listening to me will take my word in this matter. The honourable gentleman from Grandville has known me for over twenty-five years. He well knows that when I take a stand upon a question, neither fear nor favour will cause me to change. He will no doubt remember that in 1896, when I was penniless, a poor employee of the Canadian Government railways, I withstood for three years, practically alone, the threats and even the promises that were made to me by the influential politicians in Quebec district; I stood practically alone to protect the bread and butter of the poor employees on the Intercolonial railway who were threatened with dismissal. I stood my ground then, as I stand my ground to-day. I am responsible to no one, only to my own conscience. I hope that this question will not be referred to again in this House.

I listened with a great deal of attention to the remarkable and very eloquent speech made last night in this House by my honourable colleague from Montarville (Hon. Mr. Beaubien). If I had the slightest doubt as to the stand which I should take regarding the measure now before the House, I am bound to say that his arguments and the witnesses whom he quoted in his speech would have dispelled any doubt remaining in my mind. I am only sorry that I cannot agree with him in his conclusion, because I think that this measure must be either adopted or rejected immediately. If the question is left open until the next election, the very calamity which the honourable gentleman from Montarville (Hon. Mr. Beaubien) fears will take place.

Three long years have elapsed since the news was flashed all over the world that Great Britain had at last declared war against Germany. Her navy, her army and her great financial resources were to be unreservedly thrown in to the balance alongside those of France, and not until her last sailor, her last soldier had been disposed of, her last dollar spent or victory achieved, would she withdraw from the conflict Germany had forced upon her through the criminal violation of Belgian neutrality. Who of those among us has forgotten the long hours of suspense and anguish we lived through from the time Germany violated Belgian neutrality, in order to better jump at France's throat, to the very minute that the German Ambassador in London received his passport? I remember that the day previous, while passing through Montreal, I had met some of my English-speaking Canadian friends who expressed indignation on account of Great Britain's hesitation. One of them went so far as to declare that he should be ashamed in future to call himself an Englishman should the British Government keep out of the conflict. Among my compatriots, honourable gentlemen, the suspense was not less painful. Numerous were those who openly expressed the fear that the United Kingdom would repeat the almost irreparable mistake of 1870 and abandon France to her fate. Had Great Britain then refused to accept the challenge thrown to the civilized world by the German Kaiser, and allowed Belgium and France to be crushed and bled to death, she would have incurred the condemnation of the present and future generations; and I venture to say that in passing judgment upon the cause of her abstention, none would have been more severe than we Canadians of French descent. And I may add, honourable gentlemen, that the same tendency of ideas existed when it was ascertained that England's whole power could not be exercised unless, like France, she adopted conscription. Many were those in my province, and I am not ashamed to say that I was one of them, who, until conscription was brought into force, did not consider that England was putting her whole effort into this war.

Our great and noble neighbour, the United States, was not slow to realize the gravity of the situation, and across the border conscription of man power immediately followed the declaration of war upon Germany.

Canada's turn has now come either to adopt or reject this grave policy, of which we all approved so long as it applied to other nations.

Early in August, 1914, the Canadian Parliament was convened. The speech from the Throne conveyed to the world that the Government of Canada was not merely content to consider this country at war as an integral part of the Empire, but had decided to give to the Allies all the moral and material help that lay in the power of this young nation to give. Not a dissenting voice was raised in or outside of Parliament. Liberals, Conservatives, Nationalists, Protestants and Roman Catholics

followed the noble example given to us by France: we gave our full and complete assent to the Government proposal; we all forgot our political and social differences on that great historic day which saw the birth of a new Canadian nation.

But, Sir, what is the position to-day? After three years of war, the discontent and dissensions which started with the sending of the first contingent, caused by grave mistakes on one side and false representations on the other, have since increased in volume and at last have brought us to a serious crisis. The extremists, for or against conscription, are willing to start a conflict of races that would ruin the efficiency of our contribution and bring upon us calamities far more ruinous to this country than any measure of abstention or conscription could possibly do. Is it not time, honourable gentlemen, that the sensible people in this country—and they are the vast majority, I hope—assert themselves by uniting their efforts, not with the sole ambition of enhancing our contribution to the cause of the Allies, but also with the firm resolve of saving this country from a bitter and lasting conflict of creeds and races? The fault for the present disagreeable situation does not rest alone with the people of my province. Public opinion in Quebec, already exasperated by the unwise and anti-British legislation enacted in some of the provinces of this Dominion—legislation which has deprived the French Canadian minority of rights or privileges which had been enjoyed since and prior to Confederation—was further provoked by the mismanagement of voluntary recruiting, which seldom took into account the special conditions existing in the province of Quebec. Acts have been performed, words have been spoken, and articles written which, distorted and amplified by indiscreet and selfish politicians, have added to the discontent and have succeeded in rending apart the two great races inhabiting this country as they never have been before. And all of this, Sir, has been taking place at a time when, on the other side of the water, our two mother countries, bound together in brotherly love, are pouring out their blood and treasure for the maintenance of the ideals we cherish in common.

Let us pause on the brink of the abyss before it is too late. To those who think that they can settle this grave problem by openly advocating the coercion of Quebec, I will say with all the energy and courage inherited from the chosen settlers which France sent to these borders three hundred years ago: "You cannot subdue, by force, the two million French Canadians living in the province of Quebec. You may, perhaps, kill hundreds, thousands of them, devastate some of their homes, but the spirit of the dead and the living will rise higher than ever. You would soon have facing you the combined spirit of Ireland, which has resisted three centuries of oppression; of a Belgium, which has defied and still defies the whole power of Germany; and last, but not least, the unconquerable spirit of that immortal country—the spirit of France at Marne and Verdun."

Just as much as most of us were ignorant of the real spirit of modern France before this horrible war, just so much are you to-day ignorant of the real spirit of the French Canadians of Quebec. And this is why, honourable gentlemen, I now turn to my own compatriots and, with all the sincerity and energy God has given me, with all the love I bear them, with all the ambition of which I am possessed for their prosperity and welfare, I cry out to them: "Do not allow your good heart, your good sense, your ancestral virtues to be obliterated by the shadow of the provocations of the past and present—some very real, others imaginary or amplified by ignorant or selfish politicians."

Christianity was founded and expanded on sacrifice and brotherly love, not through resistance of order and law. If we resist any longer, the world at large will ignore the real cause of our present abstention, and may brand us by a name that will make our children and our children's children blush forever. We are facing a grave duty. Whatever the causes, good or bad, that have brought upon us this duty, let us answer "Ready!" just as our forefathers did at Carillon, St. Foye and Chateauguay.

I am voting for this measure, which may very shortly send my young and only son, by a first marriage, to the trenches. God knows how willingly and cheerfully I would give the few remaining years of my life in order to save his young and promising existence. But he who did not wait for this measure to offer to make the supreme sacrifice would be the first to blame his father should I shirk to-day from what I consider to be my duty towards my children, my compatriots, and my country.

Hon. J. H. LEGRIS (Translation): Honourable gentlemen, at this critical moment in our history, it is the duty of every man bearing a public responsibility to study seriously the grave problems of the present

as well as the consequences which will flow from them, and to express calmly, and with frankness and sincerity, his opinions thereon.

Allow me to say that I have no great faith in the agitations of the last few years on behalf of our particpation to the uttermost in this war. Our public men and our newspapers are not all sincere in appealing to the patriotism of others to do their duty. Love of country! Some often invoke it only for the purpose of covering their unpatriotic schemes to make money out of war contracts of every kind.

Now, honourable gentlemen, with your permission, and for the convenience of the majority of this Chamber, I will continue my speech in English.

(Text): I do not propose to discuss at any great length the bill before the Senate, because I am inclined to believe that the members of this House have their minds made up on this question, the most serious, I dare say, we have ever had in Canada. I wish only to put myself on record and give briefly a few reasons upon which I base my convictions.

I may say, first, that I am always willing to grant to my opponents the full privilege of adhering to and standing by their opinions on any public question; but I claim as an inherent right the same privilege for myself and my fellow French Canadians, as long as we respect the laws of the country; and failing this, the word "right" ceases to stand for what it means and the old saying that "might is right" would be strongly applicable under those circumstances.

In the course of the discussion which took place in the other House it has been said and repeated time and again that the French Canadians had not done their duty, by reason of their failure to enlist in greater numbers. These reproaches have sometimes been expressed quite injuriously towards the province of Quebec, and even these have only been the logical continuation of a stream of insults constantly poured out by the entire press of Ontario, with a few exceptions. Yesterday we had another illustration of what I say in the eloquent speech delivered by my honourable friend the leader of this House. He exhausted his vocabulary of offensive words, such as: unpatriotic clique, section, slackers, cowards, recreants, craven and others, uttered in this Senate with some malice or anger in the tone as well as in the expressions themselves, and evidently addressed to the French Canadians of the Dominion and particularly of the province of Quebec. His speech under the present circumstances is a new cause of national dissension.

Let me tell my honourable friend that I deeply regret his charges made against my fellow-French Canadians. They do not deserve the disdain which has been heaped upon them. My honourable friend should know better. He should know that the French Canadians are as good citizens as there are in this Dominion or elsewhere. I have no doubt that later on the honourable gentleman will regret having made such charges as he made the other day.

My honourable friends from De Lorimier (Hon. Mr. Dandurand), from Ottawa (Hon. Mr. Edwards), from Grandville (Hon. Mr. Choquette), and from Mille Isles (Hon. Mr. Beaubien), in their eloquent addresses yesterday and the day before, stated conclusively, I think, some of the reasons why the French Canadians did not enlist in greater numbers. However, I wish to add a few remarks on this point. Is it not a recognized fact that the first necessary condition for the voluntary enlisting of a soldier for active service is based upon the faith which he has in the officer commanding him and with whom he must very often face death? The French Canadians knew that they would usually be under the direct orders of officers who did not understand their language, and who were still less able to speak it, thus eliminating all possibility of these officers commanding the sympathy of their subalterns. Moreover, the French Canadians are very much in sympathy with their compatriots in Ontario, who are made to suffer in some respects at the hands of the people of that great province, and who are of the very same origin—the so-called "superior race"—as officers who would be commanding them. If you will place yourself in their position, you cannot fail to realize how uninviting it is to them under such circumstances.

Is it not evident that such a state of affairs must have prevented many from enlisting? I have no hesitation in saying that I understand their feelings, and I share them entirely. In addition to this, one can safely say that the Government has done everything in its power to substantiate the natural apprehensions of the French Canadians, and after all they had the right to do as they did. They were perfectly free to enlist or not to enlist. I say, they were not properly invited to do so, and the moment that we respect the laws of the land we are at perfect liberty to do whatever

we please, even if such actions are absolutely against our neighbour's ideals, whatever they may be.

Some people have charged the French Canadians with having failed in the accomplishment of what they think is a duty. Though I respect that idea, I cannot agree with it, and I ask if we have not the right to differ with those who stand by it, more especially when there are so many strong reasons to substantiate our beliefs that there is an excess of zeal on the part of a great number of ultra-loyal subjects who are reaping a harvest of abnormal profits on account of the war. They completely forget Canada, our only home, where we have to make our living, and that it is our duty to preserve that heritage for our children, instead of directing our whole energies towards the affairs of the Empire in which we have no voice. The statesmen of Britain are quite capable of managing their own affairs without any intervention on the part of "colonials" as we are sometimes called. It does not matter to them if our country is ruined and bankrupted. With their unreasoned zeal for the Empire they are blind and deaf to the needs of our only patria. I venture to say that when the lamentable state of affairs, brought about by the present infatuation is realized by the Canadian people, it will be recognized that the French Canadians were not only right and wise, but that they were more patriotic than their accusers of to-day and that they did their just and reasonable share in helping the Mother Country and the Empire. Why forget, or purposely ignore the fact that England is still keeping at home, for profitable purposes, at least three millions of her own men who are eligible for service?

If Canada persists in her run towards extreme militarism, in order to supply the armies of Europe with a number of men, which is wholly insufficient to influence the fate of arms, she will soon find herself utterly unable to give to the Allied nations the real help which ought to be, and could be, her most valuable contribution to the common cause, namely, the food supply. We French Canadians are denied the credit for what we have actually done. But what are the facts? We have good reason to believe that over 25,000 French Canadians have enlisted, although the official figures show a smaller number. Moreover, Dr. Mignault stated in a letter addressed to the Prime Minister and published in the papers of the 14th July last, that, apart from those employed in the hospitals, we have over 100,000 men working in shops or elsewhere manufacturing munitions of war. Surely munitions are just as important to win the war as soldiers at the front. If, as stated by Colonel Mignault, there are over 100,000 French Canadians working in munition shops, these men cannot, at the same time be at the front. I may add that Colonel Mignault's statement cannot be contradicted, because Dr. Mignault, though a French Canadian, is surely a very reliable man. He knows what he is speaking of, and he must be as loyal as any English-speaking-war-money-maker such as Mr. Flavelle, Mr. Sifton, and a great number of others of that same loyalty. Dr. Mignault has no war contract. He has organized the 22nd Battalion for which he paid with his own money. Later on he put up, still with his own money, a great military hospital, at St. Cloud, near Paris. He has been at the front and now that he is back, and able to talk about the French Canadian soldiers, he cannot speak too highly of them.

Dr. Mignault also tells us why the French Canadians did not enlist in greater number. After reading his letter one can easily understand that when recruiting amongst the French Canadians in the province of Quebec, a great number of men were refused, and that the success of Colonel Mignault's efforts was prevented to a considerable degree by the slowness with which the Militia Department dealt with the formation of French Canadian battalions when English battalions were receiving satisfactory orders, immediately after a demand was received by the department. Knowing these facts and many others, are we not justified in saying that the Government did everything to prevent the enlistment of French Canadians in order to raise the feeling of the English-speaking population of this Dominion against the French speaking population of Quebec with the expectation of gaining some petty advantages in the coming general elections?

Now, may I be permitted to say that I sincerely think this autocratic Bill to increase the Canadian army is most regrettable and will bring the most deplorable consequences to Canada from the view point of harmony between the different races in this country of ours, as well as from the view point of finances and production producing necessaries of life. It will hasten the disaster towards which we are headed and running

at full speed, without helping proportionally the allied nations. I believe that the whole energy of our people should be directed towards the economic organization and development of the forces of Canada so as to ensure to the Allies, whose cause we have adopted, and particularly to Great Britain the greatest possible assistance they desire and insistantly claim from us and to reduce the high cost of living in Canada. I think that our financial position is such that we cannot go further without permanently crippling our industries, arresting our agricultural development and bringing this nation to bankruptcy and financial disaster.

Honourable gentlemen remember, no doubt, that not long ago Mr. Bonar Law, speaking for the Government in the British Parliament, uttered these most significant words: "We are not so much in need of men as we are of foodstuffs." At about the same time, speaking in the French Senate, Senator Humbert, one of the leading men in France, said among other things that the famine threatened the whole world, and that the Government should call back 200,000 or 300,000 men from the army to cultivate the land and help in the production which was necessary to feed the soldiers and the people of France.

The Montreal Gazette of June 22nd published a despatch dated London, June 19th, which reads as follows:

> Lord Rhondda took over the duties of Food Controller to-day and this was his first interview with members of the American press.
>
> "The whole problem of the nation's food primarily depends upon the supply," he continued, "and unless we can be assured of food sufficient to enable this and other allied countries of Europe to carry on the war to a successful conclusion, it would be almost superfluous to appoint a food controller. The most perfect system of distribution and the most equitable regulation of prices would be a mere waste of time and effort unless every measure is taken to keep up the Allied food supply.
>
> "For this we depend to a vital degree upon the United States and Canada."
>
> "We are doing what we can 'off our own bat' by increasing home production, but, in the main, the solution of the primary problem of supply lies in the hands of our American allies and Canada. I am sure they will not 'let us down.'"

The same paper on the 7th inst. published a despatch from Toronto saying that Mr. Hanna, Canada's Food Controller, addressed a largely-attended meeting of the Women's Club. He intimated that it was his intention to give the press from time to time information as to just how desperate were the needs of the Allies, and what is being done to meet them, because he was satisfied that when people realize what the situation really is they will co-operate in an endeavour to solve it. "The situation is desperate," he said. It is desperate in this sense, that it will have a terrible meaning to us and to Great Britain and her Allies if the situation is not met. Mr. Hanna says that to meet the needs of Allies the United States and Canada should export 460,000,000 bushels of wheat. The estimated exportation of both countries will be 300,000,000 bushels, leaving a clear shortage of 160,000,000 bushels. To this deficit we have to add the quantity being sunk at sea. In another place Mr. Hanna said: "Save food or lose war." He did not say, "Supply men or lose war." Mr. Hoover, the United States Food Controller, has spoken in the very same way. Mr. Bonar Law and Mr. Balfour not long ago emphasized the point that the task of feeding the allied nations rests on the United States and Canada. Sir George Paish, England's foremost economist, summed up the situation as follows:

> Victory over militarism will depend as much upon the world's farmers in general, and upon those in America and Canada in particular, as it does upon the armies at the front.

Mr. Prothero, Minister of Agriculture for the United Kingdom, also uses similar language.

On the 8th of May last, our Minister of Commerce (Sir George Foster), in the House of Commons, said:

> The great question of the war at the present time is feeding the Allies; feeding the Allies for the rest of the war, and more especially for the next six months . . .

On July 23rd the Morning Citizen publishes the following declaration:

> King George has expressed his gratification at the steps being taken in Canada to provide "those increased supplies of food which are absolutely essential to the defeat of the enemy's devices and to a speedy and successful termination of the war."

On July 23rd the newspapers published a message sent to the people of Canada by His Majesty the King, which reads as follows:

> I learn with deep gratification of the effective steps being taken in the Dominion of Canada toward providing those increased supplies of food which are absolutely essential to the defeat of the enemy's devices and to a speedy and successful termination of the war. I have no doubt that the self-sacrifice displayed on the battlefields of France by my heroic Canadian troops will find its counterpart in the efforts of those who, at home in the Dominion, are devoting themselves to this work. All those thus loyally engaged contribute in important measure towards assuring victory.

Honourable gentlemen, this is my last quotation on this point. But, if it is the

last, you will admit it is not the least. It is the British Government, in the name of His Majesty the King, asking the people of Canada to send what? More men for reinforcement of the armies in France? No, not at all, but supplies of food.

These appeals from such authorities should command the most serious consideration on our part and stop the progress of this Bill for now. No one calls for men, but we hear repeatedly the call for food supplies. Instead of complying with the need expressed by these men the Government is forcing our boys to give up their occupations here and cross overseas to consume a part of the food necessary for the army, but produce nothing. This is a great mistake, because it will endanger national production and jeopardize our quota of supplies to the Allies.

As no one has called for more men on our part, why does the Government show such an excess of zeal in imposing this measure in the face of so many great difficulties?

The ministers of the Government, many honourable members in the House of Commons and in this Senate, and many people outside of Parliament, seem to believe that we ought to take the lead in this war, as if we alone had the whole responsibility of it, and as if it completely depended on us. For my part I cannot agree with that belief. Let us help the mother country as far as we can; but greater effort on our part would place greater obligations on the shoulders of the people, and would not fail to be disastrous for us and detrimental to Britain. We have already gone beyond the limit of our paying capacity and Canada has already contributed to the war all the man-power she can supply without endangering her own existence and at the same time injuring our Allies. I will repeat here the word of Lord Shaughnessy, one or two years ago when he said: "Stop! you have already gone too far!" It is not a conscription law for destroying that the country and the Empire want; it is conscription for production of food supplies the Government should enforce.

I cannot understand why the Prime Minister so persistently demands the sending of Canadians across the sea when it is a well known fact that Canada's farms are being depleted; that farmers are short of men to help produce wheat and other cereals. More than that, many farms under cultivation in the West have already been given up. The same scarcity of labour exists from one end of the country to the other, and in Ontario a number of farmers are desperate to save their crop. The quantity of land under cultivation is much less this year than last, although the supply of food is likely to be the main factor of the situation in Europe. Under these circumstances surely it is far more important for us and the Allied nations, in order to insure the greatest possible assistance to the Empire and reduce the cost of living to the Canadian people, to retain our boys in Canada where they are so urgently needed, knowing that Great Britain and the United States can supply more than the necessary number of men, without being affected as seriously as Canada is to-day. Our most important duty is to produce, produce, and produce again, mostly food supplies, to keep the soldiers alive; otherwise we will have national suicide, for famine and world hunger are on our threshold as well as on that of the Allied nations! This is a startling statement indeed, which should lead to a more intelligent and more patriotic move than the Government is now making. The ministers of the day are unwilling to see and understand the real situation and by a display of false patriotism and a lack of foresight and energy on their part they have but a single aim in view; namely, the war, accompanied with borrowing of hundreds of millions of dollars without regard to anything outside of that idea. This if not unpatriotic, is to say the least, the greatest mistake of their life.

We have read recently how England and France have called back a number of soldiers from the Army to make them produce foodstuffs and other necessaries of life. In Canada the Government is labouring to reverse this plan. We all know that the Government a few weeks ago spent money to advertise in 600 or 700 American newspapers for 70,000 men to come from the United States to Canada to work on farms. Is that not the strongest proof that the Government knew, as they should remember today, that we had already lost too many of our men?

Here I might say to the Government: Give up your blind conscription scheme and give a thought to the people of Canada, who are threatened with starvation in a few months. Remember that Canada has already done more than her full share in the present gigantic struggle, which is completely independent of us. Our sacrifices in men and money are heavier in proportion than those of England herself. It is unpatriotic to try to go farther and quicker.

Is it because the Prime Minister, very imprudently indeed, to say the least, without consulting either the country or his colleagues, promised 500,000 men, together with the last Canadian dollar, that the Government persists in imposing upon the country this conscription law, which the Prime Minister in the House of Commons asserted would not be imposed upon Canada? Many of his colleagues, just a few weeks ago, particularly during the Dorchester election, repeated the same promise many times. For my part I cannot agree that the country is bound by so rash a promise. If the Prime Minister had been wiser and promised only 200,000 men, surely that offer would have been a liberal one, and more in accord with the position, the obligations and the means of this country. We would already be far exceeding the expectation, and no doubt this country would be highly eulogized for such a voluntary effort, and the peace-loving Canadian people would not be threatened with an odious and autocratic military conscription law, which will contribute to precipitate famine and other disasters of different nature.

I say that to-day the honour of Canada and the honour of the Government are at stake. The Prime Minister and his colleagues having declared, from one end of the country to the other, that there would be no conscription in Canada. Is that pledge to be broken? Are we to have in this country another kind of German "scrap of paper"? I say, furthermore, that it is humiliating for the citizens of Canada to be governed by men capable of ignoring their pledges as the ministers have done on this occasion.

To conclude my remarks, I wish to say that I am opposed to this Bill for many reasons: First, because it is useless, the voluntary recruiting having been satisfactory according to the obligations and possibilities of the country. Secondly, because, if it becomes law it will be a bad law on our statute books and unworkable under the present circumstances. Thirdly, because it will provoke the greatest calamity that could befall Canada in this war, by deepening the line of cleavage between Ontario and Quebec, when it is so important to retain our national unity. Fourth, because it will bankrupt Canada without helping proportionately the Empire. Fifth, because the present parliament has no right to pass it; the members of the House of Commons having ceased to be the authorized representatives of the electors. Moreover, a great number amongst them and amongst the Ministers have been elected to enact a very contrary policy.

Now, my last word is to say to the ministers and to the Government: Don't go further against the will of the people. Go to the electors to have your present dead mandate renewed by way of a general election, or, still better, by way of a plebiscite, if you wish to know the true feeling of the country on this very question of conscription. Then, and then only, you will be entitled to legislate on such an important matter, and after that you will be relieved of your pledges and you will have the whole country behind you to enforce the law.

Hon. T. J. BOURQUE: Being a new arrival in this honourable Chamber, I will confess that it is with no small degree of hesitation that I arise to take part in this debate, particularly when I see before me so many experienced parliamentarians. My embarrassment is much greater on account of the fact that the question before us is one of great importance to all Canadians, and one that carries with it departures of very serious nature. Nevertheless, I think it is my duty, honourable gentlemen, to say a few words at this moment on the question. In fact I would be remiss in my duty, did I not express my opinion, and that very briefly, and add to what has already been said in favour of this Bill.

We ask ourselves, why should Canada still be expected to make further sacrifices when we look back to the past three years and see how great a part we have already played in this gigantic war. For a new country, like ours, not a military country, our achievements have been the admiration of all other countries; not only in point of number of men who have enlisted voluntarily, but also on account of the splendid way in which our financial resources have stood the test. We cannot give too much praise to the young men who responded so nobly to the call; voluntary enlistment has certainly been a great success. It is needless for me to recall the glorious part played on the firing line by our Canadian soldiers. Their heroism and their deeds are the admiration of the world, the heads of the armies cannot give them too much praise, and the Huns have learned to fear them.

Honourable gentlemen, we all remember how in 1914, immediately after the outbreak of the war, political partisanship was thrown to one side, and how we all agreed to take part in this war, and justly so.

Recruiting meetings were held all over the country, and we united in an appeal to the young men to enlist in order to help our Mother Country and her Allies. Over 400,000 men, hailing from every part of Canada, leaving those dearest to them, leaving comfortable homes, throwing aside business affairs, fully aware of the hardships in store for them, listening only to the call of duty, voluntarily enlisted and joined the overseas expeditionary forces to fight for King and country.

Honourable gentlemen, now that the cry comes from the firing line, from our exhausted Canadian heroes, "Come to our assistance; we may not hold much longer, as our ranks are fast depleting," will we not respond? If I can read the minds of our people, I think Canada will respond. The Canadian soldiers have endured all sorts of hardships, and many of them have laid down their lives for the common cause, the cause of liberty. Then I say that in justice to those who have already gone to France, in justice to Great Britain who is giving us her protection and our liberties, in justice to the allied cause, in justice to the fair name of Canada, it seems opportune at this stage to pass this measure. Reinforcements are needed, and are needed at once, to enable our army, of which we are so proud, to hold the Canadian line at the front. And unless those reinforcements are forthcoming there is danger of the Canadian line disappearing. On the other hand, Joffre, the great French Commander, when addressing the Canadian people in Montreal, stated that men, and still more men were needed; and no man will dispute the authority of this great military genius.

As for me, there is an additional reason why Canada should remain in this war; possibly it is only a sentimental reason. A descendant of those hardy pioneers who, three centuries ago, left the shores of fair France and came to the new world to plant the cross of civilization, and spread the glorious name of their country and founded the colony of Acadie, I have always had a lingering love for the land of my forefathers. I believe that in this I express the sentiments of my Acadian compatriots.

The feeling of anxiety that existed in my own province, as well as in other parts of Canada where there is a French population, was well expressed in a speech delivered in the House of Commons on January 28, 1916, by the honourable member for Kamouraska, Mr. Lapointe, and I shall quote from his speech. He said:

> When, on July 30, it became apparent that France could not avoid a conflict with Germany, many people in my province, especially those who could remember the dark and painful days of 1870, were watching with anxiety what Great Britain would do. During these days of expectation feelings of uneasiness were expressed in many quarters. Would England stand aside and let Germany crush Belgium and invade France? Finally, all efforts towards the securing of peace having failed, the voice of Britain was heard on the side of right and justice against might and tyranny. A feeling of relief was experienced everywhere; enthusiasm replaced anxiety, and from that day, Mr. Speaker, I have favoured and supported all measures that would help the Mother Country in this war. I have supported them as a national duty and as a profound expression of gratitude. I believe that if England had refused to declare herself in favour of the Allies and to unite her efforts with those of Belgium, France and Russia, many of those who now criticise our participation in the war would have raised indignant voices against the attitude of Great Britain,
>
> I claim that under the circumstances, notwithstanding what has been said elsewhere, the province of Quebec has done her duty. Her people have contributed their full share, and they are still willing to contribute their full share.

I need only add, honourable gentlemen, that just as we were desirous that Great Britain should go to the rescue of France, our old mother country, threatened with annihilation by a powerful foe, we are equally desirous of remaining in this struggle until final victory. Moreover, as far as Great Britain and her Allies are concerned, this is a just war. Therefore, in the words of Sir Lomer Gouin in a speech delivered in Montreal on the 14th of September, 1914:

> Let us show our patriotism by action; this is a just, a holy war, which the allies are waging against Germany and we should not hesitate to assist the Mother Land in the full measure of our abilities.

He further said on this occasion to the young men who were listening to him:

> Enlist! Give your names to the recruiting officers; go and battle for the integrity of the Empire.

Let us also quote Sir Wilfrid Laurier, who, in addressing a large meeting in Montreal on October 15, 1914, said:

> Yes, this appeal means a great sacrifice, but no such consideration should enter our minds. If there still flow in the veins of the French Canadians a few drops of the blood of "Dollard" and his companions, you will enlist en masse; for the cause is just as sacred as the cause for which Dollard and his companions gave up their lives.

Conditions have not changed since the beginning of the war. The integrity of the Empire is as much in danger to-day as it was then. In fact, I may be permitted to say that the situation is graver to-day than

is was then. I am proud to say that New Brunswick's enlistment has been good.

As has been so well said in an able speech in the House of Commons a few days ago by my honourable friend from Kent, Mr. F. J. Ribidoux, as well as by the honourable gentleman from Antigonish (Hon. Mr. Girroir) and the honourable gentleman from Shediac (Hon. Mr. Poirier) yesterday, in New Brunswick people of different races and creeds live in harmony, and the best understanding prevails among all classes. They all have a common aim, the succesful termination of this war in favor of democracy, and against German domination. Being of Acadian descent, it naturally gives me much pleasure to be in a position to say that the Acadian people responded nobly to the call. I know some families who gave two of their sons, and I know particularly one by the name of Thibideau, in my own neighborhood, who have given three. The first casualty among the Canadian soldiers, as was referred to in this House in 1915 by my honourable friend from Antigonish, was a French Acadian named Gallant. He died at Valcartier, it is true, but we know his aim was to get to the firing line. We find Acadians in every unit in New Brunswick. The same applies to Nova Scotia and Prince Edward Island. I know of some who enlisted in Ontario.

I am of the firm opinion that our people are still prepared to make further sacrifices if required, and give their further support to those who have preceeded them. I feel confident that our people will accept the bill in the proper spirit, a spirit of duty and of patriotism. I can assure them that no undue hardships will come to them in the administration of the act. I have enough faith in the public men who may be named on the selection board, to feel that justice will be done to all, independent of race or creed. Knowing also how imperative it is, that the necessaries of life must be looked after, due regard will surely be given to the agricultural pursuits and to the fishing industries.

We are told that now that the United States are in the war it is time for us not to take further part. Honourable gentlemen, I will only say in reply to this argument, the fact of the States having decided to join us at this stage, after apparently hesitating so long, is a sure indication of the seriousness of the situation, and to me a further reason why we should continue what we commenced so well in 1914. No, honourable gentlemen, the time has not come to quit, but the time had come to fight on till victory comes to our allies.

In closing, honourable gentlemen, let me say that I favour the Bill because I wish to assist our Mother Country, England, which gives us unlimited privileges and protection; also to help "bleeding France" who is fighting a death struggle; and also for the honour and protection of our homes and our fair Canada.

Hon. JULES TESSIER: Honourable gentlemen, the question now submitted to us is one of the greatest concern to the minds of the citizens of Canada. All Canadians would like to see victory crown the efforts of the allies and would like to see it come as soon as possible, in order that we may return to that life of peace which is the greatest blessing that Providence had granted to us during so many years. But, does contribution to war mean destruction of our economic resources, and bankruptcy? I do not think so, and I can say the Solicitor General did not voice the sentiment of public opinion of Canada when in a public speech he said that he would not hesitate to bleed the country to the extent of putting it into a state of bankruptcy in order to find means for the prosecution of the war.

A great mistake was made by our Government from the commencement when it decided to contribute to the war without counting our resources, and under the illusion that there was no limit to our gold, to our credit and to our means. It strikes me that the duty of any prudent administrator is to know what is the limit of his trust and his power. If this inventory had been taken at the inception and the Government had said, "We are able to spend so much in money and men, and no more," this would have been understood and more easily accepted by the people.

But what have we seen? An administration of affairs conducted with the greatest extravagance and lack of judgment; war contracts given to political and personal friends without discernment, allowing them to make enormous and scandalous profits. We have seen a Prime Minister, leading a Parliament whose mandate has expired, arrogating to himself the right to promise an army of 500,000 men without consulting Parliament. And now he wants to force the fulfilment of his imprudent promise by imposing obligatory conscription.

When it is objected that before adopting this new policy the people ought to be consulted, one of the answers is that the people are not competent to settle this question so

vital to its destiny, and that anyhow, if a referendum is granted, conscription will not be approved by the majority of the electors. That is why a referendum is not granted. This is an example of autocratic reasoning against the privileges of democracy.

The citizens of Quebec are not slackers or traitors, as has been insinuated by some of our speakers. But they know what are the privileges granted to the people under responsible government. They have fought to obtain these privileges and they will take all legal means to preserve them, even if they have to enter into conflict with the great autocrat who is now leading the Government of this Dominion. That is the reason why conscription is not generally approved, not only in the province of Quebec, but also by many citiizens of the other provinces.

The province of Quebec has shown many times its loyalty to the British Crown, and those who have studied our history know that if the British flag is now flying in this Dominion, it is due to the bravery and loyalty of the French Canadians of the Province of Quebec. I should understand the violent ardour of some in favour of conscription if Canada had not made in the present war a military display in men and money proportionately equal to other nations. Assuming that Canada has supplied 420,000 men, is this not equivalent to an army of 2,400,000 men for France, 2,700,000 for Great Britain and Ireland, 6,000,000 men for the United States. And we are paying more for each soldier than any other nation in the world.

Now, honourable gentlemen, this is to show that Canada is not delinquent to its duties to the allies and to the triumph of right, although it was not consulted as to the propriety of entering into the war. When war broke out it was specified that military service was, and would remain, voluntary. When in January, 1916, Parliament decided to allow the increase of enlistment, Sir Robert Borden made the following declaration:

> In speaking in the first two or three months of the war, I made it clear to the people of Canada that we did not propose any measure of conscription. I repeat that announcement with emphasis to-day.

Sir Wilfrid Laurier said at the same time:

> Conscription has come in England, but conscription is not to come in Canada.

This is the pledge given to the people, and Sir Wilfrid thinks that he is obliged to be faithful to his word, and that the only way to adopt a contrary policy is by the way of consulting the people. This is also my view, and when the law is passed and approved by the majority of the people, we all hope that all will be obedient to the law.

I should like to quote the opinion of Sir Lomer Gouin, expressed in Quebec a few days ago. He said:

> The attitude of the province of Quebec on the conscription question is a sincere one. It feels that a Government elected six years ago on a programme which did not include one word of war is not the government that should now impose conscription on Canada to-day. Let us have elections, and if the majority of Canadians show themselves in favour of the measure, then I am confident that the province, like the others, will fall in line with the people's decision.

In supporting the action of Sir Wilfrid Laurier, he asserted that his own statement, made some time ago, to the effect that Canadians count on Sir Wilfrid to guide them to the solution of the present problem, still held good.

Under the circumstances, I have no hesitation in supporting the amendment proposed by the leader of the Opposition.

Hon. GIDEON ROBERTSON: Honourable gentlemen, it was not my purpose originally to participate in this discussion, because this question has been fully debated both here and in the House of Commons. But to-night I feel compelled to say something, particularly because of the remarks made by my honourable friend the senior member for Halifax (Hon. Mr. Power), in which he referred to the labour element in Canada. He said he feared that conscription could not be well enforced because labour was against it. At the present time Canada and the people of Canada are standing at the bar of history, and I do not propose to permit a statement of that kind to go down in the records of our country without protesting against it, because it is not true. It is impossible that all labour men in Canada should hold the same views. Every labour man in Canada, and I believe almost every citizen, is opposed to the principle of conscription; but when imperative necessity presents itself, as it has, we must be guided by the circumstances and act as our judgment dictates.

Prior to the time that war was declared by the United States, organized labour in that country was absolutely opposed to conscription; yet, on the 16th day of May, two days prior to the time when such a policy was declared here, the question was discussed in Washington at an allied labour conference, at which I had the honour to represent our Government. One hundred

and forty labour leaders were at that conference, and their opinion was that conscription was the policy which would best meet the situation and the requirements for the successful prosecution of the war. There are 2,200,000 men who are members of organizations which are affiliated with the American Federation of Labour, and the position taken by the heads of that organization is well known to you all.

Labour organizations in Canada are international in almost every instance. For example, the organization of which I am a member is an international organization with 50,000 members—7,000 in Canada and the balance in the United States; and the policy which is good enough for the members in the United States, and which is being followed by them, is good enough for and is being followed by the members in Canada. I speak with definite knowledge of the men employed in the great transportation systems of this country, and can say that I have had many protests, written and verbal, from various lodges, divisions, and members of these associations, urging that something be done to disabuse the public mind of the sentiments expressed by some recognized labour leaders who hold different views. It is true, I believe, that the gentleman to whom I refer and whom you all know was quoted by the leader of the Opposition in the other House, who implied by the remarks which he made that one of the reasons that he was opposed to this Bill was because of the attitude taken by labour. In my opinion a few of the recognized labour leaders in Canada have been absolutely sincere in making such statements. They are more closely connected with workmen who have not been treated fairly since war broke out. I refer to men who have been engaged in the manufacturing of munitions, men who have been denied their rights by their employers, who in many instances would not meet a committee of the men. As you probably all know, Mr. Watters, the gentleman to whom I refer, made efforts to have that condition righted with the Chairman of the Munitions Board, but without success. To a great extent that is the reason that these men feel as they do, and I therefore excuse them to a very great extent. But, honourable gentlemen, organized labour generally—the Canadian-born English-speaking organized labour—almost unanimously takes the view that although they may have grievances, although there may be many matters in this country which are not properly adjusted, and although they think that there should be some control of the prices and the distribution of foodstuffs, yet they feel that there is no reason or justification for declining to join in doing all that can be done to assist the country in meeting the emergency which has arisen.

Hon. Mr. McSWEENEY: What position does Mr. Watters take now on this question?

Hon. Mr. ROBERTSON. I have not talked with Mr. Watters, neither have I seen any public utterance of his in the papers since the Minister of Finance spoke on the Income Tax Bill.

Hon. Mr. McSWEENEY: He has written several letters.

Hon. Mr. ROBERTSON: Not within the last few days. He said that he was not opposed to conscription if it was shown to be necessary, but he urged that action be taken to impose an income tax or some other conscription of wealth at the same time. The Government has taken steps in that direction. Whether it has gone far enough for Mr. Watters I cannot say.

I should like to point out reasons why for many months I have been of the opinion that the Military Service Bill ought to be passed without delay. After all, the main reason is the imperative need. It is well known, as one honourable gentleman said to-night, that 8,000 casualties are occurring every month. That means that one man is laying down his life or is being wounded every five minutes, day and night, and we are not filling the gaps by any means. If the war is to be successfully prosecuted and finally won, we cannot afford to take any chance of the reinforcements becoming exhausted.

There is one other reason that I have not yet heard mentioned. There are thousands of young men in this country who are willing to go, but who say, "We have no right to go unless our neighbour goes." I have had a little personal experience of that kind myself. When I was on the other side a few months ago I received a letter from my son, saying, "Father, I think I ought to enlist, because, if I do, I think there are half a dozen other boys in the class at college who will do the same thing." Subsequently he did enlist, and his opinion was borne out. Therefore, I believe that if a selective conscription measure is put into force there are many young men who will go willingly.

I had not intended to make any extended remarks. I do not desire to take up the time of the House, but wish to say—

having two members of my own family engaged in the war—that I fully realise the importance and the gravity of the step which we are proposing to take, and which I am supporting. The ambition of the individual or the desire of the community cannot be taken into consideration. These must at all times be subordinate to the welfare of the State when the State is in danger. I believe that the great majority of organized labour men with whom I have the honour to be associated are in favour of this Bill being passed and put into effect without unnecessary delay. I believe that there need be no delay in enforcing the measure if it is once passed, because there are thousands of young men ready and willing to go so long as there is no discrimination, and their fellows are not left at home when they go.

I hope that this question may be dealt with, not only by honourable gentlemen in this House, but throughout the country, without any feeling of animosity towards any one, and without any feeling that this measure is directed against any part of the country or any section of the people, because I do not believe that such is the case. We should all realise the necessity, and remember that in these dark days stringent measures must be taken if the war is going to be won. The sacrifices that the Canadian people have made thus far can in no way compare with those made by our Allies and the people of the mother land, beside whom we are fighting and whom we are bound to support.

Hon. LOUIS LAVERGNE: Honourable gentlemen, I have a few remarks to make about this bad Bill which has been submitted to us. Quite a number of speeches have been made in the House of Commons and in the Senate in favour of this Bill, but no one has told us whether the Prime Minister received orders from the Imperial Government to secure more men in Canada by means of conscription. For my part, I am quite sure that no such orders have been given to the Prime Minister of this country. This Bill was introduced in order to fulfil the declaration which he made in the House of Commons in 1916, that Canada would furnish 500,000 men. He was wrong when he made that declaration; but he would not admit it, and so he resorted to this Conscription Bill. In March or April last Sir Robert Borden was present at the Imperial Conference, and as yet we do not know what he said, nor what promises he made at that conference.

I have listened to the speech made by the honourable the leader of the Government in this House, but he did not mention the Imperial Conference at all. The honourable gentleman is a member of the Government. He made a great deal of this Conscription Bill, and of the necessity for its adoption in order to help the cause of the Allies and the cause of liberty. Allow me to say, honourable gentlemen, that I differ from the honourable gentleman, and from the views expressed by him and by the Prime Minister and his Government. The Government had no right whatever to submit a Bill of this kind to Parliament. This Bill is contrary to the Constitution of this country, which does not permit of the coercion of men to go to fight in foreign countries, either for the British Empire or for any other country. Canada has not been attacked, and if it were it is here that our men would fight in the defence of Canada. The Militia Act of 1904 says plainly that men can be called out for the defence of Canada. It does not say any more than that. Canada has done its share in sending nearly 440,000 men to fight in the old country. It is too much for a population of 7,000,000 to stand; but Sir Robert Borden and his ministers and his profiteers were not satisfied. After having ruined this country by their mismanagement and extravagance, the Government desires to make the ruin worse by sending 100,000 more of the young men of the country to the front, with the intention that more will be called if necessary.

This is awful, but it was expected since the famous speech of Mr. Meighen in the House of Commons, when he said: "We will put Canada into bankruptcy if necessary to save the Empire, and give our last man and last dollar to the defence of the Empire."

I blame the Government for interfering with the progress of this country, for paralyzing our efforts for more production in agriculture, mines and manufacture, by taking men who are now working for the country, which needs them. I blame the Government for having refused to submit this Bill to the people of Canada by referendum, as proposed by Sir Wilfrid Laurier. This Government is not willing to ask the people for their approval or disapproval of this measure because they believe that the people are absolutely against it. To me it is pure Toryism to coerce the people; surely it is not Liberalism, because Liberalism would do as its leader does, trust the people.

Why should Canada have conscription?

There is no conscription in Australia, where the people had the privilege of a referendum; nor in South Africa, nor in New Zealand, nor even in Ireland, which forms part of the Kingdom of Great Britain and Ireland. It appears that England has 250,000 of her soldiers in Ireland. Why are they not sent to the front with the British army? All these soldiers, having been trained for many years, could surely help the Allies.

Be sure that the young men of this country who did not enlist voluntarily are against conscription and are not willing to be coerced by any Bill of conscription.

It is said by some newspapers of Ontario that the province of Quebec alone was against that miserable measure, but we heard much opposition from many cities and towns elsewhere; for instance, from Vancouver, from Calgary, the city where resides the leader of this House, an honourable minister of the Borden Government; from Winnipeg, which has for member of Parliament the minister of Public Works; from Hamilton, Ottawa, and even Toronto, Berlin and others. The labour party and a large number of citizens in those cities have used very strong language against this Bill, and have notified the Government that it was their intention to use all the forces they have to resist conscription, selective or not. In some of those cities some meetings were called in open air to protest against that Bill, but the conscriptionists used force to disband the people. This shows that conscription is not popular.

I have said enough to show that I cannot support this drastic and coercitive Bill, and will vote against it, and against the principle of conscription. This Bill is a crime committed against the Canadian people, against the men who would be coerced, against the relatives of the conscripts, against all elements of justice and equity.

This Government has no mandate from the people; the only way to get a mandate was by referendum. This measure has created great excitement amongst the people, and has given rise to all sorts of passions, religious, racial and political, which have spread all over Canada.

This Bill is the most drastic and inhuman that has ever been imposed by any Government in the whole world. The people of Canada are treated like slaves and perhaps worse. It reminds us of the time of Inquisition many hundred years ago; also the slavery in Africa. It provides that a conscript must obey or he is sent to jail for three years. Here in Canada we are not prisoners of the Government, but the Bill provides for the same treatment for conscripts as the prisoners in Germany. If a man who is called to the ranks of the army refuses, he is sent to jail and has no right to have his liberty by way of habeas corpus—a privilege that exists for thieves and murderers; but our young men of Canada are by this infamous Bill regarded as too dangerous to be on the same footing as a criminal. I say it is a shame for the Government and I hope that the people will resent this insult, and will remember the ferocity of this Bill at the polls.

Do not think, honourable gentlemen, that the majority of the people of Ontario will approve this drastic Bill. If it should pass we would have no right to discuss that Bill, no right to speak or write against it, or organize or if we disobey, a slavery clause provides imprisonment for from one to five years in penitentiary or jail. An editor who writes against the Bill will see his paper suspended and refused access to the mail. We must remember it is a Bill for selective conscription. I suppose the friends of the conscriptionist candidate will speak of "Win the War," and will explain the so-called good things in that Bill, but the anti-conscriptionist candidate will have no right to answer, or the penitentiaries will be open for them.

My honourable friend the senator for Shediac, N.B., put the question, "Who said Canada owes nothing to England?" I am glad to be able to answer him. Those who said that many times are: Hon. P. E. Blondin, Postmaster General and Lt.-Colonel recruiting for overseas; Hon. Mr. Sevigny, who said it in 1910 and 1911; Mr. J. H. Rainville, Deputy Speaker of the House of Commons; and last, Hon. Mr. L'Esperance, president of the Harbour Commission in Quebec, now senator. All these gentlemen after the election of 1911 made a right-about-face; they voted against their promises to the electors, and now have received their rewards. I hope my friend from Shediac will be satisfied.

The honourable leader of this House has used strong language towards the people who are for a referendum calling them recreants, slackers and cowards. There is nothing to show our people deserve these names

Believing that this Bill cannot have a good result, I will support the amendment of our leader of the Opposition, being sure that the people at the general elections will vote en masse against this Tory Government which has refused to consult them on this question.

Hon. JOHN S. McLENNAN: I should like to dwell for a moment on one point which has not been touched on in this debate. If my recollection is not at fault, never in the history of the world has conscription come into force after a mandate from any people. France was at its last gasp when it came into force from above. In Germany it was enforced at a time when, as now, the wishes of the German people were not consulted. In the United States, in 1862 or 1863, it came into force two years after Lincoln had been elected, and it was Congress that gave or ratified his authority, though it had not been elected on that issue. Again, the other day, after the United States had learned from the experience of ourselves and of other people, conscription was passed under the presidency of a man who, many think, gained his seat by his appeal to the people based on their gratitude for the fact that he had kept them out of war. Those are the great instances. Again, in England it was a coalition government, with no special mandate from the people, that put conscription into force. It was a triumph for the intelligence of the British people, who realized the great emergency which faced them last year as it faces us now, and who went against all their traditions, all their feelings, and led them to give up their splendid pride in the glories of all the English armies that have ever fought, all of which had been volunteer armies. So much on that point.

But I think there is another point worthy of the attention of this House, and which I have not seen dealt with, namely, a remark made by the leader of the Opposition in another place, Sir Wilfrid Laurier, when he referred to the fact that since the French Canadians were disarmed in 1761 they had had no military organization. On the question of organization that may be true; but, as I understand the fact from the reading of history, his statement does not give an entire and clear picture of the conditions. They were disarmed. The treaty which closed that war was a treaty which placed the French Canadians in such a position that when Canada was invaded, first, by proclamation of Benjamin Franklin, they turned a deaf ear to it. Then, when American armies came into Canada, practically its only inhabitants were a small garrison and the French Canadian inhabitants; and, as has been said here before, and I believe never denied by anyone of English birth, had it not been for the support of the French Canadians, the British flag would have ceased to fly over any part of the continent of North America.

Again, the Canadians received a constitution in 1791-2. An Imperial Act was passed dealing with the government of this country. It was as liberal as any government was giving to any colony at that time.

Again, there came war with the United States in 1812. The victory of Chateauguay, fought by French Canadians under a French Canadian leader, was as creditable to the French Canadian people as any battle which was fought in Upper Canada by colonists of British birth.

Again, that constitution of Canada became outworn. It corresponded inadequately to the needs of peoples with ever-increasing aspirations towards self-government. In 1837 the French Canadians rose in protest against that government. They rose with people of English birth and English speech, fighting alongside them in Lower Canada, and they fought the same battle that the English people in Upper Canada were fighting—for an increase of liberty and of self-government. They achieved it. That soul, of which the honourable senator from DeLorimier (Hon. Mr. Dandurand) spoke yesterday, was born. It helped us in Confederation, I am positive; and I regret that it does not seem now to be beating with the same pulse as it did aforetime in 1837, when the Canadian colonist, both French and British, was the forerunner in that demand for liberty which only came to a head ten or eleven years later in Europe. The French Canadian colonists and the British colonists were ahead of their time in making that great step forward, one of the greatest advances in the last century and a half, in the extension of the rights of the individual and of the plain citizen in human government. Why is that pulse not beating now?

It has been suggested that the French Canadian then was fighting for his native land. If he is not fully in accord with us to-day, it seems to me that it may be the fault of those of his people who have wider knowledge and more imagination, who have not brought home to him, and clearly laid before him, the fact that his frontier is at the battle line, where not only the French Canadian, not only the British Canadian, but all the people who are on the side of freedom and self-government, are in battle against an enemy who would, if possible, make them all subject to autocratic domination.

What I would say at this moment is that this is one of the most epoch-making cataclysms that the world has ever seen; that we are all too much inclined to dwell

on incidentals, and to lose our sense of perspective; to regard political affiliations and ties.

One thing more I would say, and it refers to the speech made yesterday by that one of our colleagues whose personal urbanity is in such marked contrast with the pessimism of his views on all economic questions, the Senator from Ottawa (Hon. Mr. Edwards). He spoke of the scorn felt for the French Canadians. There are people who are ignorant, who express themselves ill; but where there is scorn I know also that there are thousands of people in Canada who know the French Canadians well, who have lived with them, as I have, who know their literature, who know what they have done, and who would welcome, with the gladdest heart and with pride equal to anything they could feel for the exploits of their own people, the response of the French Canadian people to the emergencies of the civilized world at this time. I have heard officers of English regiments express with pride their satisfaction at what their French Canadians had done—their splendid deeds, their bravery, and their lightheartedness as companions.

It is the heartfelt desire of all who love Canada that we should have the strength which comes to a nation from unity in action, in ideal, and from a steady looking on the things which unite, not on the things which divide. Never was this more needed than now.

On motion of Hon. Mr. Landry, the debate was adjourned.

PRIVATE BILLS.

FIRST READING.

Bill 39, an Act respecting the Toronto, Hamilton and Buffalo Railway Company. —Hon. Mr. Milne.

RAILWAY ACT CONSOLIDATION BILL.

FIRST READING.

Bill 13, an Act to consolidate and amend the Railway Act.—Hon. Sir James Lougheed.

The Senate adjourned until to-morrow, at two o'clock in the afternoon.

THE SENATE.

Friday, August 3, 1917.

The Senate met at Two o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

SATURDAY SITTINGS.

MOTION.

Hon. Sir JAMES LOUGHEED moved:

That when the Senate adjourns to-day, it do stand adjourned until to-morrow at eleven o'clock in the forenoon, and also sit on subsequent Saturdays during the remainder of the session until otherwise ordered.

He said: The adoption of this motion does not of course make it compulsory that we should sit on Saturdays, but simply gives us the right to do so if we think it is necessary. If it is not necessary to sit to-morrow, we will adjourn until Monday.

The motion was agreed to.

MILITARY SERVICE BILL.

CONTINUATION OF DEBATE ON MOTION FOR SECOND READING.

The Senate resumed from yesterday the adjourned debate on the motion of Hon. Sir James Lougheed, that Bill 75, an Act respecting Military Service, be now read a second time, and the motion of Hon. Mr. Bostock in amendment thereto:

That the following words be added after the word "time":

"With the understanding that this Bill will not come into force until after the general election."

Hon. PHILIPPE LANDRY: Honourable gentlemen, I want to preface the few remarks which I am going to make by reading the following resolution which has just been placed in my hands:

At a meeting of the ratepayers of the town of Alexandria and the surrounding country, held at Mr. Vachon's place in the county of Glengarry, on Wednesday, the first day of August, it was proposed and resolved unanimously.

Whereas Sir Robert L. Borden, Prime Minister of Canada, has caused to be adopted by the House of Commons the Bill establishing conscription in Canada;

Whereas the said Bill will come shortly before the Senate to be ratified;

Whereas Canada has done its duty in the present war in placing voluntarily under arms more than 400,000 and furnished munitions and food to the Allies;

Whereas the adoption of conscription in Canada would be prejudicial to agriculture and commerce in depriving them of the workmen required;

Whereas the British Government through the Prime Minister considers the production of food more important at this time than the sending of more soldiers.

Be it resolved:

That this meeting protests against the adoption of conscription law in Canada without referendum.

And that copies of the present resolution be transmitted to the President of the Senate and to the newspapers.

The Bill actually submitted to your deliberations bears the number 75—a most suggestive number in this time of war, and

has for title, "The Military Service Act, 1917," a title which suggests nothing in particular. This shortcoming has been adequately supplemented in the dailies by titles and sub-titles of such a nature as to mislead the public, and by ministerial declarations having the effect of perpetuating the errors committed by those whose positions enable them to create and enlighten public opinion. In our dailies and in the House of Commons it has been asserted that this Bill No. 75 was merely a Bill amending the military law of this country in such a way as to mitigate its dire effects by the substitution of selective conscription, milder in its form, more effective in its results, for the blind, and more severe conscription already in our statutes, since the days of Cartier and the birth of Confederation. Is such a contention well founded in fact, and is the Bill now before us really a step in the right direction—better than the law which it purports to amend?

A comparative study of the present law and the Bill will show the difference between them and will throw light on the object aimed at by the Government in introducing this last measure. At the outset the simplest common sense points out to everybody that a most notable difference must necessarily exist between the law and the Bill. Otherwise what would be the raison d'être of the measure now proposed? Why bring in a measure which would be but a repetition of the law? Evidently the Bill must add to the law and remedy the effects of any deficiency. The differences between the law and the Bill are set forth in the text of both and explain why we are called to-day to adopt new legislation with respect to military service. The law as it stands says, in its 69th clause:

> The Governor in Council may place the militia or any part thereof on active service any where in Canada, and also beyond Canada, for the defence thereof, at any time when it appears advisable so to do, by reason of emergency.

With an ocean between the Germans on one side and the sons of Canada on the other, the whole fleet of Great Britain ruling the waves and keeping all the transportation vessels of Germany bottled up, with her fleet in the Kiel canal or the Baltic sea, it is childish to assert that the first line of defence for Canada is in France. Canada has nothing to fear from Germany so long as her navy is powerless and her transportation facilities entirely deficient. I was extremely amused when I read that argument of one of the ministers of the Crown, trying to impress the minds of the members of the Commons in picturing the arrival of a German fleet in the waters of the St. Lawrence, the landing of the troops, the invasion of our soil, and all the horrors that would follow the advance of the enemy into the very heart of our country. Looking around to see where our soldiers were, I found them in the firing line in Flanders, at Ypres, defending there the interests of the Empire and leaving without any defence whatever this Canada of ours. A cool-headed man would never interpret these words of the statute, "beyond Canada," as meaning beyond the Atlantic ocean, in France or Belgium, or beyond the Pacific ocean, in China or Japan. The whole continent of America, when Canada comprised only Upper and Lower Canada, was quite sufficient in length or in breadth to find some locality where Canada could be defended outside its own borders.

This was, at all events, the sole meaning attached to our Militia law when the present Government, at the beginning of the war, in August, 1914, directed His Royal Highness the Duke of Connaught to send the following despatch to the Colonial Secretary:

> Ottawa, August 1, 1914.
>
> In view of the impending danger of war involving the Empire my Advisers are anxiously considering the most effective means of rendering every possible aid and they welcome any suggestions and advice which Imperial naval and military authorities may deem it expedient to offer. They are confident that a considerable force would be available for service abroad. A question has been mooted respecting the status of any Canadian force serving abroad as under section 69 of Canadian Militia Act the active militia can only be placed on actual service beyond Canada for the defence thereof.
>
> It has been suggested that regiments might enlist as Imperial troops for stated periods, Canadian Government undertaking to make all necessary financial provision for their equipment, pay and maintenance.

Then, the Governor General on 5th August sent another despatch in the following words:

> My Government being desirous of putting beyond doubt status of Canadian volunteers requests that His Majesty may be pleased to issue an order bringing these volunteers under section 175 and 176 of the Army Act.

On August 6 the following Order in Council was passed:

> The Committee of the Privy Council have had before them a report, dated 6th August, 1914, from the Minister of Militia and Defence, representing,—in view of the state of war now existing between the United Kingdom, and the Dominions, Colonies, and Dependencies of the British Empire on the one side, and Germany on

the other side, creating a menace to the well-being and integrity of the Empire, and having regard to the duty of the Dominion of Canada as one of those Dominions to provide for its own defence and to assist in maintaining the integrity and honour of the Empire, that it is desirable to mobilize militia units of the various arms of the service of such effective strength as may from time to time be determined by Your Royal Highness in Council, such units to be composed of officers and men who are willing to volunteer for overseas service under the British Crown.

All these quotations confirm in an indubitable manner the interpretation given to the Militia Act by our own people, that is, by the Government themselves, and explain in so many words why, down to the present date voluntary enlistment, and not conscription, was resorted to for the purpose of raising the necessary forces in compliance with the desires of our public men and to fulfil the promises made by them, to the detriment of the country. We had no right to force our men to the front, either by voluntary enlistment or by conscription, and our soldiers have done more than their duty, their loyal duty, in leaving our shores to assist the Allies in their gigantic battle against the German invasion.

If, moreover, we consult the opinion of British statesmen we find that they hold the same views. In his introduction to the book of Sir Max Aitken, "Canada in Flanders," we notice the opinion given by the then Secretary of the Colonial Office, over the signature of A. Bonar Law, on the 6th of December, 1915. He says:

We have a right to feel very proud on the part which is being played in the terrible tragedy of this war by the great Dominions of the British Crown. We had no power to compel any one of them to contribute a single penny or to send a single man, but they have given of their best, not to help us—though I think they would have done that also—but to defend the Empire which is theirs as much as ours.

And lately, in this very building, that great man of whom Britain is so proud, the Right Hon. Mr. Balfour, had not the slightest objection to recognizing that no legal obligation of any kind could compel us to give our men or our money for the defence of the Empire, when he said:

While the fact that the sun never sets upon the British Empire may be proof of its magnitude, it is no evidence of its strength. Moreover, remember that the foreign speculators about the British Empire must have thought before the war began. They said to themselves: "This loosely-constructed State resembles nothing that has ever existed in history before: it is held together by no coercive power; the Government of the mother country cannot raise a corporal's guard in Canada, Australia, New Zealand or wherever you will; she cannot raise a shilling of taxation; she has no power. When unexpectedly, without giving an opportunity for preparation, or discussion, or propaganda, war burst upon the world, even those animated by such a feeling might well have doubted, whether this great Empire—each unit of which had it in its power to hold aloof had it so desired—might act as one organization animated by one soul. moved by one purpose and driving towards one end. It seems to me almost a political miracle, but the miracle has occurred.

Yes, honourable gentlemen, this miracle was publicly recognized in this House on the 28th day of May last, by the Secretary of State for Foreign Affairs in the Government of the United Kingdom.

Canada, up to date, has sent across the ocean to England and France 420,000 of her sons, perfectly equipped, and pays for their maintenance, from the first day of the mobilization of our troops to the date of their final demobilization, sums and sums of money, taxing in that respect, all the resources of the country. No one complains. All that was done by our free will. No compulsion was resorted to, and compulsion could not have been resorted to, because it was not within the law to send our soldiers across the ocean. They went over willingly; and now that they are there, unexpectedly, and contrary to the most solemn declarations made by certain politicians, a Bill is introduced in Parliament, and under the false pretense of mitigating and curing what might be too rigid or too unjust in the conscription provisions of our existing militia law, power is to be given by the Bill now before us to send 100,000 new conscripts to reinforce the four divisions now in the firing line. Here is the clause which settles that question without any possible doubt:

2. Every male British subject who comes within one of the classes described in section three of this Act and who (a) is ordinarily resident in Canada or (b) has been at any time since the fourth day of August, 1914, resident in Canada, shall be liable to be called out as hereinafter provided on active service in the Canadian Expeditionary Force for the defence of Canada, either in or beyond Canada, unless—

Here are mentioned the exceptions:

—such service shall be for the duration of the present war and of the demobilization after the conclusion of the war.

It is now very easy, by comparison of the text of the Militia law with the text of the present Bill, to find out why the Military Service Act, 1917, is submitted to the approval of this Parliament. This Government wants to be clothed with an authority which they have not had by law up to

this date, that is, the power to send 100,000 new conscripts to the other side of the ocean. The pill is sugar-coated with the appellation of "selective conscription," and we are asked to swallow it, by the sentimental and fictitious appeal to relieve those who are now battling on the firing-line.

But where is the necessity of such legislation? We have been told time and again that 420,000 of our people have been voluntarily enlisted in the Canadian Expeditionary Forces and that four divisions are now facing the enemy in the trenches in France. Four divisions represent 80,000 soldiers. The supports and the reserves should then have 340,000 men to their credit. Substract from that number the casualties sustained since the beginning of the war, computed at nearly 100,000 men, of whom 68,630 are wounded, according to the information given to Parliament by the Prime Minister himself on the 11th of June last. We have, then, besides the 80,000 soldiers of the firing line, a balance of 240,000 men, which may be increased to 285,000 if, as asserted by General Hughes, 65 per cent of the wounded are able after a few months to return to the firing-line. The Prime Minister told us, when he came back to this country in June last, that we had in France at that date 135,000 men. If we substract those 135,000 men from the available number of 285,000 soldiers, the balance that remains amounts to 150,000. Where are those 150,000 men? In England, I presume, in the different military camps where they are thoroughly trained and made ready to reinforce at any moment the firing-line. In fact, we have in the trenches four divisions, numbering 80,000 men, behind the trenches 55,000 soldiers as supports, and 150,000 men as reserves in the training camps of England. With such a display, where is the pressing necessity of sending over immediately 100,000 conscripts, when they are not actually needed, and especially when the United States of America will be ready to ship ten times that number of their own soldiers, and have them in France before the expiration of this Parliament? And why, after all, this new departure in the working of our Militia law, when a new system altogether is substituted for the one that Confederation gave us, and under which we lived so happily, notwithstanding the numerous wars in which England has been involved during the last fifty or sixty years? At the present moment Parliament, as it is constituted, with all the vacant seats in the House of Commons and in this Chamber—for there are more seats to be filled.

Hon. Mr. POWER: One more.

Hon. Mr. LANDRY: One more now; but, if the extension of Parliament had not taken place, there would be nine more to fill in this House.

Hon. Mr. DANDURAND: From the West.

Hon. Mr. LANDRY: From the West. At the present moment Parliament, as it is now constituted, with all the vacant seats in the House of Commons and in this Chamber, does not represent the opinion of the people of Canada and has no right to put in the statutes of our country a law which might suit the few people who are reaping money by the millions and rolling up scandalous fortunes because of the war, but which will be cursed day by day by all those who are sacrificing their sons or spilling their blood to meet the views or fill the purses of the war-suckers of two continents. A Parliament whose actual life has been honoured by the temporary suspension of our Constitutional Act has no right to assume the power of placing such an impost on the life and on the blood of our people. Let the electorate be consulted, and by its decision regularly obtained we will certainly abide.

Much has been said and odious comparisons have been made on account of the part played in the present conflict by the province I represent. I feel it my bounden duty to repel such attacks, and to explain in a few words the real position taken by my province, and generally by the French people of this Dominion. We are accused, above all, of not having generously responded to the appeal to arms. and of having failed in our contribution of men to the Canadian Overseas Expeditionary Forces. I deny that gratuitous assertion, and I maintain that if there is fault, it was never ours. How have we been treated? In a speech which he delivered in Montreal in August, 1914, the Minister of Militia, then Colonel Hughes, said:

> No man who leaves these shores will go except of his own free will, purely voluntary, and no married man shall go except with the consent of his wife and family, and when they go to vanquish our enemies, as vanquish them they will, they will go as free men, subjects of the British Empire, soldiers of His Majesty.

The result of this Napoleonic proclamation telling the people of Canada that the

enlistment was purely voluntary, and that no married man would go except with the consent of his wife and family, was that all our married people were prevented from enlisting, and as people marry young in our province, quite a number of them were kept at home by their wives and by that announcement of the Minister of Militia. To cure the disastrous effect of such a proclamation, recruiting agents covered the country, inducing all British subjects to become soldiers of the King. In this effort, apart from the cities of Montreal and Quebec, our province was systematically ignored, and even what was done in those two cities was done in such a manner as to keep the French people out of the field, and to kill the recruiting movement amongst them. I know what I say when I make this positive assertion.

Before the present Government came into power in September, 1911, I had obtained from Colonel Hughes's predecessor, Sir Frederick Borden, the issue of a French text-book for our French regiments, with the English words of command translated into French. When, in the days of De Salaberry, our French volunteers went to the front to repel the American invasion, they were commanded in French, and the use of that language did not prevent them from winning the battle of Chateauguay. They all understood their officers, and knew perfectly well how to carry out their orders. In our province, in the rural parts at all events, the farmers do not understand English, any more than the English-speaking farmers of the other provinces understand French. You will readily realize under what disadvantage your sons and your brothers would labour if they were commanded by French officers in the French language. The absurdity of such a course would at once be seen. This plan reversed put us in the same disadvantageous position. To remedy this evil, and put our French soldiers on a level with the English I obtained the change referred to after several years of continual effort. It did not last long. The appointment of Colonel Hughes as Minister of Militia put an immediate end to what I had arranged for my fellow-countrymen. The book was withdrawn from circulation and returned to Ottawa. It was entitled, "Reglement de manœuvres pour l'infanterie, 1911," and its first page contained the following advertisement—I translate:

Regulations for infantry training, 1911. This book is a translation of the Infantry Training, 1911, as published by the War Office in London. Translation permitted by the Imperial authorities. The plates are herein reproduced with the permission of the Controller of His Majesty's Stationery.

All those provisions did not meet with the approval of the Minister of Militia, Colonel Sam Hughes—now Sir Sam Hughes, ex-Minister of Militia—in a country where the French people number about three millions, and where by our constitutional Act the French language is said to be on a footing of equality with the English language. That is the way we are treated.

Notwithstanding such a disadvantage, some of our French people decided to go to the front, provided they could have units of their own and be placed together, as sons of one family, with their acquaintances and comrades from the same village, under the command of officers of their own blood. That was promised. The first regiments were so formed, but as soon as they arrived in England they were broken up and lost their identity and their commanding officers and became, as Colonel Hughes had said, subjects of the British Empire and soldiers of His Majesty. This sad news came back to the country and paralyzed in a remarkable degree the recruiting of additional French regiments. Then came the promise of the formation of a French Brigade. Recruiting started again, and quite a number of French regiments were formed.

Some weeks ago a man who has been in the Canadian militia from the beginning of the war wrote and published an open letter addressed to the Prime Minister, on the decline in enlistment of French Canadians for overseas service. With the permission of the House, I will give a few extracts of Colonel Arthur Mignault's letter, dated the 7th of July, 1917. "Facts and facts alone shall have my consideration," says the gallant colonel, who proceeds in the following terms:

First, as to French Canadian enlisting at the beginning of the war. As soon as the Valcartier Camp was opened, at least 1,500 French Canadians—2,500, said Sam Hughes—joined the colours, a fair response to the call at that time. You are aware, Mr. Premier, that towards the end of August, 1914, that is to say, only a few weeks after war was declared, an offer was made to the Government to raise and organize the 22nd French Canadian Battalion. There was the usual delay in obtaining the necessary authorization from Ottawa, but in about a month's time that authorization was obtained, and by the beginning of November, 1914, that is to say, within a comparatively short period, the battalion was organized and at full strength. . . . As there were 5,000 applications to join the ranks, and as only 1,000 were required for the 22nd, authorization was then asked to

raise and organize another battalion, namely, the 41st French Canadian, as a support to the 22nd Battalion. Authorization having been obtained, the 41st was organized, and was at full strength in a few weeks. Another French Canadian battalion, the 69th, was organized in the early spring of 1915, and was filled up at once. Subsequently, as you are aware, with the Government's authorization and approval, what became known as No. 8 French Canadian Hospital was organized in a few days. The 22nd Battalion and the hospital unit were all overseas by May, 1915; the 41st and the 69th Battalions followed in due time. It will thus be seen that there was no lack of enthusiasm or devotedness on the part of the French Canadians at the beginning of the war, as the rapid organization and quick dispatch of the various units I have mentioned amply prove.

Colonel Mignault crossed over with No. 8 French Canadian Hospital unit, and while he was in France the recruiting business went on in the province of Quebec, and the following French battalions, one after the other, were authorized, recruited and entrained: the 57th, 130th, 132nd, 140th, 143rd, 163rd and 206th. All these regiments were intended to constitute the French Brigade, so long and so often promised, and temporarily organized at Valcartier in 1916 under the command of Lieutenant-Colonel Leduc; but the famous brigade was never authorized, and all those French units went over to England to lose their commanding officers and to be broken to pieces and dispersed as reinforcements, some of them amongst the few French regiments on the firing line, and the remainder amongst the English regiments of the Canadian or the Imperial army.

This kind of treatment was made known to our people by those who were its victims, with what effect everybody can easily imagine. Colonel Mignault, in his letter to the Premier, does not treat of this aspect of the question, but he points out an additional reason which explains also the decline in the recruiting business. I give one quotation from the colonel's letter:

From May, 1915, to November, 1916, that is to say, for a period of eighteen months, I was absent at the front, and therefore entirely out of touch with what was being done in the way of recruiting. On my return to Canada, in December, 1916, I was asked by the Government to take charge of recruiting in the province of Quebec. I soon began to realize that there had been a marked change since the first campaign. It was soon apparent that material was not near so plentiful. What was the reason? The explanation is simple: No sooner had the campaign started when it was found that large advertisements had appeared for months previously in the leading French Canadian newspapers calling for munition workers, offering the most attractive inducements in the way of wages, etc., and emphasizing the important services that could be rendered in this way to the cause of the Allies, who at that time, you will recall, were in urgent need of munitions. As the result of that campaign, a most beneficial and patriotic one, let it be understood, thousands and thousands of French Canadians were drawn from all parts of the province of Quebec to the munition factories, where the greater number of them still continue to work.

The demand for munition workers was incessant, in fact, the time came when sufficient men could not be obtained. The province of Quebec was literally combed clean of available men. I recall one occasion when I visited a prominent munition manufacturer, an English-speaking Canadian, and asked him to let me have one hundred of his 1,400 French Canadians for overseas service. "It is impossible," was his reply; "I want one hundred more myself, to enable me to fill my contracts." And, knowing the needs of the Allies as I did, from what I had seen while in Europe, I was forced to agree with him that the work the men were doing in the munition factories was as vital as the need of men for overseas service. This aspect of the situation has been almost entirely lost sight of in the discussion over the part played by French Canadians in the war. I do not know whether you are aware of it, my dear Mr. Premier, but it is a fact that can be corroborated, if need be, that there are at the present time one hundred thousand French Canadians working in munition factories and war employments in Canada. My personal belief is that that is a very conservative estimate, but it makes, you will, I am sure admit, a very impressive showing. Now, my dear Mr. Premier, what I desire to emphasize is that these one hundred thousand or more French Canadians who are working in the munition factories were led to believe, and do believe, that they are rendering as important and vital a service to the cause of the Allies as the men who have enlisted for overseas service. In common fairness, therefore, they should be regarded as part of Quebec's contribution to the war, just as much as the men who are actually at the front. You must know that at a time when the need of munitions was most urgent, men were brought from the front to England and France and placed at making munitions, and that every man at work in a munition factory in England, as well as in the other Allied countries, is regarded as just as important a factor in the war as the soldier at the front. No one would dream of calling such a man a "slacker" or a "shirker," or of reproaching him with not having enlisted. In fact, the distinctive button which he wears to denote that he is a munition worker, is regarded as a badge of honour.

What I have stated in regard to the campaign for munition workers which began early in 1915, explains to a large extent the falling off in the number of men presenting themselves for enlistment under the voluntary system. If French Canadians now engaged in the making of munitions were available for overseas service, there would not be the least difficulty in raising and organizing units, as was done during the first year of the war, when the French Canadians, in large numbers, asked the privilege, of their own accord, of enlisting for overseas service, but would not do more than they did because the Government, as you know, only allowed a certain quota to Quebec.

I have drawn your attention to these few important facts, my dear Mr. Premier, in the hope that they will help to make clearer to you

and to the Canadian public, the real situation in the province of Quebec. With the latter object in view, I am furnishing a copy of this letter to the press, my desire being that it should be recognized that the province of Quebec, in common with the other provinces of the Dominion, has done, and is doing, its share for the success of the cause we all have at heart.

I have the honour to remain, my dear Mr. Premier,

Yours very respectfully,

Arthur Mignault.

On the 16th of March last an Order in Council was passed authorizing the Minister of Militia:

To raise 50,000 men for home defence, excluding troops already called out under Order in Council dated August 6, 1914, and that it forms part of the force of 500,000 men to which reference is made in Order in Council dated January 12, 1916. It is understood that the conditions of enlistment applying to the abovementioned partial mobilization of the active militia apply only to service in Canada for home defence.

This Order in Council applied only to the mobilization of 50,000 men to serve in Canada for home defence, with the understanding that this additional force would form part of the 500,000 men to be recruited in Canada by voluntary enlistment. In other words, out of the 500,000 men promised by the Government, 50,000 would be called under the authority of the Militia Act, but solely for service in Canada for home defence.

The commanding officer of the 61st Regiment immediately offered his services to General Lessard. They were accepted, and M. Lavergne was invited to attend a conference of officers, which took place in Quebec on the 16th of April last. As soon as it was publicly known that Colonel Lavergne had been appointed director in charge of the organization of the home defence in the district of Quebec, a well-known voice was heard, and a strong opposition was organized to prevent the Government from confirming his appointment. Colonel Lavergne, aware of what was going on, sent to General Lessard the following letter, dated Quebec 30th April, 1917:

Sir,—I state with regret that my appointment to the position of director of the home defence for the province of Quebec is causing you much trouble. Believe me, it brings me sorrow.

I accepted that perilous honour because I felt convinced, that under your command, and with good work, we would have obtained the best results.

Notwithstanding the obstacles put in my way, I am now certain that we would have obtained a big success.

The numerous demands that have reached me give me the assurance that the youth of our province would have joined the column for Canada's defence.

It is a pity that the narrow mindedness of a certain group has paralysed such a movement.

What I want now to know from you is if I am to consider myself relieved of my military duties.

I will then return to my civil condition with the satisfaction of having done my duty, always as ready to respond to your call as I have done in the past, without any hesitation, whenever the military authorities need my presence in the ranks.

Thanking you once more for the flattering mark of confidence you gave me, and waiting for a definitive answer.

I remain, sir,

Your obedient servant,

A. Lavergne,

O.C., 61st Regt.

The following answer was received from Montreal, dated the 4th day of May, 1917:

My dear Colonel,

I am in receipt of your letter of the 30th April, and in writing I want to confirm the verbal answer I gave you the other day on the subject in question.

It is understood that you must consider yourself relieved of the military duties, as determined in the interview which took place a few weeks since.

The difficult situation in which we are, on account of certain events which you well know, the gravest of which have originated in your own city, makes me the better appreciate the disinterested and truly military loyalty of your letter.

Many sincere thanks for the same from the Honourable M. Blondin and from myself. I note with pleasure that you keep yourself always at the disposal of the military authorities. One should be grateful to you for the generous cooperation you have given to the work of union that we have inaugurated.

Believe me, my dear colonel,

Your devoted,

(Sgd.) F. L. Lessard,

Major General.

My object in bringing this correspondence to light is to give you the proof that even the home defence recruiting has been so treated as to be killed by the hands of the Government, at all events in our province. To get rid of Colonel Lavergne, who has a splendid record as a soldier, and who, though against the principle of our participation in the wars of the Empire, has always declared his willingness to stand by the Militia Act in the defence of Canada and to do active service, the Government abandoned altogether the idea of recruiting for home defence, and announced its determination to substitute conscription, selective conscription, for the voluntary enlistment of Canadian soldiers. our province felt the treatment meted out to her.

But what our province, and more especially the French people of our province and the other provinces of this Dominion have felt, and still feel, is the treatment they are receiving from the hands of the people of Ontario. Day after day, month after month, year after year, we are struggling with a powerful but ungenerous majority to keep for our children the natural right to speak the tongue of their mothers, to live by the traditions of their ancestors. Where is the harm? Enlightened people can not see it, civilized people would not think of it; but there is in Ontario a class of ignorant people whose delight is to insult the French people from the first of January down to the last of December, every year, attacking in the most slanderous way their religion, their creed, their priests, the head of their church. Their press is full of their denunciations, and their hatred against us goes so far as to compel a majority of their legislators to pass laws and regulations the effect of which is to choke in our children's throats the pure syllables of France. Everybody has heard of the now famous regulation No. 17; but very few know what it really is. I do not intend to make a study of that burning question, but what I say is this: I defy anybody in this House or out of it to establish that that infamous regulation was not concocted with the firm determination to kill the use of the French language in the education of our children. Regulation No. 17 applies only to bilingual schools. So says the regulation itself, and so the courts of Ontario have decided. But what are bilingual schools? Are they schools frequented by a mixed population, both French and English? Not at all. The regulation itself defines what a bilingual school is:

> The term English-French (bilingual) is applied to those schools of each class annually designated by the minister for inspection, as provided in 5 below, and in which French is a language of instruction and communication, as limited in 3 (1) below.

As you may see, two conditions are necessary for a school to become bilingual, one of which is entirely left to the good will of the Minister of Education, that is to say, that no school whatever can become bilingual unless it is annually designated by the minister for double inspection. Nothing more arbitrary was ever enacted. The minister decides himself, of his own free will, what schools he intends annually to become bilingual. Do you want an example of how this regulation works? In the town of Windsor there are three schools attended by a mixed population. In one of them 45 p.c. of pupils are French, in the second the percentage is 65, and in the third it goes up to 85. Now, as a matter of fact the only school of those three which has been designated bilingual by the minister is the one which has the smaller percentage of French pupils. The two others with their 65 and 85 per cent of French pupils were never declare bilingual and the right to teach the French language in those schools has always been refused.

Our people suffer and complain; but the regulation is there, and our people are the victims of that narrow-minded and vexatious regulation. And if, as happened in this city, the school board trustees try to have the children educated according to the principles of a sound pedagogy and common sense, laws are passed by the legislature to strike out of existence the trustees elected by the taxpayers and to substitute for them a few commissioners appointed by the Government with no regard to the racial complexion of the ratepayers.

We fought those battles from tribunal to tribunal up to the Privy Council. The highest court of the realm declared last year that the existence of the Government's commission was unconstitutional, so also the law that empowered the Government to act against the rights of the minority. But defying the judgment of the Privy Council, the Provincial Government has re-enacted the same law, and is pursuing the same course of mean persecution against our people in Ontario. But persecutions and hardships, fines and imprisonment will in no way prevent this suffering minority from standing by its natural rights and fighting to the end for its liberties. For a large portion of our people, the enemy we have to fight is in our midst, and we form part of those small nationalities whose liberty is threatened, and who are bound to defend even in Canada, the heritage we received from our ancestors, against the ignorance and the fanaticism of a detestable caste. And those very people who are persecuting our children and our institutions, and who are doing their very best to incarcerate our teachers, are the people who complain that we have not yet sacrificed our last man or our last dollar to aid the Montenegrins or the Serbians against the soldiers of Germany and Austria. We are persecuted and shamefully abandoned by all those whose duty it

is to defend us, and we are now no less shamefully abused by those who think it good taste to join with our persecutors, and to ask us what we are doing for the Empire. What are we doing? We are fighting here for our own liberties; we are fighting here for our own existence; and as long as you are unable to give us peace and to maintain harmony between the two races in Canada, and to make Confederation a success, do not ask us to go to the front and to leave our children behind in the hands of people who are determined to do away with the French race in Canada.

Moreover, there is something that nobody should forget, and that is that, from the beginning of the war down to the date this Bill becomes the law of the land, no one has been nor is obliged to enlist. If the obligation to enlist does not yet exist—and it is because it does not exist that we are called to enact the present law—what right has any one to reproach any province with its failure to enlist? Where there is no obligation there is no duty, and where there is no duty it is mere nonsense to clothe a province or a single individual with the responsibility of a failure which cannot even exist. In no way is any particular province obliged to furnish recruits in a ratio comparative to its population with the rest of the Dominion. That answers for the past, and victoriously meets any remarks or accusations brought forward against any province of this Dominion, either by insidious articles written in the press of this country or by bold and mischievous assertions proferred by public men who, though not yet in the firing line, are most fittingly apt to lose their heads when speaking before an audience of their countrymen. The last illustration of such a maniacal demonstration is to be found in one of the Ottawa newspapers of the 26th of July, giving to its readers the following recital of what took place at the annual lawn social of Rosemount Loyal Orange Lodge, No. 126:

Quebec is scored for small reply to call for men.—Sir Sam Hughes, Dr. J. E. Edwards, H. B. Morphy and others at Rosemount L.O.L. Lawn Social.

Quebec province was scored for its meagre response to the call for men by members of Parliament and prominent local Orangemen at an open air meeting in the grove west of Rosemount Avenue Methodist church last evening, the occasion being the annual lawn social of Rosemount Loyal Orange Lodge, No. 126.

"Stand no nonsense from Quebec in this great crisis,"—"Don't tolerate the dictatorial tactics of the Roman Catholic church in that province" were the keynotes of addresses by Lieut.-Gen. Sir Sam Hughes, M.P., Dr. J. A. Edwards, M.P., H. B. Morphy, M.P., J. A. Sexsmith, M.P., Dr. Wilfrid Campbell, Bro. George Boyce, past grand master of the L. O. L. of Eastern Ontario, and others.

Hundreds of men and women, members and friends of the two Orange lodges of the Hintonburgh district, filled the cool grove and listened with the keenest of interest to the speeches, vociferously applauding the straight from the shoulder talks given them. The fife and drum band of the Orange Young Britons' Lodge, No. 556, was present and made the welkin ring with the strains of Orange tunes, much enthusiasm being aroused as they played the marches referred to by Sir Sam Hughes when he was speaking of the rally of the Orangemen in the rebellion of '37.

Bro. W. F. Garland, as chairman of the committee in charge of the social, introduced the speakers collectively to the gathering at the opening of the meeting and Bro. William Joynt, past county master of the County of Carleton L. O. L., acted as chairman and introduced them individually. Mr. Garland spoke of Sir Sam as a man who did things and didn't talk.

The Prime Minister found that he talked too much.

The ex-Minister of Militia, clad in white flannels and looking very immaculate with flowers in his buttonhole, sat on the improvised platform with the rest of the speakers, surrounded by lady "Orangemen." He gallantly assisted them to the seats vacated when the speakers left to return to the House.

Dr. Edwards, who spoke first, declared the Orange order was the only order which stood as the bulwark of the liberties of Canada in the past and there never was a time more than the present when organized effort on the part of Orangemen was more needed. He pointed to the impossibility of having unity in a family, community or nation, in which there was divided authority and said Canada was in such a position to-day. The Government acting as the representative of His Majesty the King was sending out the King's call for men, while another power was exercising its authority to tell its men not to answer the call.

So long as this exercise of authority was permitted there would never be unity in Canada, he said. The speaker referred to the Orange order as the only one capable of putting up a united front to the other religious order which was trying to dictate a policy for the people to follow. The Protestant churches were doing good work but they weren't strong enough to stand up and face the "foe."

H. B. Morphy, after eulogizing what Orangemen generally, and those of Carleton county particularly, had done for Canada in her present needful time, declared the men of the province of Quebec had no right to live unless they, too, did something. He said it was a time for straight talking and there would be plenty of it in the next few months. He painted a picture of Sir Wilfrid Laurier getting up in Parliament to ask for a referendum while the boys overseas were crying for help. He said the Government had to go through with the Bill quickly and he asked for the support of Orangemen, Protestants, all loyal Catholics, adding he believed there were some.

Sir Sam Hughes, before speaking, was introduced to Bro. Harry Langford, one of the

oldest members of Rosemount lodge, and told him he was a man after his own heart. The ex-Minister of Militia declared Orange people did not need conscription and he referred to the way they rallied to the call in '37. To-day over 60,000 of them were at the front and he aroused applause by mentioning the contribution of the Hintonburgh district. But more men were needed at the front and he referred to the fact that two months had been wasted on the Conscription Bill at present. Results were wanted, pretty soon. While several hundred thousand were fighting for liberty at the front, the people of Quebec were not doing their duty, said Sir Sam, who then declared he believed in action and at the present time, action, with capital letters, in enforcing the Conscription Bill.

"Are we to be deterred by a few hot heads in putting into force a Bill dear to all our hearts?" he asked, amid a chorus of "noes." He said it was not fair that mothers, wives and sweethearts should give up their dear ones while the young men of the province of Quebec were staying at home earning good money. There would have to be equality, and the Orange order would do its bit in seeing that this was brought about.

Mr. J. A. Sexsmith, M.P., Dr. Wilfrid Campbell, Geo. Boyce and L. E. Stanley also spoke.

I have just quoted that extract from the Ottawa Citizen so that we may know the kind of work in which are indulging certain representatives of the people in the House of Commons.

Dr. Edwards is certainly ill-informed when he asserts that in answer to the King's call for men another power was exercising its authority to tell those men not to answer the call.

Mr. Morphy denied to the people of Quebec the right to live. The denials of so good a friend will in no way affect the determination of the people of Quebec to persist in living in the future as they did in the past.

As to Sir Sam's opinion that the people of Quebec are not doing their duty, we have only one thing to say, and that is that we do not attach any importance to his opinion, and that in doing so we are following the example given by his colleagues, who turned him out of the cabinet, and by all reasonable and sensible people, who decline to follow his advice, though it may come from a man clad in white flannels and looking very immaculate, with flowers in his buttonhole and surrounded by lady "Orangemen," as the Journal puts it.

All those assertions we simply deny. They are the products of wild imagination and of a well known fanaticism, and are, I believe, of the same caliber as those alluded to by Lord Shaughnessy, when this gentleman said in the London Times of the 18th November last:

I feel confident that the statements made by Sir Sam Hughes would not receive the support of 2 per cent of Canadian Officers and men on this side of the water.

Utterances of our public men, as well as insidious attacks made against our province by the press for the part she has taken in voluntary enlistment, cannot stand in face of the fact that no enlistment was obligatory and that consequently no province was subject to any duty in the matter; but what was not a duty up to today will now become an obligation as soon as Parliament passes the present Bill and makes it the law of the land. This consideration leads me to define the position I intend taking on the Bill now submitted to our deliberations.

Such a Bill is a mere consequence of the principle of our participation in the wars of Great Britain. The moment this country acquiesced to take part in the wars of Great Britain, under the laws of Canada, we had the power to levy, equip, and maintain troops for that end, but we had not the power to send them over to France without their consent, and so voluntary enlistment was adopted. Canada magnificently responded to the appeal, and under the voluntary system 420,000 of our men were sent to aid the Allies. The voluntary system has not been exhausted, but it was conducted in such a way that we may practically consider it as exhausted for the time. To-day, by the substitution of the conscription system for the voluntary one, we are asked to adopt this Bill, which enables the Government to send over to the trenches people who are not willing to go.

I stand against this Bill, and I will vote against its principles for three reasons: first, because I am against the participation of our country in all the wars of Great Britain; secondly, because I firmly believe that there is no need, and it is not the duty for Canada to sacrifice its last man and its last dollar in a war which is not fought on our soil and in defence of our homes. I may add, as a third reason, that the economic condition of our country is so threatened by the gigantic effort that we have already made that it is a criminal folly to continue such an effort, which will bring the complete exhaustion of all our resources, to be followed by the suicide of the nation.

I belong in politics to the old school of Cartier and Macdonald, and with those two great Canadians I firmly adhere to the principle that a growing country like ours should never be involved in any of the European wars, but that its energies should be devoted to its welfare and to the rapid

development of all its resources. Canada First was their motto. It is also mine. It is the motto of the province I have the honour to represent in this House, and it should be the guiding star of all our public men, whose first and undeniable duty is to protect and safeguard the interests of their own country.

Hon. Mr. SHARPE: May I ask the honourable gentleman a question?

Hon. Mr. LANDRY: Certainly.

Hon. Mr. SHARPE: At the present time the honourable gentleman's own son is at the front fighting the battles of Canada and the Empire. I would like to ask him how he is going to meet that son when he returns to Canada?

Hon. Mr. LANDRY: That is a question of sentiment, not one of reason. My son has his ideas and I have mine.

Hon. Mr. CLORAN: He went under the voluntary system.

Hon. Mr. LANDRY: He went under the voluntary system. He was two years in the trenches, was called back to England, and is returning to the trenches. Is that to affect my principles?

Hon. Mr. MURPHY: He was promised help.

Hon. Mr. LANDRY: By whom?

Hon. Mr. SHARPE: To the last man and to the last dollar.

Hon. Mr. LANDRY: I gave him the help he had. I may add that, like the honourable gentleman from the Gulf (Hon. Mr. L'Espérance), who spoke yesterday, I have a stepson who is leaving for the front. I have also a grandson who is leaving, but I never speak of these personal matters, and I am not complaining. Is that to prevent me from thinking that the interests of my country must come before my family affection? I put my country above all, and I think it is the duty of every public man to put his country before his family ties.

It has been said that when Great Britain is at war Canada is at war. I deny the truthfulness of such a statement. There is at all events a most important distinction to be borne in mind, which the people of this country will easily understand. No doubt, when England is engaged in a war her colonies may be attacked, and in that sense only Canada may be understood to be at war and obliged to defend her soil against the incursions of a common foe. But never outside of that possible emergency, has a British colony been considered or declared to be in a state of war. The history of England and of its colonies has not a single page to illustrate the doctrine that any British colony has considered itself in a state of active war because the Mother Country was engaged in any European, Asiatic or African war expeditions.

I am also against the adoption of this Bill because the 100,000 Canadian soldiers asked for and to be levied by conscription are not needed at this present juncture, either by the King or by England, or even by the Canadian soldiers actually engaged in the trenches—not even by my son.

Hon. Mr. MURPHY: Why?

Hon. Mr. LANDRY: My son is a soldier, and he has only his duty to do.

Hon. Mr. CLORAN: In the trenches.

Hon. Mr. LANDRY: A subsidized press and the army of war-suckers may poison and have poisoned public opinion, and are constantly blowing in every direction an appeal to arms; but the facts are there and as given by our public men they establish the undeniable truth, already demonstrated, that we have actually in France 135,000 men, 80,000 of whom constituted the four divisions at the front and 55,000 are acting as support, with a reserve in England of 150,000 soldiers which is more than sufficient to meet the exigencies of the present war.

I am further against the adoption of this Bill because it not only establishes conscription but also imposes upon our own people the obligation to go and fight abroad. I am not against conscription as a consequence of our participation in a war. I think conscription in itself would perhaps be more just to the public than the voluntary system.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. LANDRY: Yes; but if I am against the principle, I must be against the consequences, and I am against conscription in that way.

Hon. Mr. McMEANS: In what way?

Hon. Mr. LANDRY: Because by this Bill it is proposed not merely to have conscription, but to impose the obligation to cross overseas and fight the battles of the Empire in any part of the world.

Hon. Mr. MURPHY: On the first line.

Hon. Mr. LANDRY: Who will determine where the first line is?

Hon. Mr. CROSBY: Not the honourable gentleman.

Hon. Mr. LANDRY: I have as much right as any honourable gentleman to determine where the first line is, and I place it on our shores with just as much reason as you have for placing it on the shores of the Black Sea.

Hon. Mr. McMEANS: Are the battles of the Empire not our battles?

Hon. Mr. LANDRY: Not always. This is an obligation which is altogether a new departure from our well known defensive policy at home, and which a moribund parliament has no right to impose without having first obtained from the electorate a mandate to that effect. The constitutional life of this Parliament should have expired last year. It was prolonged by mutual consent for one year, without the approval of the electorate. A new prolongation was asked for lately, but this demand met such an opposition that the Government withdrew its measure. I heartily congratulate the Prime Minister on having withdrawn that resolution which he had asked the Commons to pass and which would in turn have come before this House. He was quite right in withdrawing it, and you will understand why. The consequences of passing such a resolution would have been that a simple majority of both Houses would have been sufficient to amend our constitution. Where would be the guarantee for our minorities if a parliamentary majority could to-morrow, if it so desired, request an amendment to the British North America Act and if Great Britain consented to grant the request from a divided parliament. The Privy Council has decided in the case of Manitoba that the British North America Act is a parliamentary pact. If it is a parlimentary pact —and the highest court of the realm has so declared—I say that that pact cannot be changed in one single word without the consent of the contracting parties. At all events, I congratulate the Prime Minister on the stand he has taken.

General elections are impending and the Government is forced to go to the country. The Government has certainly the right to ask from the people a new lease of office, but at the same time it has the imperative duty to submit to the approval of the electorate its new policy. Let the people be consulted in the proper way and give their answer.

This is a grave question and it must be well explained to the electorate. Who is to be called upon, not only to sustain, but also to pay the tremendous cost of our participation in the present war? Every day we remain in the precarious position we are now occupying, our debt increases at a fearful rate. But a few days ago the Minister of Finance gave to Parliament the official information that this war costs Canada over $850,000 a day and our war expenditure up to the 20th of July has reached the tremendous sum of $623,000,000. And the war is not over yet. More than that, we are asked to add 100,000 men to the expeditionary force, and the cost of such an addition will bring up our daily expenses to a million dollars. A million dollars every day! And where will we take those hundred thousand people, when Canada is just facing one of the worst crises of its history?

I share in their entirety the views expressed in the New York Evening Post by Mr. Henri Bourassa, one of our masters in political economy, in the following words:

To realize the extent of the labour crisis, one must know the conditions of the country. The scanty population of 7,000,000 is scattered over a territory as large as that of the United States. The present army of 420,000, to which must be added at least 20,000 to 30,000 foreign reservists, has been recruited without the slightest regard to local or special conditions, or the technical competency of the recruits. Certain industries, as the extraction of coal, for example, have been disorganized. For want of labour, land under cultivation is much less this year than last,—and this, at the very moment the supply of food is likely to be the main factor of the situation in Europe.

The conditions of agriculture appeared so serious as early as last year that, during the winter months, the Canadian Government made, through thousands of American publications, an urgent appeal to American labour. Seventy thousand farm labourers were needed. When the declaration of war by Congress brought that propaganda to a standstill, about 7,000 Americans had crossed the border. So that Canadian farming has remained and will remain short of more than 60,000 labourers, the help of whom was considered by our Government as absolutely necessary to ensure the required production of foodstuffs. How then can we accept, from the same Government, the suggestion of increasing the fatal gap by the further enlistment of 100,000 men for military operations in Europe?

It must not be forgotten that, in England and France, thousands of men are periodically recalled from the trenches and put at work on the farms, during seed and harvest times. This is impossible in Canada. Once in Europe, our soldiers are there to stay till the end of the war, and a good while after. The wounded and the crippled alone are brought back, to help in impoverishing the country.

If Canada persists in her run towards extreme militarism, in order to supply the armies of Europe with a number of men wholly insufficient to influence the fate of arms, she will soon find herself utterly unable to give

to the Allied nations the real help which ought to be, and could be, her most valuable contribution to the common cause: nourishment.

Hon. Mr. DAVID: I am not sure that I understood the honourable gentleman. How much does the honourable gentleman say 100,000 Canadian soldiers would cost daily for a year?

Hon. Mr. CLORAN: The average is from $1,500 to $2,000 a year. In England five or six months ago Mr. Asquith or Lloyd George said that the cost had risen from $800 to $1,000, to $1,200, and had reached $1,500, and was still going up, and that the average cost of each man enlisted would be between $1,500 and $2,000 a year.

Hon. Mr. LANDRY: What I said was that we are actually paying $850,000 a day. That is the figure given by the Minister of Finance himself. If we send 100,000 more men, our daily expense will be $1,000,000.

Hon. Mr. CLORAN: More than that.

Hon. Mr. CROSBY: Call it as much as you like.

Hon. Mr. LANDRY: The economic condition of our country to-day, after three years of its participation in this European war, is so precarious, and our country is so seriously threatened with bankruptcy, disaster, and ruin, that I feel my imperative duty to resist the invitation made to us to increase our effort in the gradual but rapid depopulation of our provinces, and for this additional reason I will record my vote against the adoption of a measure so detrimental to real Canadian interests. Great Britain's motto is: "What we have we hold." Canada's actual motto is: "What we have we give away." We are giving away our children, our money, our resources, the rails of our railways—in fact, all we have; and this wind of foolish dissipation is blowing all over the country with the fury of a hurricane, fomented by a subsidized press and by the boiling interests of the war-suckers of two continents. Words of moderation are of no use; they are construed as a call to treason. The liberty of the citizen is threatened by this Bill, the liberty of the press and free speech will be in a few days words of the past; and so strenuous is the effort to crush all that stands in the way of this legislation that the Government do not hesitate a moment to fill up the vacancies in this House with men who—some of them at least—are not free to exercise their own independent judgment in a matter for which they have already voted in the House of Commons, whilst others, having deserted their posts in the lower House to accept a remunerated position under the Crown, are now rewarded for such a desertion by being made honourable for their lifetime and sent here to nullify by their interested vote the vote of really independent members of this House. What would intelligent and honest people think of a judge who would consent to sit in a court of review to sustain by a new decision of his own the judgment already given by him in an inferior court? Is that fair?

Hon. Mr. MURPHY: It is done.

Hon. Mr. LANDRY: Is that decent? If it is done elsewhere, we in the province of Quebec have not been trained to see such things done.

Hon. Mr. DENNIS: We have a judge in this House voting for it.

Hon. Mr. LANDRY: I really regret that, since this Bill has come before our House, the Government has thought fit to apply in advance its principle in choosing by selective conscription those who arrive here to replace our departed colleagues with the well-understood determination to send to the firing-line 100,000 of their fellow citizens. Such tactics cannot be approved of by the people of this country. Nor will anybody admire the miserable attempt made by an ex-colleague of Sir Wilfrid Laurier in denouncing his chief to the leader of the Opposition in this House, asking him in the name and in the interest of the Empire to betray as he himself did years ago, the man who made him what he is, in giving him a place in his Cabinet and a standing before the country—a standing that he was unable to keep. This insult has already been properly appreciated by the leader of the Opposition in this House.

Before taking my seat I have the painful duty of protesting in the name of my province against certain utterances which I hope will not be taken as the real sentiments of those who made them. If our public men want to keep the consideration and the confidence of those who elect them, their first duty is to keep cool, to remain prudent, and to banish from their language any appeal to the passions of a crowd or any attack against the laws of the land. In the recent debate which took place in the House of Commons on the Bill now before us, a member representing a constituency of Ontario, Mr. Armstrong, speaking of our constitution, said, on the 21st of June last:

A great deal has been said by speakers who have preceded me as to whether or not Canada had the right to send her troops beyond her borders under the old Militia Act. I have listened to both sides of that argument, and while I am forced to say in all honesty that I am convinced the leader of the Government has made his case clear, and doubly so since I have listened to the Solicitor General (Mr. Meighen) this afternoon, I personally do not care two straws whether it is constitutional or not. Personally I would puncture the constitution a dozen times, if it was necessary, in order to stand by the boys at the front and to uphold Canada's arm in this struggle.

This is a fine specimen given to the people of this country of the respect that honourable gentleman has for the law, and especially for our own constitution, and of his willingness—he, a member of Parliament—to puncture even a dozen times the very law which gives us the power to assemble under this roof and to make the necessary enactments for the good, peace, harmony, and defence of our country.

Another member of the House of Commons, representing also one of the Ontario constituencies, a minister of the Crown, Sir George E. Foster, on the 18th of June last, advocated the following doctrine:

My right hon. friend the leader of the Opposition, when we face such conditions as that, chops logic and talks of the Constitution. Might I not say that logic is good in its place and that constitutions are most excellent, but neither logic nor the Constitution is the people, and they cannot be allowed to be a bar to the people's ultimate defence and ultimate salvation. Constitutions are methods into which filter, and through which come, governments of the peoples by themselves, orderly and methodically. But the good of the people, the happiness of the people, the salvation of the people, are the basic things which are to be sought after, and just at this very moment it seems to me that in Canada, in the Empire, and throughout the world, we have a situation surrounded with conditions altogether unusual in the history of the world, and which demand action of the real strong red-blooded type for the support of the men we have sent to the front, and for the salvation of the country for which they have gone. My right hon. friend may talk about the Constitution and urge his points in a logical way, but that does not satisfy me. If the necessity is upon us, we must act.

Constitution and logic, says the honourable minister, cannot be allowed to be a bar to the people's ultimate defence. We know what that means.

But what is still more significant is the singular language found in the speech delivered by the Prime Minister himself in introducing this Bill on the 11th of June last as found in the House of Commons Debates, pages 2288 and 2289. Speaking of our soldiers in the trenches, he said:

They went forth splendid in their youth and confidence. They will come back silent, grim, determined men, who not once or twice but fifty times have gone over the parapet to seek their rendevous with death. If what are left of 400,000 such men come back to Canada with fierce resentment, and even rage in their hearts, conscious that they have been deserted and betrayed, how shall we meet them when they ask the reason? I am not so much concerned for the day when this Bill becomes law, as for the day when these men return if it is rejected. It is easy to sow the wind of clamour against the imposition of equal duty and obligation upon all Canadians for the preservation of their country; but those who make that sowing may reap such a whirlwind as they do not dream of to-day.

Who are here accused of sowing the wind of clamour and threatened to reap such a whirlwind as they do not dream of to-day? As long as this Bill is not the law of the land have we not an undoubted right to oppose it? Is freedom of speech and liberty of action denied to people who are of an opinion different to your own? And whence does the Premier of this Dominion or the leader of this House take the right to threaten us or to abuse us, as was done in the remarks of which fell from the lips of those two gentlemen?

I want to tell those who have the responsibility of governing this country that we all understand the difficulties of their position, and that we are all desirous of giving them a helping hand in smoothing the paths they have to follow; but, for God's sake, let them do their bit, let them be prudent and peaceful in their ways. They will have our good will as long as they know how to gain it, and they will not certainly gain it by threats of any kind or by calling us cowards, slackers, foes of Canada and freedom, passive traitors who shirk service for defence, and proclaim openly our disloyalty to Great Britain. It is my duty to ask the honourable the leader of this House to repudiate such epithets, specially addressed to our race, and to withdraw the accusations of which we were the victims. If that is not done, if an honourable apology is not offered to those who felt insulted in the present instance, those words will go down to the people of that race or of that section of country alluded to by my honourable friend, and what will he gain? He will gain this, that, having sown the wind of clamour against our race, he will reap such a whirlwind as he does not dream of to-day, to use the phrase of the Prime Minister of this Dominion.

Had I been appointed to this Senate on the sole condition and for the sole purpose of sustaining by my vote the motion made

by my honourable friend the leader of this House, or were I still occupying the position of Speaker of this House, let me tell you, honourable gentlemen, that, in face of the threats and the insults which are so freely poured upon the people I represent here, I would consider it my duty to protest by my vote against those who forget the responsibilities of their high office, and I would give up immediately any position of honour to safeguard my own honour and fulfil my duty towards the people I represent and the country I love.

Brigadier General Hon. JAMES MASON: Amidst the discussion of this most engrossing subject of military service in newspapers, public meetings, and Parliament, it is somewhat difficult to say anything new. I wish, however, to produce some figures relating to enlistment which may be interesting; for, although most of them have been before the public in various ways, I thought it would be well to have them in concise form. When war was declared by England against Germany, Canada, like all other portions of the Empire, clearly saw its duty, which I think could not be better expressed than by my reading some extracts from the speech made by the right honourable the leader of the opposition in the House of Commons during that memorable session of Parliament called the War Parliament in August, 1914. Sir Wilfrid Laurier said:

This session has been called for the purpose of giving the authority of Parliament and the sanction of law to such measures as have already been taken by the Government, and any further measures that may be needed, to insure the defence of Canada and to give what aid may be in our power to the mother country in the stupendous struggle which now confronts her. Speaking for those who sit around me, speaking for the wide constituencies which we represent in this House, I hasten to say that to all these measures we are prepared to give immediate assent. If in what has been done or in what remains to be done there may be anything which in our judgment should not be done, or should be differently done, we raise no question, we take no exception, we offer no criticism, and we shall offer no criticism so long as there is danger at the front. It is our duty, more pressing upon us than all other duties, at once, on this first day of this extraordinary session of the Canadian Parliament, to let Great Britain know, and to let the friends and foes of Great Britain know, that there is in Canada but one mind and one heart, and that all Canadians stand behind the mother country, conscious and proud that she has engaged in this war, not from any selfish motive, for any purpose of aggrandisement, but to maintain untarnished the honour of her name, to fulfill her obligations to her allies, to maintain her treaty obligations and to save civilization from the unbridled lust of conquest and domination.

We are British subjects, and to-day we are face to face with the consequences which are involved in that proud fact. Long we have enjoyed the benefits of our British citizenship; to-day it is our duty to accept its responsibilities and its sacrifices. We have long said that when Great Britain is at war we are at war; to-day we realize that Great Britain is at war and that Canada is at war also.

Then he went on to say further:

Upon this occasion I owe it to the House and to myself to speak with absolute frankness and candour. This is a subject which has often been an occasion of debate in this House. I have always said, and I repeat it on this occasion, that there is but one mind and one heart in Canada. At other times we may have had different views as to the methods by which we are to serve our country and our Empire. More than once I have declared that if England were ever in danger—nay, not only in danger but if she were ever engaged in such a contest as would put her strength to the test—then it would be the duty of Canada to assist the motherland to the utmost of Canada's ability. England to-day is not engaged in an ordinary contest. The war in which she is engaged will in all probability—nay, in absolute certainty—stagger the world with its magnitude and its horror. But that war is for as noble a cause as ever impelled a nation to risk her all upon the arbitrament of the sword. That question is no longer at issue; the judgment of the world has already pronounced upon it. I speak not only of those nations which are engaged in this war, but of the neutral nations. The testimony of the ablest men of these nations, without dissenting voice, is that to-day the allied nations are fighting for freedom against oppression, for democracy against autocracy, for civilization against reversion to that state of barbarism in which the supreme law is the law of might.

Here is another extract:

If my words can be heard beyond the walls of this House in the province from which I come, among the men whose blood flows in my own veins, I should like them to remember that, in taking their place to-day in the ranks of the Canadian army to fight for the cause of the Allied nations, a double honour rests upon them. The very cause for which they are called upon to fight is to them doubly sacred.

When the declaration of war was made, and Canada decided to assist the mother country, of course the first duty was to raise troops to take part in the war. The voluntary system was at first adopted, and it was thought by most people that it would be successful. I must confess that at the time I was rather doubtful about it, and I took the liberty in October, 1914, to send a letter to the public press, from which I quote this paragraph:

Here, as in Great Britain, the voluntary system of defence is on its trial. If it fails, compulsory military service becomes necessary for public protection. Our Canadian and Im-

perial interests are too great, our whole British fabric too vast, to depend upon a patriotism for defence which fails in the supreme hour; such has not proved the case in England as yet, and if the hundred thousand volunteers reported in Canada by the Militia Department some time ago as available are rapidly prepared and sent to the front, it will not be the case here.

That voluntary system was continued until recently, when it was considered that it had broken down, as it could no longer keep a sufficient number of troops at the front to maintain Canada's place in the defence of the Empire. The results of that system are set forth in these figures. I have here six or seven sheets containing statistics relating to enlistment, the disposition of the forces, the casualties, etc. If it is the pleasure of the House I shall read them, or they may be taken as read and placed upon the records.

Some hon. SENATORS: Dispense.

Brigadier General Hon. Mr. MASON: I may say that these figures were compiled from official statistics, which I received from the Militia Department and Census Office and can therefore be relied upon. To show the necessity of getting further troops, either by voluntary enlistment or by compulsion, I will refer to one of these returns, showing the infantry enlisted during the twelve months ending on the 31st of May, 1917. Honourable gentlemen will know that the infantry are the fighting crowd in the army. The artillery prepare the way, and when all is ready the infantry go over the top and complete the attack. Of course, they suffer the most, as it is naturally the most dangerous arm of the service, and when recruiting falls off it is the infantry that gets the very small numbers. The number enlisted in the period referred to was 42,523. In that same year the casualties were 12,171 killed in action; died of wounds, 3,872; died of sickness, 421; prisoners of war, 1,115; presumed dead, 1,524; missing, 1,937; a total of 21,040. Adding the wounded, 45,996, makes the total casualties 67,036. Against that were the enlistments, 42,523, showing that we were short 24,513 during that year. Then there is a period of five months from January 1st, 1917, to May 31st, 1917, when we ran short 13,873, and for the months of April and May we ran short 18,362 men of infantry.

SUMMARY OF TOTAL ENLISTMENTS BY PROVINCES TO 15TH JULY, 1917, OF 426,622.

Province.	Actual Enlistment by Provinces.	Population —Males 18-45 from Census of 1911 by Provinces.	Each Province in Proportion to Population should have enlisted out of 426,622.	Comparison Enlistment by Provinces with the Share of each to the Total Enlistment by Population.	
				Actual in excess of share.	Actual short of share.
Ontario	*184,545	582,246	144,412	40,133	
Quebec	46,777	390,897	96,953	.....	50,176
P.E.I. (One District for Maritime Provinces)	.....	184,071: 16,868	45,655: 4,184	.....	5,554
N.S. (One District for Maritime Provinces)	40,101	98,493	24,429	.....	
N.B. (One District for Maritime Provinces)	.....	68,710	17,042	.....	
Manitoba (One District till lately)	77,804	281,669: 122,762	69,861: 30,448	7,943	
Sask. (One District till lately)		158,907	39,413		
Alberta	35,934	122,915	30,486	5,448	
B.C.	41,461	158,272	39,255	2,206	
Total	426,622	1,720,070	426,622	55,730	55,730

*Includes 6,000 from Thunder Bay District included in Manitoba figures.

RETURN SHOWING THE NUMBER OF RECRUITS OBTAINED FOR THE C.E.F. IN THE SEVERAL MILITARY DISTRICTS IN CANADA AS ON JULY 15, 1917.

Province.	M.D.	Recruits to Mar. 31, 17.	Recruits Mar. 31 to Apr. 15.	Recruits Apr. 15 to Apr. 30.	Recruits Apr. 30 to May 15.	Recruits May 15 to May 31.	Recruits May 31 to June 15.	Recruits June 15 to June 30.
Ontario.... ..	M. D. No. 1	33,061	295	353	340	635	293	243
"	M. D. No. 2	90,134	456	511	498	759	575	620
"	M. D. No. 3	45,946	666	222	379	520	456	452
Quebec.....	M. D. No. 4	36,246	219	293	268	520	493	199
"	M. D. No. 5	8,145	43	37	21	19	12	20
Maritime Provinces...	M. D. No. 6	37,214	300	302	356	517	453	740
Manitoba.....	M.D.No. 10	78,956	337	285	201	422	483	264
British Col...	M.D. No. 11	39,493	224	263	306	274	391	290
Saskatchewan	M.D. No. 12	1,891	165	182	53	105	77	76
Alberta.....	M.D. No. 13	35,258	69	106	44	210	159	51
Total....	.....	406,344	2,774	2,554	2,466	3,971	3,392	2,955

Tota for month of April, 1917	5,328
" May, 1917	6,437
" June, 1917	6,347
	18,112
	406,344
	424,456
Total for June 30 to July 15	2,166
	426,622

NOTE.—Some 6,000 enlistments from Thunder Bay District, Ontario, included in M.D. No. 10.

DISPOSITION OF CANADIAN EXPEDITIONARY FORCES AS AT 30TH JUNE, 1917.

Total enlistments	.....	424,456
In France (Cavalry Brigades—4 Divisions Infantry—Artillery—A.S.C.—A.M.C.—Pioneers—Foresters—Construction)	142,779	
In England (including sick and wounded in hospitals and convalescent homes in the United Kingdom) as of June 30	†124,299	
Elsewhere	756	
Killed, died, missing and prisoners	31,955	
Discharged overseas	4,380	
Returned to Canada wounded, etc	21,830	
En route from Canada	3,944	
Total overseas	329,943	
Discharged in Canada	76,038	
Number still in Canada	18,475	
	424,456	
Casualities—as at 31st May, 1917	.....	99,639
Killed, died, missing and prisoners	31,010	
*Wounded	68,629	
	99,629	

*Includes same man more than once, if wounded more than once.

†Summary of those in England as of May 14, 1917:

Officers fit and unfit	7,981
A. Men ultimately fit for trench service in France	61,902
B. Men fit for France, but not for trenches	11,507
C. Men fit for service only in United Kingdom	11,587
D. Temporarily unfit, likely fit in six months	13,504
E. Awaiting discharge, unfit	983
In hospital	17,638
Unclassified	1,149
Total	126,251

Brig.-Gen. MASON.

SUMMARIES BY PLACES OF BIRTH, C.E.F. OVERSEAS.

Nationality.	Members Overseas to 30th June, 1917.	Census of 1911. Total Males 18–45.	Proportion of Overseas Members to total Number of Males 18–45.	Proportion by Nationalaties to total Overseas Members.
Canadian born:—				
English	132,265	667,000	19·8%	40·2%
French	14,684	445,000	3·3	4·5
British born	162,092	307,000	52·8	49·2
United States	10,860	306,000	6·6	6·1
Foreign	9,215			
	329,116	1,725,000	19·1%	100·0%

CLASSIFIED TABLE OF DISCHARGES IN CANADA IN THE C.E.F. FROM THE COMMENCEMENT UP TO MAY 31, 1917.

Not likely to become efficient	5,345
Medically unfit	33,887
Absentees struck off	13,081
Under age	2,086
By purchase	1,248
Misconduct, undesirable, etc.	2,371
To accept Commission	919
Special cases	1,127
Deaths	572
Miscellaneous	1,085
Not classified	1,106
Irregularly attested	1,725
Total	64,552

Statistics Relating to the Infantry of the C.E.F.

A. Infantry *enlisted* during twelve months ending May 31st, 1917			42,523
Infantry *casualties* during twelve months ending May 31st, 1917	Killed in action	12,171	
	Died of wounds	3,872	
	Died of sickness	421	
*Net loss is exclusive of several thousand casualties in Canada.	Prisoners of War	1,115	
	Presumed dead	1,524	
	Missing	1,937	
		21,040	
	Wounded	45,996	
	Total casualties	67,036	
	*Net loss,	12 mos.,	24,513.
B. Infantry *enlisted* between 1st January, 1917 and 31st May, 1917			13,353
Infantry *casualties* between 1st January, 1917 and 31st May 1917.	Killed in action	5,894	
	Died of wounds	1,705	
	Died of sickness	281	
	Prisoners of War	135	
	Presumed dead	881	
	Missing	1,143	
		10,039	
	Wounded	17,187	
	Total casualties	27,226	
	Net loss,	5 mos.,	13,873.
C. Infantry *enlisted* during April and May, 1917—April, 1794, May, 1,208			3,002
Infantry *casualties* during April and May, 1917	Killed in action	4,572	
	Died of wounds	1,386	
	Died of sickness	137	
	Prisoners of War	55	
	Presumed dead	603	
	Missing	750	
		7,503	
	Wounded	13,861	
	Total casualties	21,364	
	Net loss,	2 mos.,	18,362.

Summary for Enlistments by Conscription.

Division by Male Population, ages 20 to 35, unmarried and widowers with no children.

Province.	First Class. Males, 20 to 35, single and widowers with no children, by Provinces.	Division of each 100,000 men by this population.	Adjustment for over or under 426,622 enlistments to July 15, 1917, by population. *See p. 3.*	Total for the first 108,404 men adjusted to rectify inequality in enlistment to date.
Ontario	211,000	31,729	—40,133	—8,404*
Quebec	129,000	19,398	50,176	69,574
P.E.I.	7,000	1,053		
N.S.	37,000	10,226 5,564	5,554	15,780
N.B.	24,000	3,609		
Manitoba	51,000	7,669	—7,943	10,854
Sask.	74,000	18,797 11,128		
Alberta	57,000	8,572	—5,448	3,124
B.C.	75,000	11,278	—2,206	9,072
Total	665,000	100,000		108,404

*That is, Ontario has 8,404 men already enlisted more than necessary for her share after 100,000 men have been raised by conscription from the rest of the country.

Note.—Dash thus — placed before figures indicates surplus enlistments; absence of dash indicates shortage.

The question then arose, what was to be done? How could the ranks be kept filled? It must be remembered that when an attack is made, if the numbers on the side attacking largely preponderate, the casualties are much less, whereas if the attacking force is small there are greater losses. I can assure honourable gentlemen that in the visit I paid to the front not long ago I found a very strong desire among the men there, who were expecting reinforcements from their own country, that there should be no failure in any way.

When the question arose as to what could be done in Canada, the Militia Act was first thought of. That Act provides that "all male inhabitants are liable for service"; and furthermore that "the Governor in Council may place the militia or any part thereof on active service anywhere in Canada, and also beyond Canada for the defence thereof, whenever it appears advisable so to do by reason of emergency." No person can dispute the emergency of the present moment, in view of what has occurred during the period of voluntary enlistment.

I might refer to two speeches I made during the last session of Parliament, one on the subject of recruiting and the other on registration. In preparing those speeches I obtained some information which is very convincing as to the undesirability of the voluntary system as affecting the industries of the country. I received numbers of letters from different industries, mostly manufacturing, through the agency of the Manufacturers' Association of Canada. The letter from the General Manager of the Dominion Steel Corporation stated:

> It may interest you to know that out of about 2,400 enlistments, from among the employees of the Dominion Coal Company, at least 2,200 have been from among the workmen employed underground.

The result was that the labour most necessary in the war was taken under the system of voluntary enlistment. The letter from the manager of the Nova Scotia Steel and Coal Company and letters from other industries showed that the situation mentioned was general throughout Canada. In view of that, and also the rapid dwindling of enlistment, it was considered that something in the way of compulsion should be done by the Government. While the Militia Act gave authority to compel enlistment, in view of what would occur to the industries of the country under enlistments made as the Act prescribes, it was thought better to introduce selective conscription, for which this Bill provides—a wise idea on the part of the Government. The reasons for this Bill are very clear. It gives authority to discriminate as to who should or should not be forced to go, thus the least possible harm will be done to the country.

The opposition, if I might so call it, to this Bill comes from a particular section of the Dominion, and why it should come I do not know. Its duties are the same as the duties of the other portions of the Dominion.

Hon. Mr. DANDURAND: Does it not come from many sections of the Dominion?

Brigadier General Hon. Mr. MASON: From the meetings held in Montreal and other places in the province I should judge that the active opposition is in that quarter.

Hon. Mr. DANDURAND: Perhaps Montreal is a freer place to live in than other parts of the country.

Brigadier General Hon. Mr. MASON: I have here an extract from a newspaper issued the other day which speaks of an organization raised in Montreal to oppose conscription by force. I hope that is a mistake.

Hon. Mr. DANDURAND: I think that is childish talk.

Brigadier General Hon. Mr. MASON: However, I think it must be admitted that compulsory service is necessary and is popular in most sections of the country. I have read this very morning in the Toronto news column of the Ottawa Citizen the report of a meeting held in Toronto at which 5,000 persons were present. It was called "The Win-the-War Rally." Among the speakers was the leader of the Opposition in the Ontario Legislature, the Hon. N. W. Rowell, who spoke as follows:

> I am here to-night, to support the principle of compulsory military service, and the formation of a national or war government.
>
> I believe that Sir Robert Borden's statement of the dire need of reinforcements was absolutely correct, and that it was useless to hope for results from voluntary recruiting. If the war lasted more than a year 100,000 men would not be sufficient, and they might as well face the situation.

Mr. Rowell also read this very significant letter from General Currie, who, as you know, commands the Canadian corps which forms part of the first army in France. General Currie in his letter said:

> We are anxiously looking to Canada to see what the results of Sir Robert Borden's conscription proposals will be.
>
> I pray that you will not relax your efforts in seeing that everything is done by Canada

to furnish the necessary drafts of officers and men. The troops here expect it—let them not be disappointed.

That is the feeling which prevails among our troops in France and Flanders. One of the arguments advanced by those not in favour of this Bill is that the enforcement of the Act should be postponed until after the general election; but, as far as I have been able to learn, there is no guarantee that conscription would be enforced in the event of a general election. Let us suppose that a general election takes place, and that men are returned to power who do not believe in conscription. What will be the result? Recruiting in Canada will be at an end, and no more Canadian troops will go to the front. Our soldiers who are there now will be killed off, and that will be the end of Canada's contribution to the defence of the Empire. I think we would all feel very much disgraced.

Hon. Mr. DANDURAND: That was not the result in Australia.

Brigadier General Hon. Mr. MASON: Australia has done its duty; Australia has sent proportionately more troops than we have.

Hon. Mr. DANDURAND: But the refusal to adopt conscription did not stop enlistments in Australia.

Hon. Mr. LYNCH-STAUNTON: How many have enlisted since?

Hon. Mr. DANDURAND: Quite a number.

Brigadier General Hon. Mr. MASON: Enlistments have stopped here now.

Hon. Mr. DENNIS: In Australia the question is going to be again submitted by a referendum.

Brigadier General Hon. Mr. MASON: The enlistment for the latter half of June amounted to less than 3,000.

Hon. Mr. McSWEENEY: Where?

Brigadier General Hon. Mr. MASON: All over Canada. Every district in Canada is included in that.

Hon. Mr. DANDURAND: Recruiting has been absolutely stopped. No effort has been made in Quebec since the announcement of conscription.

Hon. Sir MACKENZIE BOWELL: We would not expect any after conscription.

Brigadier General Hon. Mr. MASON: The total enlistments in Quebec during the latter half of June were 199 men.

Hon. Mr. DANDURAND: But General Lessard was charged—

Some Hon. SENATORS: Order, order.

Hon. Mr. DANDURAND: I will ask the honourable gentleman's permission to put to him a question.

Brigadier General Hon. Mr. MASON: What is the question?

Hon. Mr. DANDURAND: Has not General Lessard, who was in charge of recruiting in the province of Quebec, stopped his work since the announcement of conscription?

Brigadier General Hon. Mr. MASON: I cannot say as to that.

Hon. Sir MACKENZIE BOWELL: Why? Because he got no volunteers.

Hon. Mr. DANDURAND: The Hon. Mr. Blondin has said the contrary.

Hon. Sir MACKENZIE BOWELL: The honourable gentleman (Hon. Mr. Dandurand) spoke for nearly two hours without the slightest interruption. I think it would be courtesy at least to allow the honourable gentleman who is addressing the House to give his figures; and, if there is any answer to be made to him, let it be made afterwards. Let us not have constant interruptions which are being made in every case when a member on this side of the House is speaking.

Hon. Mr. DANDURAND: I am ready to accept the advice of my honourable friend, but he knows very well that we can put a question to any honourable gentleman who has the floor if he so allows.

Hon. Sir MACKENZIE BOWELL: Quite correct; but the honourable gentleman (Hon. Mr. Dandurand) was discussing the question.

Brigadier General Hon. Mr. MASON: In the speech which I made on recruiting, on March 14th, 1916, I find this:

Brigadier General E. W. Wilson of the fourth division—

—that is the Montreal division—

—stated at Montreal on March 4, according to a despatch in the Toronto World, that "some form of compulsion will be necessary in Montreal if recruiting does not take a turn for the better soon.

Among the letters which I received from manufacturers there was one from Penman Company, which is a well known concern, which manufactures underclothing and ad-

vertises very largely. The manager of that company wrote to me as follows:

Out of Penman's male employees at Mill No. 1, Paris, Ontario, of 115 men, 70 enlisted. Out of their 347 male employees at St. Hyacinthe one enlisted.

As I have said, what guarantee have we that in the event of a general election conscription would be enforced? None.

I have referred to the glowing patriotic language used by the right honourable gentleman to whom I have referred at the first session of Parliament after the outbreak of war. I have here the report of the Debates in the House of Commons on Wednesday, August 1, when that right honourable gentleman spoke as follows:

Hon. Sir Wilfrid Laurier: Mr. Speaker, I rise to a question of privilege. The House is aware that I very seldom notice any attack made upon me outside of this House, in the press or otherwise, but I find a report of a speech by Sir Clifford Sifton, delivered two days ago, which I cannot allow to pass unnoticed. Sir Clifford Sifton is reported in the Globe of yesterday as having addressed the Canadian Club at Winnipeg, and as saying, among other things:

"Sir Clifford did not think that the people of Canada had any call to find fault with Laurier on the war until the day that the conscription policy was announced in Parliament. Sir Wilfrid now said that he was unable to endorse fully the policy of conscription. His attitude was taken because he believed that it was his duty to the province of Quebec. In other words, Laurier abrogated his title to leadership. The plain, unavoidable and inevitable fact was that if Sir Wilfrid Laurier were to win this election Canada would go out of the war."

I have to say in reference to this, Sir, that from anything which I have ever said in this House or out of it, Sir Clifford Sifton could not draw the inference that any attitude which I have ever taken was in deference to the province of Quebec. Neither on this occasion, nor any occasion in my public life, did I ever take an attitude in deference to one province alone. The policies which I have opposed were not opposed from the point of view of one province, but from the point of view of Liberal principles and with respect to all the provinces of Canada and irrespective of race or creed. This is my position to-day. I have stated before, and I repeat, that my attitude to-day, on the 1st of August, 1917, towards the war is the same as it was on the 19th August, 1914. I am in this war to the end, but I am in this war not upon compulsion, but upon the voluntary principle of enlistment.

That is pretty clear. My feeling is that we should hasten the enactment of this law because it takes some time—months and months—to train and equip men for the front. In the meantime, the forces there are daily diminishing, and, if there is heavy fighting, which we expect, our divisions will be depleted to such an extent that one or more of them will have to be broken up.

Hon. F. L. BEIQUE: Honourable gentlemen, I think I voice the unanimous opinion of this honourable House when I say that both sides of the House entertain an equal regard for the honourable leader of the Government in this House. Ever since he has been in this Chamber he has proved himself to be a most genial gentleman, an able and progressive man, and it was, I must confess, a great surprise to me, and I am sure to a number of other gentlemen not only in this honourable House but in the country at large, to hear some of the remarks which he addressed to this House in proposing the second reading of the Bill in question. I refer more especially to that part of his speech in which he said:

What, then, of Canada? Think you, would we be enjoying our freedom, independence, and security to-day had not Great Britain espoused the cause for which she is now fighting. Let me ask, what would be the result if every man in the State took the position which is being taken by the anti-conscriptionists to-day in refusing to subscribe to compulsory service in defence of the State? It is clear that treason could not effect any greater result in favour of the enemy than the non-resistance of the people who refuse to defend their State. To my mind it is difficult to draw any substantial distinction between treason and non-resistance. The same result is accomplished by both, and if one is odious, equally odious is the other. Better and more manly would it be for the anti-conscriptionists to say they are prepared to sacrifice Canada to Germany, prepared to sacrifice Canada's sons who are to-day fighting the battle of human rights in France and Belgium, than under their colours of anti-conscription to play into the hands of the enemy. Think of a race of people so indifferent to their country's interests as to depend upon those who are sufficiently loyal to jeopardize their lives to defend those who refuse to fight. Think of a race of people growing up oblivious to the grandeur of love of country, of patriotism, and of the self-denial and sacrifice by which men are prepared to place their lives on the altar of their country. When we think of men indifferent at such a time to all the best interests of civilization involved in this struggle, indifferent whether the enemy should crush out the freedom and liberty which they have enjoyed under their country's protection, it shakes our confidence in human nature. A thousand times better are those who fell in action and sleep beneath the daisies on the distant battlefields of France and Belgium than those who to-day in Canada are declaiming against conscription and are simply concerned about the paltry affairs of the particular party or race to which they belong.

In conclusion, let me ask, is Canada of all the Allies to be alone in refusing to defend herself and the Empire? No excuse, when analyzed can be made in opposition to this Bill except that of refusing assistance to the Empire or that of cowardice in facing the jeopardy of war.

The honourable gentleman was asked, immediately after he had pronounced these words, whether this qualification

applied as well to Australia, where conscription had been voted down; and he answered that in Australia the difference was that they had largely contributed in voluntary enlistment. I call the attention of the honourable gentleman to the fact that the difference is from 5½ in Canada to 7 per cent in Australia, not a very wide difference; but if it be true that all persons who are opposing conscription are slackers and traitors, I submit that qualification would be equally true of the Australian people who by a large majority voted down conscription.

Hon. Mr. DENNIS: The majority was two and a half per cent. That is not a very large majority.

Hon. Mr. BEIQUE: There was a majority.

Hon. Mr. DENNIS: A very small one.

Hon. Mr. LYNCH-STAUNTON: Strike out the word large.

Hon. Mr. DANDURAND: It would be still quite a large number of traitors.

Hon. Mr. DENNIS: But it should be stated also that since that vote was taken on a referendum, the Government went to the country and was returned by an overwhelming majority.

Hon. Mr. DANDURAND: Not on the question of conscription.

Hon. Mr. DANIEL: Very largely.

Hon. Mr. LYNCH-STAUNTON: The same as this one will be.

Hon. Mr. DENNIS: It was on a question of policy.

Hon. Mr. BEIQUE: I am not speaking of any political question that may obtain in Australia; I am speaking of the referendum. The very principle which has been suggested to be applied here was submitted in Australia, where there were no French Canadians, where the honourable gentleman would not be prepared to say that they were traitors or slackers, and by a majority of the people voting on the referendum the principle of conscription was rejected.

Hon. Sir JAMES LOUGHEED: My honourable friend is not justified in saying that I said they were traitors. I shall have something to say on this before this debate is closed. The honourable gentleman should not put words into my mouth that I did not use.

Hon. Mr. BEIQUE: When the honourable member from Halifax (Hon. Mr. Power) last night drew the attention of the honourable leader of the Government to his language, he commenced to say that when he spoke of the Government he meant to speak of the Parliament. The honourable gentleman will readily admit that there is quite a difference between the two.

Hon. Sir JAMES LOUGHEED: My honourable friend is entirely wrong there. I said the Government spoke for Parliament, and that under our constitutional machinery that is the only way Parliament has of giving its expression upon any attitude which it may take.

Hon. Mr. BEIQUE: Well, the honourable gentleman is wrong.

Hon. Sir JAMES LOUGHEED: It does not make it wrong because you say it.

Hon. Mr. BEIQUE: The honourable gentleman is wrong. On questions of this kind the Government does not speak for Parliament; it has no right to speak for Parliament. If the Government speaks for Parliament it is only in cases of emergency, and the Government is bound to call Parliament together at once in order that the question may be determined by Parliament as to what steps shall be taken.

Hon. Sir JAMES LOUGHEED: Then will my honourable friend say who speaks for Parliament?

Hon. Mr. BEIQUE: Parliament speaks for itself.

Hon. Sir JAMES LOUGHEED: I do not know how it does.

Hon. Mr. BEIQUE: I have only to refer to the Militia Act. What does it say? Sections 70 and 71 say:

70. The Governor in Council may place the militia, or any part thereof, on active service anywhere is Canada and also beyond Canada, for the defence thereof, at any time when it appears advisable so to do by reason of emergency.

71. Whenever the Governor in Council places the militia, or any part thereof, on active service, if Parliament is then separated by such adjournment or prorogation as will not expire within ten days, a proclamation shall be issued for the meeting of Parliament within fifteen days, and Parliament shall accordingly meet and sit upon the day appointed by such proclamation, and shall continue to sit and act in like manner as if it had stood adjourned or prorogued to the same day.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: The Government speaks—

Hon. Sir JAMES LOUGHEED: For Parliament.

Hon. Mr. BEIQUE: Let the honourable gentleman keep quiet. He will have his opportunity to reply to what we may say against the measure which he has presented, and we will always be glad to hear him, and give to any remarks he may offer to this House all the consideration they deserve; but the honourable gentleman cannot deny that it is only in cases of emergencies that the Government can act on a question of this kind, and that the Government, according to the very statute which I have read, is bound to call Parliament together at once; and why call Parliament at once? Because the Government is not justified, has not the proper authority, to pass definitely upon measures of that kind. It is Parliament that should pass on such measures. Of course, as was suggested, the Cabinet is merely a committee of the House. When we are in the war, as we are to-day, it is the duty of every citizen in this country to do his share towards helping the Allies on the other side. One of my sons enlisted, and when he told me that he had done so, I told him that if I had been in his place I would have done the same thing. I was always of that opinion, and I think that every Canadian, whether French or English-speaking, has felt that way. If there has been a change of feeling to a certain extent, I submit it is due in great measure to language such as the honourable gentleman has used in this House and to which I have referred. I do not refer to that portion of the remarks of the honourable gentleman for the purpose of being offensive to him, for I have too high an esteem for him to do so. I refer to that in order to illustrate one of the main points I desire to make on this question, namely: that at the outset every citizen in Canada, whether French or English, was in favour of participation in the war—in Montreal and Quebec as in Toronto. As the honourable gentleman from Montarville (Hon. Mr. Beaubien) stated the other day, the three days which elapsed from the first to the fourth of August, 1914, were days of the deepest anxiety for French Canadians, even more than for English-speaking Canadians. We realized perfectly that if England did not take part in the war France would be crushed; and we were afraid that England would commit the great error that was committed in 1870. As far as I could see, I think our feeling was shared by the English-speaking people, and I have no doubt that what took place in Quebec occurred also in other parts of the Dominion. I think even Mr. Bourassa was in favour of Canada's participation in the war; in fact, no sane man could be against it. We all realize that Germany's object was to establish Prussian militarism throughout Europe and obtain the control of Europe and other parts of the world; in fact, it was to be world domination. We also realize the methods employed by Germany in warfare, which were a violation of the most sacred rules of war and international laws and repugnant to all sense of justice and humanity. Surely there could not be a French Canadian, who saw that France was to be crushed if England did not come to her rescue, who would not favour the participation of Canada in the war. It was the unanimous opinion of French Canadians, as of English Canadians, that Canada should do all that could be done in that respect.

But we are not in 1914. Canada has now been in the war for three years, and has contributed a much larger number of men than it was anticipated at the beginning this country could contribute. Now we are in the position that the United States have joined in this war, and are ready to send one million soldiers to the other side. This will take over a year, and will tax the full capacity of all the vessels which may be at the disposal of the Allies.

Of course, I would not think of suggesting that if Canada had not already done its large part, that would be a reason for crossing our arms and waiting for the Americans to fill the ranks on the other side. We have contributed already between 418,000 and 425,000 men. We have hundreds of thousands of men who are on the other side, and who have been there for a year or more, waiting their turn to go to the front, and I think it is but fair for us to pause and see where we are, and consider whether it is advisable to go to the extent of enacting conscription.

The honourable gentleman stated that conscription was the natural and logical consequence of society. I quite agree with that, for the defence of the country and in the terms of the Militia Act, but conscription for war outside of the country is a very exceptional thing, and in principle should never be thought of. The conditions were so grave, the war was so important, it was such a moral duty on the part of the Canadian people to help in this war, that if they had refused to participate I think that, although the people are and

should be supreme in all questions of that kind, we would have even been justified in submitting the question to the people and trying to induce the majority to decide in favour of conscription. But unless Parliament has a special mandate to enact a law of that kind it is a thing which should never be enforced on the people.

Hon. Mr. LYNCH-STAUNTON: Supposing we were at war with the United States, and had a voluntary army, and we had advanced as far as Boston, and then found it necessary to reinforce our army, and we could not get the soldiers except by conscription, would the honourable gentleman allow it in that case?

Hon. Mr. BEIQUE: Certainly; but that would not be the same case at all. It would be for the defence of our territory. Of course, we are apart on that question. I have all possible respect for those who differ with me. I am sure that a large number of them are sincere, but I honestly believe that they are carried away by questions of sentiment, and that their opinion is biased. They think there is danger that Canada may be invaded, as was suggested by the honourable member from Montarville the other day, and that this is really a case of emergency. For my part, I do not believe that at all. I must say that I agree entirely with the honourable member from Rideau (Hon. Mr. Edwards) when he called attention to the very important factor of density of population.

If countries which are densely populated can contribute 7 or 8 or 10 per cent of their population, it does not follow that a country as sparsely populated as Canada can contribute a like percentage of men. That is best evidenced by the fact that, although we have contributed only 5½ per cent of our population, or maybe 6 per cent, Canada is admittedly suffering enormously from the contribution which she has made. We have heard it from the Government, we have seen it in the newspapers this morning, that we are threatened with famine and that it will be necessary to close munition factories for the purpose of providing help to enable the farmers to take care of the crops. Are not these extraordinary conditions? Do they not induce honourable gentlemen on the other side of the House to think that it may be time to pause and consider whether we could not better serve the interest of the Empire and the Allies by producing food and munitions to as great an extent as possible, instead of trying to take the place of American soldiers who otherwise would be transferred to the other side?

I call attention also to our economic conditions. I have no intention of dwelling upon them, because they have been referred to several times by gentlemen who have preceded me. But we cannot close our eyes to the fact that the Minister of Finance went the other day to the United States, and for what purpose? Not to do as the Allies have done, to get the United States to lend part of the money which is required to carry on the war, but to get permission to knock at the doors of private bankers, at the door of J. P. Morgan, in order to negotiate a loan which will cost the people of Canada over 7 per cent. Is not this a serious condition for the country? Are you not preparing for the annexation of this country to the United States?

Some Hon. SENATORS: No, no.

Hon. Mr. BEIQUE: Are you not afraid that you will create an opinion in favour of annexation at a time when the United States will be prosperous, and when we can get capital only from them? Are you not afraid of creating an opinion which may be very dangerous to this country? I appreciate British institutions too highly, I am too much of a Canadian, and I am too desirous of our present position being maintained, not to be afraid of the conditions to which I am calling your attention.

The honourable gentleman from Rideau (Hon Mr. Edwards) has advanced another opinion which I share entirely. I have noticed that some gentlemen on this side of the House do not agree with us in that regard. The honourable gentleman says that there is no danger of Canada being invaded, that it is a dream, and I quite agree with him. He has called attention to the fact that the United States has a population of 110,000,000. Inside of ten years that country will have a population of 150,000,000 or 175,000,000 and inside of twenty-five years there will be 250,000,000 people on the continent of North America. The continent of South America has common interests with the North American continent in that respect, and the idea that it will be possible for Germany or any other European country, or any combination of them, to cross the Atlantic and invade this continent is preposterous. Honourable gentlemen are carried away merely by sentiment.

Hon. Mr. LYNCH-STAUNTON: China was invaded.

Hon. M. BEIQUE: China is a country which is not organized. There is no comparison.

Hon. Mr. SPROULE: Does not the honourable gentleman consider, when the commerce and the citizens of a country are attacked on the high seas, the citizens murdered and commerce destroyed, that the country itself is being attacked? And is it not the duty of the citizen to offer his services?

Hon. Mr. BEIQUE: Of course, I admit that Germany could do a great deal of injury to United States commerce; but I am speaking of the question which was dealt with by the honourable gentleman from Rideau, as to whether we are really threatened with invasion.

Hon. Mr. SPROULE: I do not wish to interrupt the honourable gentleman, but I should like to ask just one more question. If a fire started in Ontario and were coming very rapidly towards Quebec, and a company of firemen were asked to take steps to prevent the approaching danger, would it not be left to their judgment as to where they would attack that fire? Is it not the same principle to leave the control to the military authorities, who are strategists, to determine where a stand should be made, when the country is threatened with force from abroad?

Hon. Mr. BEIQUE: My answer is this: I would leave it to the firemen to determine the action that should be taken; but, if the fire were 3,000 miles away across the Atlantic, and they wanted me to prepare for the conflagration, I would not take much stock in their recommendations.

I quite understand that in matters of this kind we are influenced very much by incidents which in themselves are not very important, and particularly by sentiment. Honourable gentlemen are surprised that in the province of Quebec we do not seem to be as ready as some others to join in the sacrifices which it is suggested should be made. The honourable gentleman from de Lorimier (Hon. Mr. Dandurand) has given a very fine chapter on this question, to which, I have no doubt, you have given due consideration. He has shown what has been the natural condition of the mind of the people of the province of Quebec. If I might add one word to that chapter I would call attention to the state of mind of the people of the United States which existed until quite recently.

We are all shocked by the methods which have been adopted by the Germans in this war. For my part—and I am sure it was the universal impression of Canadians—I could hardly realize that the United States, great country as she is, could be a silent witness of such atrocities as were committed in Belgium and the northern part of France, and after the violation of international laws to which she had been a party. The Americans are of the Anglo-Saxon race. One would have thought that they would have been stirred and that they would have taken an interest not only on behalf of humanity, but also because of the fact that England was involved. In addition to that, the United States owed a debt of gratitude to France. Nevertheless, it took the United States two years and a half before the war awakened her, and when the war awakened her, why was it? It was not because they were afraid of their territory being invaded, but because their commerce was threatened. Now, what was the reason for that condition of affairs if not because the American people, although of Anglo-Saxon race, are a nation by themselves? They are disinterested so far as other countries are concerned. My youngest son is attending the Boston School of Technology, and he told me that until the United States declared war on Germany, amongst 3,000 pupils, he could not find a companion who took any interest whatever in the war. It was as if the war had not existed. The people of the United States are educated and very progressive; they read papers, which they have in abundance, and yet they remained apparently indifferent.

Honourable gentlemen are surprised that the inhabitants of Quebec, who are in the condition mentioned by the honourable member from de Lorimier (Hon. Mr. Dandurand), are inclined to keep their sons with them, especially when there is such a great demand for them on the farms. It has been suggested that we should try to create a feeling of national unity in this country. I think we all agree on that; but do you not think it is by such remarks as those to which I have called attention, and by means of such writings as those to which the honourable gentleman from Stadacona (Hon. Mr. Landry) referred to this afternoon, that national unity of the country is being destroyed?

Hon. Mr. CLORAN: That is what they are doing.

Hon. Mr. BEIQUE: Quebec is a splendid province. I think every one will admit that it has one of the best Governments in the Dominion of Canada. I think that Government will compare favourably with the late Government of the province of New Brunswick, the late Government of the province of British Columbia, or the late Government of the province of Manitoba.

Hon. Mr. LYNCH-STAUNTON: Or of Ontario.

Hon. Mr. BEIQUE: Or with the Government of the province of Ontario.

Hon. Mr. BELCOURT: It is superior.

Hon. Sir JAMES LOUGHEED: The late Government.

Hon. Mr. BEIQUE: It is equal at least to any of them as far as finances are concerned and as far as anything that makes for progress is concerned. Take, for instance, good roads. The Government of Quebec has spent between ten and twelve million dollars within the last three or four years on good roads, and the province is in excellent financial condition, and we are proud of it. I think it is generally understood that the people get the kind of government they deserve, and the people of Quebec cannot be so bad when they manage to get a Government of that kind. If we are to have national unity, and it is what we in Quebec desire, you must make us feel that we have the right to live in this country, whereas by acts of the kind which I have mentioned you make us feel that we cannot do so. I think that I know enough of men and things at my age to be able to account for a great many exaggerations, but I must confess that I feel that conditions are becoming unbearable, and I have no apology to offer on the part of the province of Quebec for the change of feeling which has taken place. There is no doubt that a change of feeling has taken place, and is taking place every day, and I charge the Government with being responsible for it because they have given rise to suspicion. I do not know whether it is true or not, but there is a very strong suspicion that the object of the Government in enacting this conscription measure is to impose it more especially on the people of Quebec. This is something which should not take place. We are told every day that in the English provinces a large majority are against conscription, but that they are ready to swallow conscription for the purpose of imposing it on Quebec. I invite honourable gentlemen to reverse the situation. Suppose that you were in the minority, and that you heard of something of this kind being done for the purpose of imposing legislation of that kind upon you the minority. I know that you would not for an instant bear with anything of the kind. It would irritate you much more than the people of Quebec. If you want to create union and national sentiment, not only must you cease using language of that kind, but you must take the means to prevent those on whom you have any influence from doing the same thing. In Quebec we are really amazed at the position taken by those who are at the head of this movement. I refer particularly to a well-known society.

Hon. Mr. CLORAN: Don't be afraid of the name.

Hon. Mr. BEIQUE: A well-known society in the province of Ontario. That society is responsible for some 250,000 soldiers being now in Ireland instead of being sent to the front. If it had not been for that society, Home Rule would, without question, have been settled years ago.

Hon. Mr. CLORAN: Yes, centuries ago.

Hon. Mr. BEIQUE: Ireland would be as peaceable as England is and the British Government would have been able for the last year or so to send to the front 250,000 more soldiers than she has been able to send. It is that society which, just prior to the outbreak of the war, was importing guns from Germany for the purpose—

Hon. Mr. CASGRAIN: Of shooting the soldiers of the King.

Hon. Mr. BEIQUE: —of resisting the laws of the land and fighting the Government—and openly. It is a society which is perhaps responsible in a large measure for the present war, because if the German people had not counted upon the trouble in Ireland it is very doubtful if they would have dared to declare war when they would have reason to contemplate that England would join in it.

Hon. Mr. SPROULE: It shows what bad judgment they had.

Hon. Mr. BEIQUE: Well, honourable gentlemen, I refer to these things, not for the purpose of being offensive to any honourable gentleman in this House.

Some Hon. SENATORS: Certainly not.

Hon. Mr. BEIQUE: There are members of that society who are among my best friends; I have the greatest esteem for

them; but I am drawing your attention to these facts in the hope that you will use your influence to try to put a stop to things of that kind. You know perfectly well, honourable genlemen, how sensitive minorities are—and rightly so. They feel that if any injustice is done to them there may be other injustice to follow. The last injustice done to them is always a great threat for the future; I had occasion to notice that in a great number of instances I have known in the eastern townships in the province of Quebec a time when the French Canadians and the English-speaking population were at arm's length in a number of municipalities. It was at the time when the French Canadians were in the minority. They were not treated with that liberality with which they thought they should be treated, and there was a state of great uneasiness. But by the time that the population had changed and the French Canadians were in the majority, they had become as friendly as if all were of the same nationality. I challenge you to find to-day any place in the Eastern Townships where there exists the least friction by reason of nationality. Why? It is because the majority, which has become a French Canadian majority, in the eastern townships is treating the minority as the majority in the province of Quebec is treating the minority in that province—in matters of education and in everything else. But when we think that you English-speaking people, or the people of the English-speaking provinces, or some of them, are not ready to reciprocate, do you not realize how deeply we feel it? And we ask ourselves whether we shall ever be able to live with the other people in this country? For my part, I do not despair of the future. I have confidence that Canada will grow and will become a nation as the United States have. I have confidence that we shall become Canadians; and it is only when we become true Canadians that we shall devote all our energies to the furtherance of the interests of our country.

Hon. RUFUS POPE: Honourable gentlemen, I quite agree with the honourable gentleman who has just taken his seat, that Canada will continue to grow and will become one of the great and important nations of the world. But she is going to do so by being true to her history and traditions; by showing that manly spirit of sacrifice for liberty, when the cry comes, whether from across the sea or from elsewhere. I do not understand how the honourable gentleman who has just taken his seat could close his remarks with the statement that we are going to be a powerful nation, for only half an hour before he said that in all probability, owing to our debts, our destiny would be annexation to the United States of America. But in those two statements he was practically as consistent as he was in anything he said of the province of Quebec. The honourable gentleman took occasion to refer to the section of the country from which I come, the Eastern Townships. He said that the people there had in the past great differences. He laid at the door of the nationality to which I belong the crime of having treated unfairly the French Canadians when they were a minority in that section of the country. I want to say to that honourable gentleman that his statement has not had the slightest foundation of truth during my lifetime. I want to say to him that in those Eastern townships, in every single county, we gave to the minority representation in our municipal councils, on all our public boards, and in every Parliament, local or federal, in accordance with arrangements made when the French Canadians were a minority of the constituents; and I defy any one, either inside or outside of this House, to contradict the statements which I have just made.

Now, what is the object of the speech of the honourable gentleman? He is recognized as one of the ablest attorneys of our province. He has had the advantage of education and of travel, of coming into touch with the best minds of Canada and other parts of the world. When that speech which he has just delivered is taken up, as it will be, to-night, or to-morrow night, by Tancrede Marcil, by Bourassa, by Lavergne, and by their agents in the province of Quebec, will it be any wonder if there is excitement and if the atmosphere of the province of Quebec is charged? They have told us that there is no menace, that there is no danger for this Empire, especially this part of the Empire—possibly other portions of the Empire may go down, but still we shall be safe. I ask this honourable House, would we be a portion of this Empire to-day if it had not been for the protection that has been extended to us during the centuries past by old England, her fleet and her army? Would we have occupied the splendid position that we occupy to-day if it had not been for the sacrifices that have been made for us? We have received warnings from that side of the House which carry me back to the year

1913, when it was proposed by the Government of the day to augment the fighting forces of the Empire by sending overseas three of the best ships that skill could build and money could buy. We were told that it was foolish. We were told that there was no menace. We were told that there was not even a possibility of menace—that there could not be war; that Kaiser William was to be, in the words of Sir Wilfrid Laurier, leader of the Liberal party in the other House, the peacemaker of the world.

Hon. Mr. CLORAN: When did he say that?

Hon. Mr. POPE: He said that on the floor of the House.

Hon. Mr. CLORAN: I would like to have the statement quoted.

Hon. Mr. POPE: He would occupy in the world the same position that our late King Edward VII occupied. "Blessed be the peacemaker" is what we would be saying of the Kaiser in the future. So, honourable gentlemen, if we do not pay very much attention to the rump of the Liberal party that occupies the seats on the opposite side of this House, you will understand it is because we have had warnings from those gentlemen—we have had an exhibition of their wisdom and advice in reference to those matters. Therefore, honourable gentlemen, while I am perfectly prepared to say that every man should have the privilege of his own opinion, he cannot have such privilege without carrying responsibilities. We are, without doubt in a very serious condition in the Dominion of Canada to-day, and I propose later to deal with the issue as I see it from the province of Quebec.

Now, the honourable gentleman has said that we have done well; that at the beginning of the war it was not anticipated that we would ever be called upon to send more than 100,000 or 150,000 men. Honourable gentlemen of the Senate, no one wishes more than I do that that could have been true. Honourable gentlemen in this House fully realize the sacrifices that our boys have to make; we fully realize that they have gone to the fields of France and Flanders to fight for what? The liberty of Canada? The liberty of the Empire? No, honourable gentlemen; for the liberty of the world, wide as it is. Liberty must not be confined to this spot or to that; it should be as boundless as the universe. Under these circumstances, if the menace has become greater, if the fighting has become stronger, if the demands upon us have increased, is it not our duty to see that we furnish our quota, let that quota be what it may.

The honourable gentleman has said that this measure was aimed at the province of Quebec, and that statement has been made over and over again by nearly all the French Canadian members of this honourable House, as though that province had some special place in this Canada of ours.

Hon. Mr. CLORAN: So it has.

Hon. Mr. POPE: They have tried to fit it into a niche all by itself; they have tried to estrange it entirely from the mentality of the rest of Canada and the rest of the world. They have tried to make us believe, as an honourable Senator said the other night, that in one hundred and fifty or two hundred years it had not advanced a single step in public affairs. I resent that as coming from the province of Quebec. I say that in that province we have men as true and of as keen intellect among the French Canadian population as you have in any of the provinces of Canada. We have men who are as truly Canadian as there are in any other part of Canada; but, honourable gentlemen, they are misled—they are being misdirected by such speeches as have been delivered by honourable gentlemen here to-day, upon which articles will be printed in their newspapers.

Some honourable gentlemen speak of being moved by the speech delivered by the honourable leader of this House. Why, do they not know that their own statements are being sent through the length and breadth of Canada—the statements of those honourable gentlemen opposite who are endorsing the position taken by the firebrands in the province of Quebec. The province of Quebec has no more chance of escaping from doing its duty in this war than any of the other provinces; and they have just the same chance. If I were going to move an amendment to this Bill it would be based upon the principle that all provinces or states which come into confederation or union come in for better or for worse; and the first condition of the contract is the question of defence, and each and every one of those units making up Confederation must contribute its proportion, per capita, in any struggle that occurs for the liberty and the maintenance of this Empire and this country of ours. I know that there is special pleading, and I do not think the French Canadians are being properly directed by the special

pleaders in this instance. I think you are reflecting upon them, every one of you honourable gentlemen, and misrepresenting them; and I can only say that you are doing it because you are inspired by a political design. I say that, honourable gentlemen, because, in the province from which I come, our Conservative organization—and I have had something to do with it—has not moved a finger; yet every mail coming from this city, bag after bag, brings red-hot campaign literature to saturate the homes of the people in that section of the country. So little self-respect is left in the remnant of the Liberal party whose head-quarters have been established here in Ottawa, that during the very days when Sir Robert Borden was offering the fifty-fifty proposition to Sir Wilfrid Laurier, that literature was still coming out of this House and being circulated throughout the length and breadth of Canada. They had not enough self-respect to desist for even a few days until their great leader could come back with his answer.

Hon. Mr. BEIQUE: Does the honourable gentleman not think it would be better to substitute that literature for the Orange literature?

Hon. Mr. POPE: The Orange literature? The Orange order is an organization, just as is Tancrede Marcil's organization, as is the Nationalist party's organization.

Hon. Mr. CLORAN: Not so old.

Hon. Mr. POPE: It was Mercier who formed the first National Government we ever had in our province, which was supported by every one of those honourable gentlemen on the other side of the House.

Hon. Mr. CLORAN: We are proud of them.

Hon. Mr. POPE: You are proud of them —still proud of them. Why, the very name "Nationalist" originated with them, just as the organization originated with them. For some reason, which I do not know, there are two leaders, Laurier and Bourassa. I do not know where their jealousies come in, but they have no differences—absolutely no differences. They think and speak and act alike. They are anti-British; they are anti-Imperialist; they are anti-war people. They are all alike. It is quite true, as the honourable senator has said, that when this war began there was great anxiety on the part of the province of Quebec. Great anxiety for what? Great anxiety that England should cross the channel to protect France.

That anxiety was voiced in the press and in the homes of the people of the province of Quebec, that England would not make the awful mistake of 1870, but would go. England went, and England saved France by going across the Channel. At the battle of the Marne that British army of only 100,000 men saved the situation.

Hon. Mr. BEIQUE: But do you not think that France saved England?

Hon. Mr. POPE: When?

Hon. Mr. CLORAN: Now.

Hon. Mr. POPE: I understand. I will come to that point certainly. I want to tell you that little Belgium saved them both by giving them time to get their armies ready; and now, when her children are being murdered and her women outraged, and blood is trickling down her streets, you get up and try to make apologies for one of the most gallant races in the world, the French Canadians of the province of Quebec. That is what you do. But England did go; and now when should England stop? Sir Wilfrid Laurier said, "England at war, the Empire at war, we are at war." When should she stop? When Canada saw fit to enter the field, when should we stop?

Hon. Mr. CLORAN: When England has not any more food.

Hon. Mr. POPE: The honourable gentleman says we should stop when we want to make more money out of the development of our resources at home, and let the war take care of itself. He says it should stop when we are willing to sacrifice our national honour, and when we are willing to let the Yankee go out and do the fighting for Canada, instead of us standing by our duty. I am delighted that the American is going; we had the strongest and absolutely the most positive evidence that we should send more men, when the United States was forced to enter this war. She has not gone there for the love of war, but for the love of liberty and to protect her own shores and her own commerce. Does not her commerce travel over the same water as our commerce? Is not her future in that respect our future? My honourable friend says she is a wise nation. I am not and never was so much in love with the United States as the honourable gentleman on the other side of the House; but taking the honourable gentleman's own

words, if those great men of the United States see that it is their duty and obligation, in order to save their shores and their commerce, and to perpetuate the liberties under which this world has been progressing for the last century, to send men and money without limit, then I ask if it is not Canada's duty to continue sending men.

Honourable gentlemen say we have enough Canadians at the front, that France had to shorten her lines. Yes, but who took the vacant place? Good Britishers and good Canadians took the places, shoulder to shoulder with France. To you men of circumscribed vision, who make a nation of a province, it does not appeal, but I would regret exceedingly if we found it necessary under any circumstances to narrow our front line as Canadians. I would feel aggrieved and insulted if any alien people, whether friend or foe, had to take the place of our boys at the front. They have made more history and better history and have done more for Canada than all the records of Parliament that ever existed in this country. They have done more than all the legislatures and all the judges on the bench, because they have carried the flag of Canada to the front line in the greatest war ever fought in the world. They have shown the breadth of view of the people of Canada. They have done us justice and brought us full credit, and they have appealed to us to send more men.

That brings us up to this Bill. The honourable gentleman from Stadacona (Hon. Mr. Landry) dwelt a few minutes on the personal courage he would show if he were a member of the Government, or still Speaker of this House. Well, without wishing to say harsh words, or to reflect too severely, it is a great pleasure to me to know that the honourable gentleman's courage is ripe, because I remember when he was Speaker of this House, when he used to be looking over the baize in the old chamber that was burned, he was not occupying the chair, but he was peeking over the top to see whether the chair had gone or not, and as long as he could keep his eye on the chair by peeking over the baize he was perfectly willing, temporarily at least, to resign his seat. But when he discovered that possibly if he did not return to this precious chair he would lose it altogether, the honourable gentleman decided he would return. Then, I presume, without knowing very much about it, that the hour having arrived when the clock was going to strike "one," and never strike again as far as he was concerned, he decided to retire from the chair to the body of this House. I say that, because it is only right to give an honourable member of this House what is due to him, and I think it is only right to congratulate him upon the wonderful development of courage which he evidently displayed in the essay that he read to us this afternoon.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. Mr. POPE: The honourable member for De Salaberry (Hon. Mr. Béique), who spoke before me this afternoon, went far afield in order to find an opportunity to give expression to thoughts that I think possibly he might better have left unexpressed even in the interests of the province from which we both come. He spoke of Ireland, with the intention, of course, of bringing before the world its grievances at this time. I sympathize, as any honourable gentleman who is a member of the Imperial family sympathizes, with any of the grievances, real or imaginary, that Ireland may have. Some of them have been very real, and many of them, I believe, are imaginary. When the honourable gentleman said that owing to disaffection in Ireland there were 200,000 or 250,000 troops in that country, he was about as near the truth as he was in the rest of his statements. There are about 20,000 troops in Ireland instead of 250,000.

The honourable gentleman spoke of some organization. He did not name it; his speech was very subtle. There are two branches of the Irish family, both of them in my opinion very estimable. One branch belongs very largely to the Orange organization; and while it may have shortcomings, as most organizations have, because by organizing you eliminate the individual, —yet, if the honourable gentleman from De Salaberry looks over the lists, he will discover—whether that organization is right in time of peace or whether it is wrong to-day —that there are over 80,000 members of that same organization in Canada now fighting for the liberties of the world in the fields of Flanders. At this particular time we are not so particular about organization, or about creeds or dogmas, as we are about winning this war. That is the great issue at stake. We realize that the honourable gentleman occupies a very high and important position. If I am not mistaken, he has recently been elected on the directorate of that great transportation

system, the Canadian Pacific railway. These facts lend great weight to the insinuating speech which he made this afternoon. It was not an absolutely courageous speech. He did not express himself absolutely, but from beginning to end, his speech was an insinuation, and will form the basis for unfortunate utterances in the province from which we both come.

We have heard a great deal from our province with reference to England not having done her duty. We read that there are so many millions of people in England who have not gone to the war. Perhaps it would be as well to take a cursory review of some of the things that England has done. In the first place, England equipped two and a half million French soldiers for France; she financed the reorganization of the Belgian army, and maintained it in the field, as she had a perfect right to do, because, if there ever was a body of men that should appeal to the sympathies of the Empire to which we belong and the liberty-loving people of this world, it is that little nation, Belgium. England sent $75,000,000 and eight brigades of artillery to aid heroic Serbia, that little nation that has suffered beyond description, and whose sufferings have touched the heart of our great Empire. England loaned $75,000,000 to Italy in order that Italy's finances might be strong, and Italy well equipped for the fray. She loaned $50,000,000 and much equipment to Roumania, that nation which came in at such an unfortunate moment. Perhaps she was too ambitious; but let that be as it may, she came in to aid the cause for which we are fighting. England sent thousands of pounds sterling to Russia; raised an army of nearly 7,000,000 men for overseas service and home defence; gave millions of pounds sterling to the Red Cross and Patriotic funds; and, notwithstanding all this, when the British Government called for a loan of £350,000,000 sterling it was subscribed within four hours.

In my humble opinion, now that we have begun to gather an army—and we have only begun to gather it—we will continue to gather it from the four corners of this Empire, and we will have such an army and such a fleet that when the terms of peace come to be signed we will be there. Let us be there to see that, when the terms of peace are signed, the little nations of Europe shall have their rights and their integrity of soil protected. We are just approaching the hour. Let that hour be soon or one year from to-day, we are approaching the time when the army of the Empire, the great arbiter of the world, should be strong. I am delighted to know that our American friends have joined us for this special purpose. The nations of Europe have to be reorganized. Their boundaries have to be reconstructed. There are old grudges and animosities existing between those nations that make each and every one of them selfish and not impartial judges of their rights. The Empire to which we belong and the nation to the south of us, want no territory in Europe, and I am delighted to believe that at the proper time the armies of the United States and of the Empire will be sufficiently strong to dictate terms of peace, and the small nations will receive their due.

Now I come to the Bill. There has been so much said about this Bill in this House and in the province of Quebec that I really anticipated seeing a most wonderful departure from history. I am sure that any impartial man coming to Canada, who has been reading the speeches delivered on platforms in our province, stimulated by gentlemen who to-day are not in that province, would have imagined that there was some great principle in the Bill for our consideration. One would have thought that there never was a time in which it was possible to conscribe the people of the province of Quebec. Instead of that, as you read the old measure, as it is here before me in the preamble of the Bill, you will know and realize that there has never been a time when it was not possible to conscribe the man power of the province of Quebec. The other day I read a measure along those lines, which was in force as far back as 1808, over a century ago, and at no time since Confederation or before has it been impossible to conscribe the man power for the defence of that province. Under these circumstances, what do we find in this measure? We find a more lenient application of the principle of conscription. We find selective conscription. We all form our opinions at different periods of our lifetime; we may change them or they may go down with us through life; but after I saw the gathering of men at Valcartier, the first 30,000 who went over in the name of Canada, as some one said that most of them were Englishmen, I said, "God bless them, so much the better." Is that a reflection upon the Anglo-Saxon race?

The honourable gentleman who spoke today said something about reflections on his race. I want to ask him if it is a reflection on my race that Anglo-Saxons sent more men to the front in the early stages of this war than any other race? When I saw those men going and realized that there were men

among them with families of one, or two, or three, or four, or five, or six, or seven children—that they were going to stand for us, to stand for Canada, to stand for the British Empire, to stand for the world's liberties, and when I realized that they were leaving those children behind them, many of whom are now orphans, deprived of the advice and assistance of a father, I said "The system of voluntary enlistment is wrong". It is absolutely undemocratic. Selective conscription classified, as I put it in those days—under which every man has a fair chance, is not the conscription of the medieval era. It is a modern piece of legislation passed to-day by the free people of Canada, and it comes from the House of Commons endorsed by the largest majority that the representatives of a free people have given to any measure in that House during many years.

Do they propose to tell us that they are truer representatives of the sentiments of the Dominion of Canada than the men who owe their political existence to the people who voted for them and are behind them? I doubt very much, if the amendment which has been proposed, the mischievous amendment, would, if thoroughly investigated, be found to be in order. Let that be as it may. I am not versed in parliamentary procedure, and I do not propose to be, because I have learned since coming here that it is not an advantage to be versed in parliamentary procedure and spend the time in splitting hairs. But I say that in my humble opinion it is a mischievous amendment. It would have been a great credit to this honourable House if we had had a fair discussion and passed the Bill in the shortest possible time in order that it might be quickly put into force.

But some honourable gentlemen say, "Wait until after the election." After an election! When do we know that an election will be held? Who has figured it out? Who has spent the time in figuring out when a general election will be held, instead of being prepared to fight this war until the end? What party of this honourable House? Not to the right. Not here, honourable gentlemen. It may be there. Let honourable gentlemen opposite, then, take the responsibility of holding up this legislation. Let them take the responsibility of the men having to stay in the trenches for days at a time—men who have been there for two or three years, and who ought to be given a fair chance of coming home to breathe the free air of Canada instead of smelling powder and facing death every day and every hour. Do you think for one moment that the people of Canada will approve of your actions in that respect? Do you think you are building up for this honourable House to which we belong a reputation that will be worthy of a place in history?

I have not heard in this whole debate any reference to what those honourable gentlemen did in 1913 in sinking those three ships. I remember how they then gloated over it, when they said they were the real representatives, they were the real prophets of what was going to happen in this universe. I have heard from them nothing on that subject during this debate.

Honourable gentlemen, when this measure was prepared—openly prepared in the House of Commons—or in the other place, I believe it is called here—the Prime Minister invited full criticism; he invited every honourable gentleman in that House to offer suggestions. Many of the suggestions offered were accepted. It is not a party measure; is not confined to the wisdom of any single set of men or any cabinet, but is the result of the careful deliberations of the unprejudiced portions of the House of Commons of Canada. I use the words advisedly, the unprejudiced portions of the House of Commons of Canada. And I think it is our duty to pass this measure in this honourable House with very little, if any, amendment. If we can conceive, unitedly, not in caucus, any improvements, let us make them. Honourable gentlemen opposite have met in caucus. Let us not go behind closed doors to find a political stamping ground, but let us stand out in the open as independent members of the Senate of Canada. Let us stand for our people's rights and nothing else. Let us stand for the conclusion of this war at the earliest possible moment, by the most generous contribution that we as Canadians can possibly offer. Instead of that, we see honourable gentlemen going up and down and closeting themselves together for the preparation of an amendment; we see them devoting their entire time and energy, whatever it may be worth, to the political game, instead of lending patriotic support to this measure. It is their funeral, honourable gentlemen, not mine. It is for them to understand and to realize whether they are doing the right thing or the wrong thing. They know that they have nothing to do with the next election or with the time of the next election. They cannot say one word about it. And if they had anything to do with it, probably two-thirds of them would be licked out of their boots if they went

before the people. In my opinion the important time for this Empire, the important hour for the Allies, is drawing nearer. We are drawing closer and closer to the hour of victory and of peace Honourable gentlemen may say, "Well, then, why send more men?" As I have already said, in my humble opinion the time for the Allied armies to be strong is at the hour of the declaration of peace.

Speaking of elections, you want them, you are anxious for them; you feel that you have a solid Quebec behind you; you feel that you have every alien enemy in Canada behind you; you feel that you have every slacker behind you; and you know that you have not a single loyal man behind you. You are figuring on that imported stuff that your Government scattered over this country of ours fifteen or twenty years ago. You are appealing to them. The good Canadian is to go down. The real fighting man is at war. Thirty odd thousand of them are in graves in Flanders and cannot vote. You have figured it all out. I can see the dark pencil. I can see you making the marks; I can see you scratching it on the paper; so many dead ones that cannot vote. But what a reputation you are making for the party that existed at one time and of which you were a member, the great Liberal party of Canada. Do honourable gentlemen opposite represent that party? I do not believe it. I do not believe that the opposite side of this House as it is constituted represents the absolutely loyal Liberal people of Canada, not five per cent of them. Honourable gentlemen may laugh and giggle. Fools laugh when they are in a fools' paradise. I went through my part of the country the week before last. I did not call upon any Conservatives; I called upon leading Liberals, to whom in the past a visit from me would have been like the red rag to the poor old bull we have all heard of. I called on those gentlemen to ascertain their views. They are leading men, qualified to occupy any position, social or political, in Canada. It was with no introduction that I called. I want to say in all sincerity that not a solitary one of those gentlemen is ready to back up the sentiments that have been expressed from the other side of this House, not one. If any honourable gentleman does not believe my statement, let us take the morning train, and let him come home with me; and we will go and see those persons and find out from them what are the sentiments of the English-speaking people of the province of Quebec. Those men have, so far as I know, always voted Liberal.

Under these circumstances what do you think you are doing? Why are you wasting time? Whom are you following? What are you after? You are after a solid Quebec. You are after the disloyal element of Canada; you are attempting to put into power the enemies of the British Empire, the enemies of the Allies who are fighting for our liberty.

Much has been said about the so-called Nationalist party of the province of Quebec, and an effort has been made by every speaker of French-Canadian origin to impose upon the Government of the day the responsibility of having associated with the Nationalist party of Quebec. Well, honourable gentlemen, I will not say that to a certain extent that was not true. We were fighting in 1911 for what? We were fighting a commercial fight, not a European war; but we were fighting for the integrity of Canada just the same. We discovered, so they say, and they must be right or they would not say it—that Mr. Bourassa was disposed to lend his inuflence for the destruction of Sir Wilfrd Laurier. In my humble opinion it was Bourassa's opportunity, as he saw it, to gratify his ambition to become a greater man inside the Liberal party, who have always gathered around the Nationalists in our province, than Sir Wilfrid Laurier. There has been a time—some one snickers over there. Let me say to that snickerer that history is behind my statement, absolutely behind my statement. As I said this afternoon, the first Nationalist Government we had was under the Hon. Mr. Mercier, who ran the province until he could run it no longer; he ran it into debt, and everywhere else, until he could not even borrow money—he could not get, on a mortgage of $4,000,000, 25 per cent. Then he went out and other people came in. Mercier won his election on what? On a war measure. He won it on the question of the Riel scaffold. The hanging of Riel is what put your Liberal party into power with Mercier as its leader.

Hon. Mr. CLORAN: That is correct.

Hon. Mr. POPE: Now, honourable gentlemen, they propose again on a war measure to use the bloody key with which they can unlock the door of Parliament. Could you find anything more consistent in this world? I want to compliment them. I have known them for years, and this an opportunity, a rare opportunity, for me to find myself able to compliment them upon their consistency,

and I do so here and now, right on the floor of this House.

Now, honourable gentlemen, what is the thing called Nationalism?

Hon Mr. CLORAN: The honourable gentleman ought to know.

Hon. Mr.. POPE: Oh, know? No man knows better, because they are all branded; you can distinguish them. I will tell you why they are branded: because you dare not trust them in the open range without having a brand on them. They are all branded.

The first step towards Imperialism that was taken in Canada was Confederation. Thank God, Sir George Etienne Cartier, and not Sir Wilfrid Laurier, led the province of Quebec at that time and led them into Confederation. Confederation was the basis of Imperialism. The anti-Confederationists are to-day the anti-Imperialists, to-day they are frightened of a broader Imperialism because they believe themselves to belong to a separate nation under the same flag. Sir George Etienne Cartier had his trials, but he was not one of those suave leaders appealing to the delicate feelings of the people. He led the French-Canadian people. And you men, you founders of the Nationalist party in the province of Quebec, burned him in effigy all over the province. You had a bonfire every night. Let me read to you:

> When the ministers undertook their Confederation they had only in view the English colonies. The basis of all their calculation, of of all their hopes, of all their projects, was always the English colonies.

That is what gentlemen of your party said 50 years ago.

> Well, that is not the way we politicians of the Papineau school look at the matter.

You know who Papineau was?

> Look at the matter; when any change whatsoever is proposed in our political or social institutions, we do not look to see whether this change will be of use to the English colonies or to any other neighbour; we think only of Lower Canada and the French race.

That is all they think of to-day. Dandurand said so—said they had not moved for 150 years; said they were exactly where they were 150 years ago. That is a terrible reflection and criticism upon the French-Canadian race—upon their system of education. Intelligent people like the French Canadians should have progressed in this splendid march of Confederation. That is a terrible reflection, for a man to stand up and dare to insult the race to which he belongs by mentioning it. If it were true, he should blush at the very fact. I do not believe it is true.

> What have we in common with the English colonies? What interests? What interests, what relations bind us to them? Is it a matter of origin, religion, language, national aspirations? No, not at all. We have nothing in common with the English colonies except we are dependent upon the same metropolis.

We will stop the river St. Lawrence when it reaches Quebec; we won't allow railways to go through; we won't allow steamboats to go through; we will tax the whole business, and we will become the Chinamen of Canada.

> We have nothing in common with the English colonies except that we are dependent upon the same metropolis.

Later in the same article:

> We do not care a fig for the English colonies, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland. We have the same relations with them as with Australia. We are colonies of England, that's all. The only difference is the distance, greater or less, which separates us.

The article ends:

> You have succeeded, gentlemen—

He says when Confederation is completed—

> You have succeeded, gentlemen; you have obtained a temporary triumph, but you have killed nationality.

What nationality? We thought we were creating a broad Canadian nationality. We did not know and did not realize—and to-day, honourable gentlemen, we refuse to recognize—anything but the broadest application of the words "Canadian nationality." We recognize no special pleaders, be they political, social, civil, or religious. We stand here to-day, honourable gentlemen, as representing broad views, broad tolerations for all the people, and no other views whatever.

One word more as to this quotation:

> Will the people at last understand that the Canadian ministry are the valets and slaves of the Colonial Office?

Now, the only value of these quotations, the only application they have to-day, is that they are quotations from publications under the hand and seal of Sir Wilfrid Laurier when he was a lawyer in Arthabaskaville. The Papineau school. The Nationalist school. Do not try to fool people. If you French Canadians from Quebec desire to come into this Parliament and raise your voice and claim that you have a right to some supreme position away and beyond anything that the constitution or the treaties gave you, say so, but don't attempt for one moment to mislead us.

Something was said to-day by the honourable director of the Canadian Pacific Railroad to the effect that the French Canadians are sensitive; but they are not the only sensitive people. We may be a little bolder, but there is still a heart in the English-speaking man as well as in the Frenchman. As a minority in our province we are entitled to some respect as well as the majority.

Hon. Mr. CLORAN: You get it, too.

Hon. Mr. POPE: No, we get nothing. Now, you all laugh, but you must not laugh, because you are wrong, absolutely wrong.

Hon. Mr. CLORAN: We——

Hon. Mr. POPE: Wait a minute; you always want things so damn quick. Just wait a minute. I say that the French-speaking people of our province, so far as the part from which I come is concerned, have received every justice, so far as I know, and I know much about that part of the country, because I formerly took a leading interest in that section politically. But we gave to them everything that was due to them and more.

Hon. Mr. TESSIER: So did we.

Hon. Mr. POPE: But don't make any mistake about that. Now the tide comes back, and we will give you an indication of it. In the city of Sherbrooke you will find that nine-tenths of the money in the industries comes from the English-speaking people, while nine-tenths of the people working there are French Canadians.

Hon. Mr. CLORAN: That is better than money.

Hon. Mr. POPE: Better than money to the French Canadians. A large percentage of the taxes comes from the English-speaking people, who are in the minority, who came into the province after the independence of the United States, travelling hundreds of miles through the woods to plant there the little Union Jack that it might be permanent on the northern half of this continent. Therefore we have deep feelings and are sensitive on that question. Although the majority of the taxes are paid by the English, they are represented by only three English Protestants out of ten in the city council. A resolution was recently moved in the council opposing conscription, and it was passed over the heads of the three English members; the others had not even the common decency to respect the sympathies of those people. The honourable gentleman used the word sensitive; but do you think we have no nerves? Do you realize for one second that the British Empire owns this Canada of ours as part of it? Do you realize that this flag is floating over us because we kept it there, and not because they kept it there? Do you realize that in the old days, they settled the boundary lines under arbitrations, and if it had not been for the power of old England the Stars and Stripes would have been at Hudson's Bay instead of this flag, as it is now. You French Canadians have flourished under it, have had fair play under it, and special privileges that the French Catholic race enjoys nowhere in the world except in the province of Quebec. You are never trampled upon, never interfered with; you are treated as sacred as the Bible under the old Union Jack that floats over us. Do you realize that? And then you state, forsooth, "For all that, we will lead the way in this great fight—by staying at home; we will show our appreciation of old England for what she has done—by staying right at home." True, there are some loyal hearts; you cannot so inoculate a whole nation or a whole province that there will not be in it some stout hearts, and you find them to-day, in the 22nd Regiment at the front fighting in the name of Quebec—fighting alone in the name of Quebec, when they should have 40,000 or 80,000 fighting.

The war has not been a fortunate thing for the great leader of the Liberal party, Sir Wilfrid Laurier. He has not been comfortable in time of war. The first opportunity he had of telling us exactly how he felt in time of war was at the time of the Riel rebellion, when he said that if he had been on the banks of the Red river he would have shouldered his musket and joined the rebels in shooting down the redcoats of Canada. That was not a fortunate attitude, but it is consistent with everything else that has gone along. The beauty of Laurier is his consistency in his inconsistency; he never fails. At that time he said of dear brother Riel:

> What act of rebellion did he commit? Did he ever raise any other standard than the national flag? Did he ever proclaim any other authority than the sovereign authority of the Queen? No, never. His whole crime and the crime of his friends was that they wanted to be treated like British subjects.

Riel was openly in arms at this time against the Governor General of Canada. He was a rebel. He was caught. He was pardoned, and I do not think he should have been pardoned. However, there was a question of doubt as to the actual time

the new Government was established and as to the knowledge of Riel; and we, as true men of the Empire, gave him the benefit of the doubt and pardoned him. But he came back again for the second Riel rebellion, and it was then that Sir Wilfrid Laurier said he would have shouldered his musket.

We next found ourselves face to face with the South African difficulty, when Sir Wilfrid was again called upon to take into consideration the Empire at war. A resolution was unanimously passed in the House of Commons on the 31st of July, 1899, as follows:

1. Resolved, that this House has viewed with regret the complications which have arisen in the Transvaal Republic, of which Her Majesty is suzerain, from the refusal to accord to Her Majesty's subjects now settled in that region any adequate participation in its government.

2. Resolved, that this House has learned with still greater regret that the condition of affairs there existing has resulted in intolerable oppression, and has produced great and dangerous excitement among several classes of Her Majesty's subjects in her South African possessions.

3. Resolved, that this House, representing a people which has largely succeeded by the adoption of the principle of conceding equal political rights to every portion of her population, in harmonizing estrangements and in producing general content with the existing system of government desires to express its sympathy with the efforts of Her Majesty's Imperial authorities to obtain for the subjects of Her Majesty who have taken up their abode in the Transvaal, such measure of justice and political recognition as many be found necessary to secure them in the full possession of equal rights and liberties.

Then the war took place. We wanted to go; We said we must go, but what did he do? He said :

As I understand the Militia Act—and I may say that I have given it some study of late—our volunteers are enrolled to be used in the defence of the Dominion. They are Canadian troops to be used to fight for Canada's defence. Perhaps the most widespread misapprehension is that they cannot be sent out of Canada. There is no menace to Canada, and although we may be willing to contribute troops, I do not see how we can do so. Then, again, how could we do so without Canada granting us the money? We simply could not do anything. In other words, we should have to summon Parliament.

What do we hear next? We next have this Order in Council:

The Prime Minister, in view of the well-known desire of a great many Canadians who are ready to take service under such conditions (as prescribed by the Imperial Government), is of opinion that the moderate expenditure which would be thus involved for the equipment and transportation of such volunteers may readily be undertaken by the Government of Canada without summoning Parliament, especially as such an expenditure under such circumstances cannot be regarded as a departure from the well-known principles of constitutional government and colonial practice, nor construed as a precedent for future action.

All that took place in a few weeks—why? Because after his first utterance, the people could not go to defend this Empire in South Africa, the people of Canada awakened—to what? Awakened to the miserable stamp of cowardice and ingratitude that the then Premier of Canada proposed to place upon the loyal people of this country—with what result? That an agitation sprang up, and within a shorter time than this question has been discussed in the House of Commons and this House he was compelled to let those men go forward; but he branded them, "No precedent." We are sending 400,000 men now, and not one of them has a brand on him. They are going forward as the true expression of the loyal sentiment of Canadians. You can follow this matter through from start to finish, and on every page of Sir Wilfrid Laurier's history you will find that he has stepped forward and then backward upon all the great issues, but has never in all his lifetime proved himself to be a true friend of the upbuilding and permanency of the Empire to which we belong.

Hon. Mr. DAVID: Would the honourable senator allow me to ask a question? Does he ignore the fact that the candidates of that man Laurier, that rebel, were defeated in Drummond and Arthabaska, and afterwards in twenty contests in the election of 1911, by the Nationalists and the Conservative party? And does he not know that he was denounced as a traitor to Canada and as sold to England?

Hon. Mr. POPE: I am delighted with the speech the honourable gentleman has delivered; I thought he was going to ask a question. He is a great personal friend of the leader of the Opposition, and he has said that he was defeated on this and on that. What I said was that nowhere could you find a piece of Laurier's legislation that led this country and cemented it to the British Empire. Take his naval proposition: while the Parliament of Canada was going to control it, that Parliament, if he could manage it, was to be elected by every enemy of the British Empire. And thus he was going to hand over the defence of the Empire on the sea to our enemies; he refused to allow our fleet to be part and parcel of the great fleet that defends the Empire. He refused to allow the Admiralty to dictate how our ships

should move or where they should go to assist the great Imperial fleet of this Empire. It seems strange, but all the time his plan was one of separation The whole object is to separate Canada, and the word separation has got to such a fever point in connection with this Bill that now he and his friends want to separate the province of Quebec from Canada. Separation is the whole proposition in every line you read. Let us read some more. Now I will give you some choice bits of Sir Wilfrid—something that nobody on the other side of the House will deny; and I expect to get tremendous applause:

> Is there a Canadian anywhere who would not hail with joy the day when we would be deprived of the services of British diplomacy?

Then he adds:

> I have again and again repeated that the goal of my aspiration is the independence of Canada.

Grand applause! He holds out to his fellow-countrymen the idea of independence. He is loyal now; it must come with the consent of both countries, and we must keep the good will and good feeling of other lands. He goes on:

> If we are true to our record, we will exhibit to the world the unique and unprecedented example of a nation achieving its independence by slow degrees, and as naturally as the severing of the ripe fruit from the parent tree.

Well, we are not gone yet; nobody has taken off the fruit, and if this Government has its way and we send a proper representation to the front no German will take off the fruit. Another bit:

> The only tie that binds Canada and the mother country is the sentiment of affection. A day will necessarily come when they will have to part.

How sad! But they have not got there yet. He continues:

> I am a subject of the British crown, but whenever it comes to pass that as a Canadian I have to choose between the interests of England and the interests of Canada, my whole heart is with my native land.

There is the great Canadian speaking. But listen:

> It is manifest to me that the interests of my country are identical with the interests of the United States.

Why don't you applaud?

Hon. Mr. CLORAN: That is what they are now, isn't it?

Hon. Mr. POPE: That is what we have made them.

Hon. Mr. CLORAN: Answer that: are they not now with the United States? They are identical.

Hon. Mr. DAVID: He did not say that.

Hon. Mr. CLORAN: If he did not say it, are not your interests identical with the United States at the present moment? Answer that.

Hon. Mr. POPE: Honourable gentlemen of the Senate,——

Hon. Mr. CLORAN: You got stung there.

Hon. Mr. POPE: Honourable gentlemen of the Senate, I want to pay the compliment to my friend there (Hon. Mr. Cloran) that he is alive and interesting; and when I am looking over my notes it is very amusing to me that he runs along with interjections of that sort. It is all right.

Hon. Mr. CLORAN: It brings light.

Hon. Mr. POPE: Yes, it brings light. I could say much more; I could quote by the yard.

Hon. Mr. McSWEENEY: Go on; the night is young.

Hon. Mr. POPE: It is not necessary. Honourable gentlemen of the Senate, we have not only got to win this war, it is not only necessary that we should have such an army at the conclusion of peace as can dictate terms of fair arbitration to Europe and the world, but it is essential that the man who represents this country be a man in whose judgment we have absolute confidence. We must have confidence that he will put us in our proper place, a place that has been earned at such great sacrifice by the boys who fill the graves in Flanders.

We have a perfect right to look over the history of the two men who are leading the two political parties in Canada to-day, Sir Wilfrid Laurier on one hand and the Right Hon. Sir Robert Borden on the other. Without desiring to reflect upon or to eulogize either the one or the other, the point that I desire to make here is that we must judge these men as a business proposition —not as mountebanks, not as men who say one thing in one place and another thing in another place. We must have as our representative a man in whom we have unlimited confidence. This brings me to the life of Sir Wilfrid Laurier. Sir Wilfrid has got to be an old man, to begin with.

Hon. Mr. CLORAN: It is about time.

Hon. Mr. POPE: He is a man of seventy-five or thereabouts, and his age com-

mands some sympathy and some respect. The other day when I was standing in the gallery of the other House and looking at the vote that was being taken, and saw his party leaving him—saw all Canada, with the exception of a stray sheep here and there and one province, leaving him—I said to myself, "What a misfortune it is that a man has so conducted himself upon this great issue that he cannot command a fair share of his own following from all the parts of Canada from which his party is formed." Sir Wilfred Laurier has spent a long time in politics. He has been connected directly or indirectly with all the great political questions from Confederation down to the present time. He has exercised his judgment, sometimes as a young man, sometimes possibly only as a follower, but very many times as a leader, and if he is a leader of men he should lead and not follow. On looking over the history of his life, what do I find? I find that he was opposed to Confederation; he was absolutely opposed to the fundamental principle, and fought Cartier on the question. He was a young man then. Time passed on and Confederation was accomplished in spite of him. At that time we in our province were told that we would be gobbled up by the Orangemen of Ontario, that we would never have a show as part and parcel of this Confederation, that we were a minority. It frightened our French Canadians, and we went in fear and trembling. But the answer to all that, and the answer to Sir Wilfrid Laurier and his party, was and is that for fifteen years he was the Prime Minister of Canada and commanded a support from Ontario as worthy as most men ever get—from the Orangemen of Ontario.

What conclusion do we come to from all this? We can only conclude that he was wrong. The next question that arose was the acquisition of the Northwest Territories. He was opposed to that. To-day that territory is the promised granary of the Empire and of the world. We have all got our eyes and our prayers directed toward that country, hoping that the crops may be successful in order to relieve the food shortage of the Allies. If Sir Wilfrid Laurier had had his way that territory would have been part of the United States of America before now. Then the National Policy was initiated in order to upbuild the nation—to build industries, to build factories, to employ our people. Where do we find Sir Wilfrid Laurier on that question? He absolutely opposed that policy. He drove Blake from the party and sent him to Ireland, because he did not dare follow Sir Wilfrid, and because he said his policy led to annexation to the United States. Once again he was wrong, because if we ever had a vindication of the benefit of the National Policy we have had it in the last three years, when we have been able to establish industries in this country which could turn out munitions of war and contribute to the great victories that have been won on the other side of the Atlantic.

The next question was the construction of the Canadian Pacific Railway. Sir Wilfrid Laurier fought it to the death, fought it on all sides. But in 1910, I think, I had the pleasure of listening to him in the beautiful city of Calgary, which had been built up in a country which he had described as barren and only fit for Indians and wild animals, and he said that Sir John Macdonald was right when he put the Canadian Pacific through. Therefore the other man's judgment was wrong.

When he came into power he adopted the principles of the National Policy—I think he put the tariff down one-one-hundredth part of one per cent, or something like that. He also adopted the principle of a transcontinental railroad, but the poor, unbusinesslike gentleman goes to work and builds two roads where he should only have had one, and to-day they are a financial millstone around the neck of the Dominion of Canada. They say these burdens will never be lifted; but I am such a strong believer in the natural resources of Canada, I am such a strong believer in the faith of the Allies, that I think the great debt will be made an international debt and will be carried over until we pay it. I also believe that our national resources are so diversified and so vast that we can pay off any debt. If I were making a political speech—which I am not—I would say that it is a mighty lucky thing that we have these resources, otherwise we could never afford to leave the Liberal party in power, because our resources would not be sufficient to get us out of the hole into which they would put us. Then the thought came to him that he must do something. He had said in the House of Commons that he had got done at Washington, that is when he offered us preferential trade in England. He said: "I have done; I have turned my back to Washington." He had been down there and had failed. It was not his fault.

The next thing we hear of is a reciprocity treaty with the country and with the people and with the capital that he said he would never return to. He entered into a treaty with the United States? No, not with the United States—with practically the whole outside world, if you please—with all the favoured nations of the universe. He brought on an election, and the sound thought of the Dominion of Canada said, "None of that," and he was beaten, and the present Government came to power. His judgment was wrong again. Always wrong, never right!

He is in opposition now. The Prime Minister said: "I am going to England to see what is the best thing we can do to contribute towards the defence of the Empire whose protection we have been enjoying for so long." He came back and laid on the table of the House his opinions, without giving away valuable information to the man who is attempting to strike death to our hearts to-day—the Kaiser. He gave the fullest possible information, and he impressed upon us the urgent necessity. What was Sir Wilfrid Laurier's statement? "It was not necessary." We shall say of the Kaiser in future: "Blessed be the peacemaker!" That was his judgment. The honourable gentlemen in this House who were in the majority at that time, sunk the three ships, and a year or so after that war came. A short session of Parliament was held. Up they rushed, in they went, and they were prepared to do anything. If I had been Prime Minister of this country—I never expect to be—there would not have been a short session; but the people of Canada would have told them what they thought of them.

Now, I have hurriedly reviewed Sir Wilfrid Laurier's qualifications to be our representative at the peace conference. I have given you a short history of his life as it is recorded in the public records and the statute books of this country, and if you can give me any good reason why you should trust him to deal with the terms of peace, by all means send him there; if not, then I have to say to the gentlemen on the other side—this political committee of the Liberal party—that they are once more hatching resolutions in their caucuses and appealing to the people of Canada only in order to cause delay. Let me point out to the leader of the Opposition, who should be a loyal man—he comes from the right kind of stock, and I want to believe and I do believe, that he is loyal—that, if he wins the election, he has behind him every disloyal element from Halifax to Vancouver, to help to select the representative whom we shall be called upon to trust in the greatest hour of our history.

I am afraid that I have taken rather too long. I apologize for doing so. But I felt that I should say what I had to say upon this great question, and I have no fear of the outcome. My confidence was never so great as it is to-day. I feel that the tripping up of Russia does not amount to anything. The fewer czars, the less one-man dictation in Russia when the time of peace comes, so much the better for the permanent peace of the world. I sincerely trust that that great country will come to her own, and that she will gradually formulate a stable form of Government that will make Russia one of the peace-loving nations of the world. I sincerely believe that we shall see no more kaisers in Germany, and that the German people, who are among the cleverest people of the world, who have led industry and development, and who have done perhaps more in fifty years than any other people in Europe to bring an old country into the condition of a new country, will have a Government worthy of the courage of that nation. Italy will have her power back; France, who has been the hero of them all, will have Alsace-Lorraine back to her heart, and those people will come home. Then we come to little Belgium, God bless her! Every house must be rebuilt, every dollar must be paid back; but you cannot pay back the lives, you cannot compensate the people, for the awful outrages that have been committed by a nation whose education should have taught them better. All that we can do will be in a financial way, and it shall be done; and we in Canada, and our boys—God bless them!—will stand there when the terms of peace are made; and they will have taken a hand in rendering justice to the small nations of Europe in order that they may enjoy those privileges of independence and birthright that make a man a real man.

Hon. H. J. CLORAN: Honourable gentlemen, it does not often fall to the lot of a representative in Parliament, whether in the Lower or the Upper House, to follow a Pope. It does not often happen outside of the Vatican or the walls of Rome. I followed one this afternoon, and I followed him again this evening; and the more closely I followed him the more it dawned upon me that he was not infallible, and consequently was not a real pope. Many of his declarations were most fallible, most

uncharitable, and most unworthy of a citizen of Canada—I do not say a senator—in regard to the noblest "traitor" who has illumined the British Empire—Sir Wilfrid Laurier. Before going any further I wish to apologize to and beg the pardon of the honourable senator from Stanstead (Hon. Mr. Pope) for having mistaken him for a real, true infallible pope. In this discussion he has shown a spirit which it is hard to duplicate even in the province of Quebec, but which may be very easily duplicated in the sister province of Ontario.

It is very hard to find an echo of his sentiments in the province of Quebec, when he stands here on the floor of this honourable House and maligns the noblest and best portion of the Dominion of Canada. Why have we a Confederation to-day? Why is Canada a part of the British Empire? Why do we enjoy at the present moment self-government, not only as a federal union, but as provinces? Do we owe it to him and his like? No. They were not in existence when Canada was saved to the British Empire by the blood of the French-Canadians in the war of 1812-14, when there were slackers in Ontario and when Quebec alone drove the American armies back across the frontier in the battles of Chateauguay and all along the line. Canada remained a portion of the Empire because of the loyalty and bravery and courage of the French-Canadian race. That is why Canada is a portion of the British Empire to-day. If the French of Quebec had not taken up arms against the troops of the United States in the war of 1812-14 we would be to-day a part of the American republic—probably making some of the best states under the Stars and Stripes. Providence did not will that it should be so. Therefore, when I, as a student of history, hear these people from Ontario denounce the French, cast slurs on them, it turns my heart. I cannot understand their position unless it is due to ignorance, absolute ignorance. I venture to say that in the province of Ontario there is not one in a hundred of these people who know the first thing about the history of the province of Quebec. And how can you expect, in lodges or elsewhere, the ninety-nine ignorant out of every hundred to appreciate the valour and the courage and the determination of the French race in Canada who have shed their blood for the maintenance of this country as a portion of the British Empire? I will not charge these people with prejudice or anti-religious feelings; it is not necessary; I lay the blame simply upon their crass ignorance of the conditions in history.

I repeat, it was the French race in Canada which saved Canada for the Empire in that war. I challenge contradiction. Is there, on the other side of the House, any honourable gentleman from Ontario able to point out to me what they did in 1812-14 to maintain the integrity of the colonial possessions on the part of the continent? There are some learned men over there. I will not charge them with ignorance. I give them the opportunity now.

Hon. Mr. ROBERTSON: I will answer the question, if I may?

Hon. Mr. CLORAN: Go ahead.

Hon. Mr. ROBERTSON: I have four ancestors who are lying under the sod at Queenston Heights and have been for many years—since the battle of 1812.

Hon. Mr. CLORAN: I do not dispute that; I do not say that nobody from Ontario took up arms in defence of Canada in the wars of 1812-14, but I say it is due to the French race that Canada still remains a portion of the British Empire.

The next point is this: if we enjoy home rule to-day, to whom do we owe it? We owe it to the rebels of Ontario and the rebels of the province of Quebec—William Lyon Mackenzie and Papineau. Is not that a strange statement? We owe our home rule, our right of self-government, to the patriots and rebels of 1837, '38 and '39. Do the people of Ontario appreciate the fact? Do they even know it?

Hon. Mr. DAVID: And Lafontaine and Baldwin.

Hon. Mr. CLORAN: Lafontaine and Baldwin came afterwards; but under the Papineau regime, when the rebellion was started, the bulk of the rebels were Frenchmen. That was the time referred to in 1911 by the ministers now in the Government. In the famous by-election of Drummond and Arthabaska in which the Liberal candidate was defeated, these men, who are ministers to-day—the Postmaster General, the Minister of Inland Revenue, and the one who has resigned—three of them—and four others who since the Government has been in power have retired from the Cabinet to accept—what?—payment for their adhesion to and support of the Conservative party—these men, I say, in 1911, fighting Laurier because he was the friend of England and the friend of Canada, and telling the people of Quebec that when they

wanted to get a breath of air, a breath of freedom, they had to shoot bullet holes through the Union Jack—these men are still on the ministerial benches, with the Conservative Government, maintaining it in power. Are you not ashamed of yourselves as followers of a party of that kind? Are you not ashamed of a Government maintained by such methods?

Honourable gentlemen, this Government has been run for the past six years on two elements, a disloyal element and the ultra-loyal element. You have the combination there of Orange loyalty and Nationalist disloyalty. Has any combination in the world ever before given to a country six years of a regime based on and fed by such elements? It is a disgrace to this country of Canada to have a Government holding the reins of power through these means and methods. Who can contradict these statements? Nobody. They are the facts. Why are you not ashamed of your Government, you who are preaching to us, as the honourable gentleman has done for the past two hours, the lesson of loyalty? If I were a Conservative I should certainly tell my leader: "I would rather stay at home than be a follower of yours under these conditions." But you are all quite content to follow a Government of that description and character.

You charge us with seeking office, you charge that our leader had said he would not open the door of office with a bloody key. He said it well and truly on the outbreak of war. The Government then, this present Government, was young and fresh; it had not time to commit acts of indiscretion; it had not time to develop grafting and profiteering; it had not time to develop scandals in the Militia Department; and Sir Wilfrid Laurier said: "No, I will not open the door of office with a bloody key." You were innocent then; but to-day what is the condition of the party, what is the condition of the Government? Is it as young, as fresh, and as innocent as it was three years ago? Everybody in the Dominion of Canada knows that it is not so young, nor so fresh, nor so innocent; the lock on the door of office needs no bloody key to open it; the lock is corroded; the lock has become mildewed and is rotten and is falling to pieces, and the door is wide open for the people to return Sir Wilfrid Laurier to power without the use of a bloody key.

Laurier a rebel?—Laurier, as the honourable senator (Hon. Mr. Pope) has said, a failure in all his life? A "rebel" recognized by Her Majesty of glorious memory, Queen Victoria, as her most able and most beloved Prime Minister in the Overseas Dominions —a "rebel" who took second place by her in all the social and official gatherings in London in 1897 and 1899;—a "rebel" who came after the Prime Minister of England; —a "rebel" who left Canada as the leader of the Liberal party, and who inside of six weeks in England became the most prominent figure—and not only in England, but also in France? He illumined the British Empire. He was the first statesman to open the eyes of the British statesmen to the real value and the real condition of Canada. And the honourable gentleman dubs him a rebel. It is pitiful to hear any honest, sensible, intelligent citizen of Canada speak in this wise of the plumed knight of Canadian Liberalism. It is discouraging for such a man, at the age of 77, with the grave opening before him, after having devoted his entire life to the service and welfare of his country—to be told by an irresponsible legislator in the Parliament of Canada that his entire life was a failure. That is bad enough; but to be told that he has been a rebel and a traitor to the cause of Canada and of the Empire—oh, what a shame! What ingratitude toward a man who has devoted his entire life for the past fifty years to consolidating Canada by urging union among all classes and creeds in this country! What a shame to denounce, in the terms which the honourable senator used, a man who has sacrificed his predilections of youth and of manhood, and even of maturer years, in order to bring about union among the people of this country! What did he do in the famous years 1895 and 1896, when the right honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) was Prime Minister of Canada? Did he not sacrifice much to weld this Dominion together? And he succeeded.

Allow me, now that I have mentioned the name of Sir Mackenzie Bowell, to pay him a tribute. He also has been one of the men who worked wholeheartedly and sincerely for the welfare of his dear old Canada. He was then the champion of the rights of the minority in Manitoba, and it was only through the operations of a nest of traitors that he was hurled from office. I pay that tribute to the honourable gentleman as he goes out the door. He will find no Liberal to stand on the brink of his grave and denounce him as the honourable gentleman from Stanstead has denounced our revered and venerable leader, Sir Wilfrid Laurier. There is the difference between a Tory and a Liberal.

I can tell you, right here and now, that no country can prosper well under Tory Administration. The Tories are descendants of the Prussian régime and Kaiserism. We had an instance of that in this honourable House only the other day, when honourable and venerable senators were howled down, told to sit down because they wanted to use the privilege of free speech. At that time I said: "The Prussian flag is being hoisted on the other side; they have a majority of two." Are the people of this country going to stand for that? We shall have to stand for it as long as we are here, but at the next general election the people will sweep away the Prussian flag by putting Toryism where it belongs. The sentiment of Canada is Liberal to the core. Everything Tory in sight has been swept away during the past year. The Tories have been swept away in Manitoba on account of their corruption, their grafting, and their abuses in the administration of public works, with which a minister's name has been so closely identified. The Tories were swept away, although before the elections the Liberals had only a few seats in the House. What happened in British Columbia, where the Tories were in power and where there were only two or three Liberals? The electors swept away the Tory party, leaving only two or three Tories, and elected the Liberals with a vast majority—why? On account of corruption, on account of graft, on account of maladministration. In Alberta there was a Liberal Government, and what happened there? The Liberal Government was not swept away—why? Because the people said: "The Government is doing well; there is no graft as far as we can see; there is no maladministration;" and the Liberal Government was retained by an increased majority. What happened the other day in Saskatchewan? A Liberal Government was in power; the Tories made a tremendous effort to oust them; but what happened? The Tories were simply pigeonholed; there are only half-a-dozen of them left. Those were Liberal Governments. In New Brunswick a few months ago there were only two Liberals in the House. Who are there now? Why, the Liberals are in power and administering the affairs of the province. Although they had only two members, now they have twenty-seven; they have got enough to run the Administration. That Tory Administration was swept away for the same reasons—corruption and maladministration; the people turned them out. Then there was an election in the province of Quebec. It was a Liberal Administration there for the past twenty years, and, dear knows, that is long enough to give the Government a chance to go wrong; but the people returned the Liberal Administration with an increased majority, leaving, out of about eighty seats only five or six Tories, just enough to keep the name alive. The same thing happened in Nova Scotia. That being the condition of things, I say that the people are only waiting for the day when they will get a chance to sweep the present Tory-Nationalist, loyal and disloyal, Government from power; and they will be swept away for what? Because many of the Government are incompetent, because the names of some of the ministers are discredited, because much maladministration has occurred in the different departments not only this year but for the past six years.

They talk about an extension of the term of Parliament. Parliament is the wrong word to use. Parliament is composed of the House of Commons and the Senate. We need no extension of time; we go on forever; but the extension of time for the House of Commons was demanded by Sir Robert Borden. The cry was, "We will win the war"—just as if a Liberal Administration could not win the war ten times better than the present Tory, disloyal, ultra-loyal combination. If Sir Wilfrid Laurier had the reins of power during this wartime you would want no conscription because there would be no need of it; and the people are waiting for the day to hand back to him the reins of power, in spite of the unholy denunciations on the floor of this House and in the lodges throughout Ontario and in other parts of the country.

The vast mass of the people do not belong to the lodges; they would not go into them, any more than the late King Edward VII would go into an Orange lodge when he was in Canada. He refused to walk under the Orange arch in Kingston in 1860. I was then a boy and I remember that. I was the boy who received the Prince of Wales on the Jacques Cartier wharf, and I attended the reception and ball given to the Prince. I knew the King long before many of you were born. The intelligent, sensible, unprejudiced people do not belong to the lodges; they refused to; but of course there are enough in the lodges to create trouble and dissention, just as they do in Ulster. Why, Ulster is half Nationalist; out of thirty-five counties, there are sixteen National and only fifteen Ulsterite, and if there is a rebellion at all

going on, it is among the Ulsterites. They had one in 1914, two months before the declaration of war, under Sir Edward Carson, who was First Lord of the Admiralty and is now transferred to the War Council Board. He brought in his German guns and his German money to tear down the flag of England, to denounce the King for having signed the measure passed by the British House of Commons, and the House of Lords granting Home Rule to Ireland, and placing it on the statute book. If the French down in Quebec did that, wouldn't there be an awful row? These are historical facts. When Gladstone himself brought in his Church Disestablishment Bill in 1867 he did not mean to do away with theology, or do away with divinity students, as this Bill does, but he brought it in to put the thieves of the Roman Catholic property out of business in Ireland. They had stolen and robbed everything in sight. I have been there and seen the ruins of some of the properties. But because Gladstone passed that Bill what did the Orangemen in Ulster do at that time? Johnston of Ballykilbeg, one of the members, said at a public meeting of Orangemen, "If Her Majesty the Queen dares to sign that Act of Parliament, we will kick her crown into the waters of the Boyne." That is historic; I am giving you the facts, names and dates, and can be easily contradicted if I am wrong.

These are the people who are preaching loyalty to the French race in Canada. Our friends make a great mistake when they allude to Quebec. Why, there are more French in Ontario than there are English in Nova Scotia or in New Brunswick, and three times more than there are in poor little Prince Edward Island. There are more French in Ontario than there are English in British Columbia. There are thousands and hundreds of thousands in the Northwest Territories and Manitoba. You don't take that into consideration, do you? And when I hear my French friends of Quebec talk about that province I remind them that they have to-day outside of that province a larger territory under their inspiration and direction though not under their control, than the central province of Quebec. Right here in the province of Ontario the French race, by their vitality and—shall I say the word?—by their family morality, are beating the English out of some of the best parts of that province. Do they know that? Do they know that the county of Prescott, which was first occupied by United Empire loyalists is to-day four-fifths French? Prescott is one of the finest agricultural counties in Ontario, where I had the misfortune of being beaten three times in general elections because there were too many Orangemen in the townships at that time, twenty-seven years ago. I thank them for having voted against me, for, instead of being bothered with elections, I am in this House, doing nothing except bothering the House. Do they know that Glengarry was as Scottish as Scotland herself twenty-five years ago, with men of brawn and sinew, six feet two and six feet four, and lovely women, hale and hearty, sturdy and strong, tall and beautiful; but who are there now? The French are close on to the majority. Take Russell county.

Hon. Mr. SHARPE: What about the Scotch in Hull?

Hon. Mr. CLORAN: When I got there, they told me there was none left, as you had just departed. But now the French are making their way into Russell, and they are vastly in the majority there. The day is soon coming when right in the capital here the French will have the majority. In Stormont they are practically the majority. In Nipissing—

Hon. Mr. McMEANS: They will soon have Toronto.

Hon. Mr. CLORAN: It will be a good riddance of many there; there will be fewer hogs for Flavelle to gather in. Now, that is the condition of things, and why this outcry and this condemnation and this slurring of the French race in Canada is more than I can comprehend. But I am prepared every time to put my foot down. I have gone into meetings composed only of Orangemen, where they had determined not to allow me to speak, and I have held the platform for one, two and three hours right in their midst, right in Toronto, right in Orange centres.

Hon. Mr. McMEANS: What became of them?

Hon. Mr. CLORAN: They all applaud well, but they vote straight Orange all the time. It is the same with Sir Wilfrid Laurier. he goes to Toronto, and three or four thousand people applaud him in Massey Hall; the roof is too low to allow the sounds to die away; but the next day they go and vote dead against him. There is the Tory enlightenment.

Hon. Mr. LYNCH-STAUNTON: Disappointing, isn't it?

Hon. Mr. CLORAN: No, not a bit; a missionary must not be disappointed; his work is to go at a job, and, if he is not able to complete it to-day, to go back to it. I have confidence that some fine day those people will have their eyes opened. I do not despair of them becoming rational and dropping their prejudices.

I ask this honourable House what the French have ever done to that section of the population which is such a disturbing factor? Have they gone to Ontario—to Toronto, Hamilton, London, or any other centre—to interfere with their rights? Have they gone into their churches to disturb their prayer-meetings? What have the French done to you, anyhow, that you should be all the time tumbling on their backs? That is what puzzles me—so much that I cannot understand it. They don't interfere with your rights; they don't try to take them away; and, when the honourable gentleman from Stanstead said that minority in Quebec got no respect, he uttered a statement that is absolutely against the facts. He denounced "that man Mercier" in vehement terms. What are the facts about Mercier? He settled that famous Jesuit question in 1887-8. Against that settlement thirteen Orangemen, headed by Dalton McCarthy, voted. Sir John Macdonald denounced them as "the devil's thirteen," just as his successor, Sir Mackenzie Bowell, when Prime Minister denounced six of his ministers as a "nest of traitors." What did Mercier do under that Bill? He gave the Protestants of Quebec their full share of the money that was paid. He never carried on his Government without having one or two representatives of the Protestants in his Cabinet. He made every effort in his power to have Protestants elected in French counties. It is not fitting that such denunciations should be uttered on the floor of this House against men who have rendered invaluable services to their country and their people. The honourable gentleman from Stanstead attacked not only those men, but also honoured senators in this House, his own colleagues whom he ought to know by heart; for instance, the honourable senator from Stadacona (Hon. Mr. Landry), who had the honour of being Speaker of this House for five years. Did you not feel ashamed of the way in which he spoke of that honourable senator, who has to his credit forty or fifty years of service in behalf of this country of ours, in the army, in the House of Commons, in the Senate, and in all the organizations of his native town or city? I felt ashamed for the honourable senator from Stanstead for that, and for his unmerited attack upon one of the most esteemed and most able senators and public men in Canada, the honourable senator from De Salaberry (Hon. Mr. Beique).

There was no reason for taking the character of these men. Now, that is what the Tory party is going to vote on with regard to this conscription measure. Are these the arguments that are going to guide you in your vote? Truly the Government must expect work from you that no honest citizen expects from you. The Government brings men into this Chamber and packs it. I do not blame them for naming partisans of their own to replace dead Conservatives; but what a travesty on the political situation is the conduct of Sir Robert Borden and his friends and satellites, who have been asking for non-partisan conduct, when only he is tearing up the very foundations of non-partisanship by replacing old stalwart Liberals, who have died since the war and since the extension of Parliament, with young, healthy, reliable, fresh Conservatives. Do you imagine for one moment that the people of this country are not going to rebuke such conduct as that? The Prime Minister, in his last gasp of official life, is perpetrating these wrongs against the vast majority of the people of Canada, ignoring the rights and interests of the Liberal element. Truly the Government is gasping—yes, the Government is dead.

Hon. Mr. LYNCH-STAUNTON: Let it rest in peace.

Hon. Mr. CLORAN: We will give you that with a vengeance in a few months. It is now before the coroner's inquest, a general election, and the verdict will be: "Dead from corruption and general debility;" and then we will all say the ultimate prayer: "Requiescat in pace."

Hon. Mr. McMEANS: You will be at the funeral.

Hon. Mr. CLORAN: I will be pallbearer, although you don't deserve a good funeral.

Hon. Mr. LYNCH-STAUNTON: We are at the wake anyway.

Hon. Mr. CLORAN: For the past two months I have given a fair perusal of the speeches delivered in the House of Commons; I have listened most attentively to the speeches in the Senate; I have scrutinized the articles and statements made in the newspapers of Canada, especially statements coming from the pulpits; and, after a careful study of them all, I have been forced to the conclusion that this Conscription Bill is the most unfortunate measure

that has been laid before Parliament since Confederation. It was unfortunate in its inception. Its conception was most maculate, and it was born a monster. It is unfortunate because of the difficulties there will be in its application; unfortunate because of the fearful results, disastrous results, that will follow. What is its origin? Do we find it in true patriotism? Do we find it in true statesmanship? Do we find it in true foresight? The true patriotism and statesmanship of Sir Robert Borden have been exercised for the past three years and up to the last moment he was against conscription. Then I asked myself, what changed him? Did he see the coming cyclone? Did he want support throughout the country? I believe, and I think the vast majority of the people throughout the country believe, that this Bill is not so much conscription of soldiers as conscription of electors to overcome the tide which is flowing against the Government at the present time. I believe that if conscription is necessary, it is due to the tangle between the Prime Minister and his ex-Minister of Militia. His ex-Minister of Militia was a soldier man; he had nothing in view, nothing in his heart, but soldiers, soldiers, soldiers all the time—the boys at the front. His chief, Sir Robert, was not a soldier man; he was a political man, more ready to aid the profiteers and more able to carry out the behests of other interests than to look after the welfare of the boys at the front. When the ex-minister wanted more men for the front, he was told to "let up on recruiting." Sir Robert Borden has made a kind of denial that he ever used the words. I will weigh the evidence as a juryman. Sir Robert Borden says one thing, Sir Sam Hughes comes back and says the opposite. As a jury might say: who is right? I would judge the value of the statements by the results. As soon as Sir Sam Hughes, as he states, was told by the Prime Minister to let up on recruiting, sure enough recruiting went down; therefore, based on results, Sir Sam Hughes's statement stands against that of the Prime Minister. Is not that a pretty condition of things? No wonder the Government is looking for union, or coalition. The very fact that they are asking for union or coalition is proof that they are not fit to run the affairs of the country.

Hon. Mr. CROSBY: Won't you come in with us?

Hon. Mr. CLORAN: No. Go in with a rotten Government, a decrepit Government, an incompetent Government? Go in with a Government that is working for the profiteers?

Hon. Mr. McMEANS: Why do you not run the whole thing yourself?

Hon. Mr. CLORAN: If I did there would be more honesty and competency, and the main idea behind me would not be to give somebody the knife. It seems to me that the prime ministers in Tory Governments have had nothing to deal with but "the nest of traitors" and other traitors. It is a hardship for a Prime Minister to be in a nest of traitors. Sir Sam Hughes was the whole Government for three years and a half. When the Bill was originally presented by Sir Robert Borden, it contained one wise provision, the one regarding exemptions. Sir Robert Borden is not anti-Christian; he is not Orange; he is a fair, good, honest Christian. For that reason he had in the Bill exemption not only for the clergy of all denominations, but a clause providing for the exemption of theological students—called by some divinity students. That was a necessary clause. What happened? As soon as his Orange supporters saw the words "divinity students" they rose en masse and threatened him and stampeded him into withdrawing that clause from the Bill. Sir Robert Borden did not do that of his own free will, or from any of his convictions; he did it to please the so-called ultra loyal element in Ontario. Have we not a right to protest against that? What does that mean? If divinity students, or theological students, as we call them—seminarians—are not exempted from military service, what is going to happen? Why, if you take the divinity students or the theological students from their vocations, take them from their seminaries, their colleges, their homes of virtue, and put them into barracks—too often centres of vice—you deplete the ranks of the Church—not only the Catholic Church, but the churches of all denominations. You strike at the root of the Church, Anglican, Presbyterian, Catholic, or any other. If you cut off the divinity or theological students, the Church must inevitably crumble. If you have no recruits for the ministry, the ministry is going to fall, and if there is no ministry the Church cannot remain, and you will have no religion. It is as logical to say that as to say that B follows A. You should have the divinity students, the theological students, the seminarians, call them what you will, or there will be nobody to replace the old pastors, the old deans, the

old canons who go to their reward. And it was for that reason that Sir Robert Borden, in his fairness and in his appreciation of the facts, had the clause exempting them inserted in the Bill.

Now, this element, this disturbing factor comes along and forces Sir Robert Borden—threatens him, throttles him, and he gives way. I cannot understand how any man, either in this House or outside of it, who has any respect for his church and the ministry of that church, can vote for the Bill as it is.

Hon. Mr. LAIRD: Some churches do not want it.

Hon. Mr. CLORAN: They are pretty close to the devil.

Hon. Mr. LAIRD: I refer to the Anglican Church.

Hon. Mr. CLORAN: The churches that want it are in the vast majority.

Hon. Mr. LAIRD: The Anglican Church does not want it.

Hon. Mr. CLORAN: They do not want any ministers? Where do they get them? Under a cabbage leaf, like they get babies? Don't tell me that.

I cannot understand how any man belonging to any church can support this Bill, especially a member of the Catholic Church, which, through its highest representative in the Dominion of Canada, Cardinal Begin, has denounced it on account of that clause. What surprised me was that the honourable member from Antigonish (Hon. Mr. Girroir), who made such a brilliant effort on behalf of the Bill, said that his bishop and another bishop in New Brunswick were in favour of this Bill. I say to him, and I do not know the facts, that if he can get a declaration from either or both of those bishops that they are in favour of the clause as it stands, I will vote for the Bill. The honourable gentleman is not here, but his friends can tell him that the challenge is open. If he can get a letter from his bishop and the other bishop that he mentioned, saying that they want conscription of theological students, then I vote for the Bill with the two bishops. But I know that what he said is not true; it is against the Catholic doctrine; it is against the laws of authority. So I cannot understand how any Catholic can vote for the Bill under the present conditions.

Now, the results. The Bill is most unfortunate in its results. Sir Robert Borden threw this Bill into the political arena like a gaseous bomb. When it split it divided everything; it disrupted the parties in the House of Commons; it has set race against race; it has aroused religious prejudice; it has enabled certain public men, as noted by the honourable gentleman from Stadacona (Hon. Mr. Landry), to go to a large public meeting here in Rosemount in the county of Carleton, and denounce the Church, and say that if there is no recruiting done in Quebec it is due to the Catholic Church. What can any sensible man say to a charge of that kind? So the Bill has not only disrupted the parties, but it has disrupted the nation—and what is worse than all, it has disrupted the army. Why, gentlemen, I have seen letters from the boys at the front protesting against it; and I think I have a right to say that I know something of the boys at the front and that I have full authority to speak. The Cloran blood of three continents is flowing to-day on behalf of liberty, as they call it, and justice. Clorans of Ireland are officers in the Imperial artillery; there are Clorans in the English constabulary; and I have relatives in the American army; and I will not vote for conscription. No, I am too liberal-minded a man to use force or compulsion of any kind, and I want no conscript to take the place of my son, who went voluntarily, and left his eye and his blood and his limbs on the field of battle. I would count myself demeaned and dishonoured if I took my neighbour by the throat and forced him to send his son to replace mine. That is the way I feel; that is the way the vast majority of the people feel; but the ultra-loyalists shout, "Conscription! we want conscription!" Why in the name of Heaven don't they go? They have meetings in Toronto, where five, six, eight, and ten thousand people all yell for conscription. If those howlers would go there would be no need for conscription. They get up at those meetings and yell, "Win the war, win the war! Conscription!" The thing is absurd.

Hon. Mr. DENNIS: They have done pretty well.

Hon. Mr. CLORAN: Now, what is going to happen? As I say, letters from the army tell us: "Do not send any conscripts over here; we will not associate with them; they will be looked upon as an army of slackers, of yellow-jacks; they are not to be compared with the men who volunteered, who went of their own accord." So you divide the army; you will have an army of volunteers and an army of conscripts.

Hon. Mr. McMEANS: Still you want the slackers to vote on this Bill.

Hon. Mr. CLORAN: Certainly. Why not? I am a slacker.

Hon. Mr. McMEANS: Hear, hear.

Hon. Mr. CLORAN: And I am going to vote on the Bill. Where is your logic?

An hon. SENATOR: Never had any.

Hon. Mr. CLORAN: "Never had any," the honourable gentleman says. I think he is right.

There are the results of that Bill. So, after all, I think we do not deserve the slurs, the contemptuous slurs, thrown at us by the leader of this honourable House on behalf of the Government. Because a man does not vote for this Bill is no reason for calling him a recreant, a traitor, a poltroon, a craven. No, no; that is not the way to cultivate national union and solidarity—to cast these denunciations and contemptuous remarks at people who hold different opinions from lip-loyalists and loud-mouthed shouters for conscription.

I have a great deal more to say. I have not yet opened my notes. If I did I should be here until to-morrow. I am not going to detain you as long as that, for I am tired enough myself without tiring you more. Now, I have finished where the honourable gentleman from Stanstead finished.

If the Tories imagine that by raising this howl over conscription they are going to check the career of the leader of the Liberal Opposition, they will find their mistake—and I will pray mighty hard that they may, and will do all in my power from now until the last ballot is cast to see that the name of Laurier shall flourish once more at the head of the administration of the affairs of this country. He has been a glory to the Empire; he has been an honour to the Confederation of Canada. His name responds well to that of a Bright and a Gladstone; his name responds well to that of a Mirabeau, the chief orator and defender of the French revolution; and to that of a Thiers, the saviour of France after the war of 1871 against Germany. Laurier's name responds to that of O'Connell, responds to that of Parnell, and, I am proud to say, responds to that of a man still living, John Redmond. It responds to that of a Baldwin, a Papineau, and a Lafontaine. The aims and ambitions of all these men have been his study and his guiding star during the past fifty years of his public career, and I allow no man, senator or otherwise, to tarnish his name in language unbecoming and ungenerous. Laurier has given all the years of his life to building up this country on a foundation of union, peace, and harmony among all the creeds, classes, and nationalities; and that any honourable gentleman should attempt to make political capital by means of this Bill against a man of that stamp should not be encouraged in public life. I was compelled, during the delivery of the honourable gentleman's (Hon. Mr. Pope's) speech to make interjections and denegations of what he was saying, and finally I had him blocked.

Hon. Sir MACKENZIE BOWELL: Is he convinced?

Hon. Mr. CLORAN: I stuffed the cannon. The honourable gentleman stated that after Laurier went to the United States he said he would have no truck with the Americans any longer—that he turned his back on Washington, and yet afterwards declared that the interests of Canada were identical with those of the United States. The honourable senator denounced that in the most vehement terms. The idea of the interests of Canada being identical with those of the United States—and he stamped the floor. I asked him: "Are not the interests of Canada and the United States to-day identical?" You all saw him flounder, you all saw him look for some of his documents to see if he could find an answer; he had no ready answer, and he did not answer the question. Now, that is not fair to a public man of Sir Wilfrid Laurier's standing and service. The Tory party are making a mistake in raising this race cry, for it is they who are raising it. The Tory party are making a mistake in raising this religious cry. They are raising it in their public meetings, in lodges, in their pulpits, unfortunately. That is why I said, in reply to an honourable gentleman, that some of the churches did not need exemption because they are pretty near the devil, and some of them are. There are pulpit orators to-day who are worse than demagogues—worse than any Billy Sunday who ever addressed a mob in New York or Buffalo.

These being the conditions, I appeal to my fellow-countrymen throughout the Dominion of Canada, of all nationalities—I appeal to my friends, to the people whom I directly represent, the Irish people of Canada, to stand by Sir Wilfrid Laurier, who stood by Parnell and still stands by Redmond on behalf of free government for Ireland. Let that appeal go forth, and every honest Englishman and Scotchman

will say: "Cloran is right. Stand by Laurier because he stands for freedom; stand by Laurier because he stands for the development of the country on honest lines; stand by Laurier because, even on this measure, he is a democrat to the hilt." On the measure he says: "I am prepared to support it when the people shall have been consulted." If the people decide in favour of conscription, just as when they decide in favour of prohibition or pronounce on the question of the tariff, we all bow—although the honourable gentleman does not bow; he goes over to Hull to get Scotch. We bow to the vote on prohibition, on woman suffrage, on tariff questions, and so on. So will the people of all the provinces of the Dominion bow to conscription if the people have been consulted and have decided in favour of it. Where is the disloyalty in that? Where is the cowardice in that? Where is the slacking in that? Where is the treachery in that attitude of a statesman who is true to the very principles of democracy for which our 460,000 boys are fighting—for which my son and many of my relatives, as I say, are fighting? Are we going to turn those principles aside with scorn and tell the people that they have no right to be consulted on a matter of this kind? That is Tory rule, and that is one of the reasons why I say the Tories are not fit to be at the head of an intelligent, democratic people.

Hon. Mr. DENNIS: Were the people consulted in England?

Hon. Mr. CLORAN: Consulted in England? Yes, a dozen times.

Hon. Mr. DENNIS: Not at all.

Hon. Mr. CLORAN: Yes.

Hon. Mr. DENNIS: Were the people consulted in the United States?

Hon. Mr. CLORAN: Well, there was not a general election in the United States.

Hon. Mr. DENNIS: No.

Hon. Mr. CLORAN: Well, if you are looking to the United States for an example, why don't you give us reciprocity?

Hon. Mr. DENNIS: The honourable gentleman was talking about democracy.

Hon. Mr. CLORAN: I am talking for Canada. There was a kind of referendum in the United States. They had what they called a registration day, and there were over ten millions who registered within twenty-four hours. There was a referendum for you; they went and declared themselves. That was the consent of the people. Honourable gentlemen, there is no use in trying to split hairs over this question. The Liberal party is more loyal, more to be trusted for the sake of Canada and the Empire, than the Tory party, and I have every confidence that the people will say so on the day of election when it comes—and that cannot come too soon.

Hon. N. A. BELCOURT: Honourable gentlemen, a year ago almost to the day, fifty or sixty delegates of the Empire Parliamentary Association, coming from the House of Lords, the British House of Commons and the Parliaments of all the self-governing British dominions, including, among others, three of our colleagues in this House, the honourable senator from Stadacona (Hon. Mr. Landry), the honourable the junior member for Halifax (Hon. Mr. Dennis), the honourable gentleman from Moose Jaw (Hon. Mr. Ross), and myself, were officially received by the President of the Republic of France, at the Elysée Palace. I had on that occasion the honour of being selected to reply to M. Poincaré and to acknowledge on behalf of the delegates the eloquent and kindly words which he had addressed to us. Among other things I said this: "The countries from which we come are pacifist countries, and most of us, in fact all of us, are pacifists; but on the day when the German hordes brutally set foot, almost simultaneously, on the soil of Belgium and France, there was a cry of supreme indignation throughout the British Empire; there was one firm and irrevocable resolve—that Great Britain and the Dominions under her sovereignity owed it to themselves, to Belgium, and to France, to the cause of justice, honour, freedom and democracy, to take the largest possible part in repelling the colossal attack so elaborately and so long prepared by Germany." If I now recall the statement which I made on that solemn occasion, it is in order that there may be no misapprehension on the part of the honourable gentlemen who are now listening to me, or of those who may read my words, as to where I have stood and now stand regarding Canada's participation in this war. I said at the Elysée Palace simply what I had said on many previous occasions, and what I have since frequently repeated, in many parts of Ontario and Quebec. The first time that I had the opportunity to declare my attitude with regard to Canada's participation in the war was at Sohmer Park, in the month of September,

1914. I recall the occasion because I think it adds another to the many proofs which have been given by honourable gentlemen on this side who have preceded me, that the Government have been most slack and most derelict in not taking advantage of the unquestioned enthusiasm which was manifested in the province of Quebec at the opening of the war. At the meeting at Sohmer Park there were 15,000 French Canadians. They were addressed by Sir Wilfrid Laurier, my friend the late lamented Thomas Chase Casgrain, the Honourable Rodolphe Lemieux, Mr. Maréchal (now Mr. Justice Maréchal), our colleague the honourable gentleman from De Lorimier (Hon. Mr. Dandurand), Colonel Gaudet, myself, and others; and at no other recruiting meeting I have attended has an appeal been as well received as the appeal, so plain and so definite, made on that occasion by all these French orators—for not a single word of English was spoken.

How is it that the Government has taken as little advantage of that magnificent enthusiasm, demonstrated in the large city of Montreal so early in the war? As the hour is late and I know honourable gentlemen are anxious to vote, I am not going to take as much time as I had intended in giving the facts and arguments to show why the province of Quebec has not done perhaps as much as was expected of her, as much as she would have done if she had received one-tenth of the encouragement she should have received, if her manifest determination to take her full share in this war had been duly recognized and properly encouraged and assisted; if she had been differently treated by the Federal Government and the government as well as the press of some of the English-speaking provinces. I shall mention only a few points, because I do not wish to take up time unnecessarily.

If you will look over the names of members of commissions, committees and various bodies and persons appointed by this Government to take some share or other in the conduct of this war you will find that out of the hundreds of gentlemen who have been asked to serve on these bodies there are but very few Liberals, and fewer French Canadians. May I be allowed to mention one of the most recent instance? The Advisory Council which was appointed yesterday, I think, or the day before, in connection with the control of food. In a list of over fifty names of persons appointed on that council, how many Liberals do you suppose there are? I could count only two. How many French Canadians? One. I mention these facts merely to show that in all these instances the Government of Canada from the outset decided that the conduct of the war should be monopolized by it and that Liberals were not to be allowed to take any share or responsibility therein. What is the reason? I can imagine no other reason than that at first, and for many months after the war began, it seemed to the Government of the day that there would not be enough glory to go around; it was expected that the war would not last very long, and they wanted to monopolize all the patronage and all the glory. I can find no other explanation; I have heard of no other; but there is one fact that is certain, and that is, that at no time have the Liberals of this country received anything like the recognition which they should have received. If they had received that recognition, conscription would have been absolutely unnecessary.

May I mention my own case in connection with two matters with regard to the war? I was one of the very first who took upon himself to write to His Royal Highness the Duke of Connaught, the very day after the establishment of the Patriotic Fund, sending my subscription, which I believe was the first to go in. It was not large, as my means are limited, but it was as generous as I could possibly make it. No recognition was made of it in any way, and no position on the committee was assigned to me; I heard no more about it, except, of course, the letter of acknowledgment from His Royal Highness. I thought nothing of it, but later on a local committee of the Fund was formed, and a large number of my good Tory friends were put on that committee, all the offices being assigned to Conservatives of Ottawa; and in this city, where one-third of the population are French Canadians, not a single French Canadian was put on that committee. Would you believe that I had to apply three times, first personally, and finally in writing, requesting that my name be added to the committee, because I was anxious to serve; and when I was put on I was the first and only French Canadian. True, after that a few other French Canadians were put on. We are told: "Why, you French Canadians don't do anything; you don't subscribe to the Patriotic Fund, you don't take part in Red Cross work, you won't serve, you won't do your bit." As regards recruiting, what occurred in my own case was this: In September, shortly after my return from Europe with our colleagues whom I have mentioned, I offered my services to Colonel Mignault,

who had been asked to form a general French Canadian recruiting committee throughout Canada. I said to him: "We French Canadians in Ottawa and vicinity are ready to continue to do our best." I might mention here that there is no district in Canada where the people of any nationality have enlisted in such large numbers in proportion to the population, and have gone over and fought, as the French Canadians in the district of Ottawa. I do not care what the Government returns show; I know that myself, because I know the people. Colonel Mignault told me that he was very glad of my offer, and asked me if I would take charge of things in Ottawa and do something, and I said I would—that I would get our friends on this local committee and see what we could do. The committee was formed, and I was appointed chairman. There were Conservatives and Liberals on it, all French Canadians, and we begged and begged the Department of Militia to give us the necessary recognition and the forms to use and send out. We subscribed a considerable sum of money, but never could we get the slightest kind of satisfaction from the Department of Militia. Yet we are told that the French Canadians won't enlist, that they are slackers and poltroons and cowards. I could give many more similar instances, but the time is too short.

My position in regard to this war has been clear, definite, and unhesitating from the very start. To my conception, and it was a very early conception, the struggle is one of democracy against autocracy in Europe, and against militarism all over the world. Whatever may have been the origin, the cause or the object of the war, it appeared very clear to me from the outset that, if Germany did win in this war it would mean the absolute rule of militarism over the world; and I at once realized that of all the countries in the world a young and growing democracy such as Canada would be hampered, would be strangled, and would suffer more than possibly any other nation in the world, with the establishment of militarism. How could Canada live by practising militarism? The only way in which Canada can develop and progress, the only way by which we Canadians of both races can make this country prosperous, is by having nothing whatever to do with militarism. Pacifist as I am, and have been all my life, and intend to be, and not ashamed to proclaim it, I am in this war to the end, and I believe Canada should do everything it can towards participating therein just because I am a pacifist, and because to me this war is war against war, war against armament, war for peace. No country on the face of the earth is more interested than ours in having the reign of peace established, and to no country is there more danger from having anything to do with militarism. The stake involved in this titanic contest transcends the British Empire, transcends France, and all the Allies. There can be no doubt that the issue is whether this world hereafter is to be ruled by brute force. Our participation in the war does not depend on any constitutional provision, whether of Great Britain or Canada, nor upon tradition, or precedent. Indeed, I go further and say that if all those things stood against Canadian participation, it would still be demanded and justified. To me it is not that we are in this war so much because Great Britain is in it, with all her strength and determination, or because France is in it, with all her soul and incomparable valour and genius, as because of the issue involved, as I have just described it. It is not so much the Union Jack or the Tricolor, or even both, that are our inspiration and our guide, as the ideal for which they stand with the flags of Belgium and the other Allies. The "sacred union," as it has been properly called, may and probably will not last forever, but the cause for the triumph of which it labours is one in which all the world, Canada included, has a supreme and permanent interest. If Germany should win, militarism would become and remain the absolute master of the world. There is no considerable difference of opinion between Ontario and Quebec, or in this country generally in that regard. My French Canadian friends of the province of Quebec, like those of Ontario, have the same conception of this war as you and I have. They are willing to do their share; they have been willing all along, and would have done it; only, in the light of what you have heard from honourable gentlemen on this side, it cannot be denied that they have not been given the opportunity, or allowed or encouraged or assisted to serve the country in the way in which they should have been.

I admit that there are some in the province of Quebec, as in other provinces, who think that Canada has now done all that

it should have done. Some think Canada has done all it could or can do—and on that score there is a good deal to be said. I am not called upon, and it is not necessary for me, in the view I take of this Bill, to discuss whether Canada has done all it can do, or whether it should and can go on and do anything further. I take the view that the way in which the Government proposes that any future possible contribution of Canada should be made is not the proper or best way.

I admit that if we could do more we should do it, but I do not admit that conscription affords the means of accomplishing that end. I believe that not only is it not going to accomplish the end, but it is going to retard, hamper, and hinder it. Not only is this measure going to prove abortive, but it is going to prove very mischievous and very dangerous. I ask you, in all sincerity, in all earnestness, what chance is there of a law of this kind, being applied efficaciously unless it has the sanction of the people, unless they approve of it.

It is not necessary to imagine all sorts of things which have no ground except in certain wild imaginations. It is not necessary to imagine that there is going to be open rebellion, in order to show that this law is not going to be effective. There are many ways of resisting a law other than by open resistance. I do not for one moment think that it has entered the mind of anybody, however strongly he may feel against this law, to be a party to openly breaking it. But look at the time, the energy, the money that will be frittered away in endeavouring to enforce a law which everybody, from the Prime Minister down, admits is very unpopular; and would not receive the approval of the people if it were submitted to-morrow—a law which is brought in and sought to be enforced, when the opinion is universal that the law does not meet the approval of the people. Look at the time we are going to spend, to say nothing of the class, racial and other difficulties you are going to raise. Remember how long it took and the difficulties experienced in England before conscription could be resorted to and enforced. And in the United States it took three years to prepare public opinion before active participation in the war could be thought of. The failure of conscription in Australia has caused that country to revert to the voluntary system. The question is not whether conscription is logically sound, constitutionally or morally right or just, but whether it is opportune and practical and practicable.

It is a mistake to assume—and it is not true—that only the people of Quebec are opposed to conscription. I dare say that in this province of Ontario the farming community is probably as much opposed to conscription as the farming community of Quebec; I do not know; I can only conjecture. I offer my judgment only for what it is worth; but the honourable gentleman agrees with me, and the Prime Minister agrees with me, that if the law were submitted to-morrow it would not receive the approval of the people. Then why insist on a law of that kind? Why reject and put to one side a system which has produced the magnificent result of 425,000 soldiers in this country? Why discard a voluntary system by which Canada has done her duty well and promptly?

I do not agree with the statement that voluntary enlistment has broken down and is no good. Of course, it is not as fruitful just now as it might be, and we know why it is so: because the Government has stopped it; the Government has practically ordered enlistment to stop. Is it any wonder that it is not working satisfactorily now? But if you go to the people, even in the province of Quebec, and treat them properly, give them every opportunity of enlistment, give them the opportunity of being commanded by men of their own race, give them every opportunity of promotion and of recognition—which they have not now, and have never received during this war—and certain things which the province of Quebec expects from the majority in this country, and you will soon see that the voluntary system will not be the failure it is said to be. My honourable friend from Mille Isles (Hon. Mr. David) reminds me that the minister of the Crown who was appointed for the purpose of going to Quebec to organize voluntary enlistment, Colonel the Honourable Mr. Blondin, after spending a few weeks there, and after this Bill was introduced by the Premier, gave his verdict that, if the province of Quebec were properly treated and if her men were properly recognized there would be enlistment en masse. Is not that sufficient evidence for any one, coming, as it does, from a colleague of the Prime Minister? Should not that be conclusive for every one? But Colonel Blondin was stopped. There has been no recruiting going on, and yet figures have been submitted to this House and in another place for the purpose of showing that in the last few months enlistment has

broken down. I do not believe that it really has broken down notwithstanding the recent action of the government.

Instead of introducing conscription in the way in which he did, why did not the Prime Minister seek to devise a plan of co-operation with the leader of the Opposition? He had and has every reason to believe that the leader of the Opposition was and is prepared to assist him. Would he have approached him at all if he did not so believe? From the very day that war was declared until the present day, Sir Wilfrid Laurier and the Liberal leaders have pronounced themselves squarely in favour of Canada's participation in the war. I defy honourable gentlemen in this House or anyone else to mention the name of a prominent Liberal, either in Quebec or anywhere else, who has not declared that Canada should take the largest possible part in this war. I do not know of one, and I would be very much surprised to hear the name of a single Liberal who spoke to the contrary. Was that not sufficient reason for the Prime Minister to go to Sir Wilfrid Laurier and ask him to assist him? Why did he not ask his co-operation? Why did he not offer him a share, not in the glory, but in the satisfaction of having accomplished his duty, while giving him a share in the responsibilities? Is there any one in this House who can doubt for one moment that, if that had been put to Sir Wilfrid, he would have expressed his desire and intention to go on and do everything he could possibly do to help the Government in completing our share in this war.

There was no necessity for offering Sir Wilfrid or his friends positions in the Cabinet. There was and is no necessity for a union or coalition Government. Sir Wilfrid Laurier did not and does not need office in order to do his duty. He did not hold office in the early days of the war or since; he has not done anything officially in connection with the war; and yet he has done everything within his power to help in the war; and I think it would be an insult to him to assume that he was prepared to continue to take an active share in the war only if he were offered a position in the Government. I repeat that if the Government had sought the co-operation and assistance of others outside of its own immediate supporters the necessity of even selective conscription would not have arisen.

The failure of the Government to avert the national crisis which is now threatening the very existence of Confederation is largely owing to the fact that the Government have been egotistically anxious to monopolize the conduct of the war, and to exclude therefrom the leaders of one-half of the Canadian people. I suppose that is in keeping with the Tory conception, which in some respects is not altogether unlike the Kaiser's conception of authority—that they alone are capable of governing, that they alone have the gift of government, that they are somewhat like the Kaiser himself annointed by the Almighty for the purpose of governing the people. If it is not that, what is the reason Liberals were not asked to take a part in the conduct and administration of this war? Is it that, or is it the other reason, of gaining for the Conservative party all the kudos and all the profit and all the glory that is to be got out of the conduct of the war? Let the Prime Minister abandon his Bill, and go to Sir Wilfrid Laurier, without the offer of a coalition or anything of that kind, and let him seek the assistance and counsels and co-operation of the Liberals; let him put a stop to this villification of the French Canadians, this constant vituperation and slander of two-thirds of the population of Canada, and put Sir Wilfrid Laurier and his friends in the position of going to the people of the province of Quebec and saying, "Your wrongs will be righted," and I am sure that enlistment will become just as fruitful in that province as anywhere else in the country. The results accomplished will be very much better than those produced by means of conscription, which nobody wants except this Government. What will be accomplished by passing this Bill? You will simply aggravate the class and racial difficulties which we have and which are very alarming. If what I suggest is carried out, you will preserve that modicum of national unity without which this country is headed for the breakers and will very soon be wrecked.

One is driven to conjecture why this measure is so insistently pressed in the face of the growing opposition to it and of the grave consequences involved necessarily in putting it into operation. Is it because of the fact that the Government thinks it necessary for its own fate, which is soon to be decided by the electors? It may be a mistake to think that. I do not know; I am simply asking the question; but that is a conjecture which is forced upon one's mind, and which one cannot escape.

I would advocate that, if necessary, the compensation to the soldiers be increased. I cannot quite understand why a man who is asked to go into the trenches in France and Flanders to fight for you and for me should be paid less than the man who is engaged by you or by me to gather hay and put it in the barn. I do not see why the soldier should not get just as much— certainly not less. I believe considerably more than—than the common labourer in the country. If you want to make voluntary enlistment in this country even a greater success than it has been, why not increase the soldier's pay? Why not make the wealthy men of Canada pay the difference between what the soldier now receives and that which he ought to get? The men of wealth in this country have done very little so far. Why not make the profiteers disgorge some of the scandalous profits that they have made and apply them on the compensation to be paid to the soldiers and to their wives and children and the soldiers who have come home maimed? Honourable gentlemen are mistaken if they think that throughout the length and breadth of this country there has not been a shock such as has rarely been experienced in Canada over the disclosures which have recently been made. Is there any one in Canada who has not been scandalized beyond measure to hear that one firm alone made a profit of $5,000,000 on bacon supplied by it for the British army in one year?

Organize recruiting intelligently and systematically, without favoritism and with equal chance for promotion and recognition, and you will, I feel confident, obtain better results than with this Bill.

There is one thing that I want to emphasize to-night, and I say it after full and mature consideration, and with all the deliberation of which I am capable. Over and above, beyond and paramount to, the question of conscription or voluntary enlistment is the question of national unity in this country. To my mind the establishment and permanence of national unity is far more important than the getting for the war of a few thousand men either by conscription or voluntary enlistment, in addition to those we have already raised. This war will come to an end some day, we all hope very soon, and we all believe—in fact we know—that it will end in the triumph of justice and freedom. When this war is over Canada will stand more than ever in need of that which she has hardly ever had—national unity. I am one of those who think that the efforts of the Fathers of Confederation towards creating a Canadian national sentiment have had but very little success so far, and within the last few years what there was of national unity in Canada, I regret to say, has just about been swept away. There is a chasm to-day between the two races in Canada, the depth and width of which few men realize. Warning has been given and often by many repeated but not heeded and we have a condition arising out of that situation for which the province of Quebec is blamed and unjustly blamed.

There has been a confusion of cause and effect in that connection. I desire to say without fear of contradiction, that all the opposition to this measure there is in Quebec to-day—and it is pretty general, I admit —is not so much opposition to conscription per se, as it is a manifestation of the deep, longstanding and recently much aggravated resentment on the part of the French Canadian people at the insults and attacks so constantly directed against them and especially the attacks on their mother tongue.

Conscription has merely provided the occasion or opportunity for voicing this same deep sense of irritation which was bound to explode soon or late in the province of Quebec. This bill is merely the occasion, the opportunity for giving vent to the resentment which has existed for years past and which has been growing daily in that province. The manifestation against conscription is in reality a manifestation against the vilification of the province of Quebec. It is a protest against the persecution of the language of the French Canadians, who constitute two-thirds of the population of this country, the descendants of the heroic founders and colonizers of Canada. I say that if this question had been settled, as it should have been settled years ago, if this Government had taken the responsibility which it should have taken, you would have heard very little opposition to conscription in the province of Quebec.

An Hon. SENATOR: Not at all.

Hon. Mr. BELCOURT: I would ask the honourable gentleman to go to Quebec and inform himself as to that. The trouble with my honourable friends from Ontario is that there is not much use in speaking to them about these things. There is no use in uttering the warnings which I have been uttering for years in this House and in other places. They are not heeded, they are not listened to. I invite my honourable friend to go to Quebec, where he will

soon discover that the opposition is due very largely to the animosities and the irritation caused by the persistent persecution to which the French language has been subjected.

Is it not remarkable, and is it not regrettable, that, while we have discussed in this House transportation, shipping, trade after the war, employment of capital and labour, returned soldiers, and many other questions affecting after-war policy, the very question which is most important, which is most vital to the existence and permanence of the Canadian Confederation, has been shunned by everybody? We have discussed matters of dollars and cents; but when it comes to discussing the Canadian soul and making an examination of the national conscience, nobody does anything, nobody dares say anything or if he does he runs the chance of being called an agitator and a demagogue. Are we going to continue to live in this fool's paradise? Are we going to do the ostrich trick every day, in the hope that the storm will blow over unnoticed or unfelt? Are we going to allow the two races to get farther apart every day until the situation gets absolutely beyond solution? Do you want conditions similar to those which have prevailed in Ireland for three or four centuries to prevail in Canada? I know what I am talking about, and nobody knows better than I do that we are not at this very moment far removed from those very conditions. Yet nobody thinks about it, no one dares speak about it, and if one does, and it does not matter how judiciously, he is called a demagogue and agitator.

To-morrow I shall be attacked in the Toronto papers for having dared to discuss this question on the consideration of this Bill; but I owe it to my people, I owe it to my English-speaking friends, and to Canada and its future peace and unity to speak on this subject. This is a time for clear thinking, it is time for plain speaking, and, so far as I can command the English language, I intend to speak my mind plainly. My intention is not to find fault or to reproach any one, but simply to accomplish my duty as a loyal Canadian and a lover of British institutions, as one who has spent practically all his life in this province doing his best to support British political ideals and institutions.

May I again make a personal reference? For more than 30 years I have associated with English-speaking friends; I have taken a large part in all that interests them in their social life, their clubs, their sports in every way that I could. I have helped to the best of my ability their philanthropic, charitable and scientific institutions, and in every place where I thought I could be of assistance. I have subscribed my money towards these objects, to as great an extent as my means allowed; and, if there is a man who has a right to speak on this subject, if there is a man who has a right to stand up and say that so far as he knows he has never uttered a harsh or cruel word against his English friends, it is I. I have tried to understand the point of view of the English speaking Canadian and I have openly sympathized with it, whenever I could do so and when I could not I have remained silent: I hope I shall not be considered fatuous in saying that I think that I am as near an approach as exists in Canada to that type of Canadian which the fathers of Confederation hoped for.

Hon. Mr. BLAIN: Will my honourable friend permit a question?

Hon. Mr. BELCOURT: Certainly.

Hon. Mr. BLAIN: Will the honourable gentleman state what complaints he has against the province of Ontario?

Hon. Mr. BELCOURT: I will name some of them, I could not name them all. One of them is the pernicious and abominable practice so long in vogue in Canada of promoting party welfare by appeals to prejudice and passion, another is the attempt to proscribe the French language.

Hon. Mr. BLAIN: By whom?

Hon. Mr. BELCOURT: By the Conservative party in Ontario. My honourable friend knows as well as I do that for thirty years there has not been one provincial or federal election in the province of Ontario that has not been fought by the Conservative party by means of appeals more or less disguised to prejudice and passion. I have in my possession pamphlets, dating as far back as 1886 or 1887, in which the Catholic clergy of Ontario and the French Canadian population are depicted in the most insulting way. "No popery! no French!" that was the cry in the first election in which I took part in this province, and the same thing has been going on more or less ever since. It is not even necessary that there should be an election for these outbursts as all of us know that on the 12th of July every year, here in Ottawa and in the surrounding country, and in the province generally, the same theme of discussion at every meeting is: "No popery! No French!" My honourable

friend knows it as well as I do. He knows of the agitation for the abolition of the separate schools; he knows of the P. P. Association; he knows of the attitude of Mr. Craig and of Dalton McCarthy and others in the past and in the present towards the language of my people. He knows that it is a permanent establishment of the Conservative party in Ontario to get power by means of appeals of that kind to the people.

Hon. Mr. BLAIN: It is rather more than an Ontario man can stand to hear this agitation going on in Parliament every day. I want to say—

Some Hon. SENATORS: Order, order.

Hon. Mr. BELCOURT: If my honourable friend is going to make a speech I will sit down.

Hon. Mr. BLAIN: I will give an instance of it if my honourable friend wants it.

Some Hon. SENATORS: Order.

Hon. Mr. BELCOURT: Never more impudently, never more flagrantly and more recklessly has that been done than during the last few years. It is going on every day all through the press of this province; and yet my honourable friend is surprised; he does not know about this; he has never heard of such a thing. He never reads the Orange Sentinel; he never reads the Toronto News, which for months and years has published this national programme. What is the first item? "One language for Canada." I suppose my honourable friend never reads the papers which I have mentioned, or the Toronto Telegram, the Kingston Standard, or the Hamilton papers, and many others. I could keep him in reading for months by supplying him with extracts from these papers along the lines which I have mentioned.

Hon, Mr. BLAIN: It cannot have any other purpose than agitation.

Hon. Mr. BELCOURT: I do not know what my honourable friend means by agitation. If he means what I have described, if he means raising and promoting passion and prejudice, then I agree with him. We are accustomed to it. We have never seen anything else in Ontario. We had it before Confederation; we have it to-day worse than ever. We hear it on the street. I was a member of the House of Commons for twelve years, and time and time again it has been said to me—not by men living in the back streets, but by prominent citizens, merchants on Sparks street—"Vote for you? Not much; I would not vote for a Frenchman." Do you suppose that a highly-strung, proud race like mine is going to stand these things forever? Do you think they are not going to show their resentment? A Frenchman may suffer, he may do things that he will regret, and you may do things that you will regret; but he will probably suffer more than you. Is it not time to stop that kind of thing and deal with the French Canadians as equals and not as pariahs?

Hon. Mr. SPROULE: May I ask my honourable friend a question? Did I understand the honourable gentleman to say that not an election has taken place within the last forty years—

Hon. Mr. BELCOURT: Thirty years.

Hon. Mr. SPROULE: I have taken part in every local and federal election for the last thirty-eight years, and during that time I have never from any platform heard this question discussed.

Hon. Mr. BELCOURT: During the next ten days I will give my honourable friend the pamphlets.

Hon. Mr. SPROULE: I understood him to say that it was discussion.

Some Hon. SENATORS: Order.

Hon. Mr. BELCOURT: Does my honourable friend want to make another speech? If so, I object.

Hon. Mr. SPROULE: I do not want to make a speech.

Hon. Mr. BELCOURT: Now, with regard to this Bill itself, is it any wonder that it has met with opposition? Is it any wonder that the province of Quebec is not disposed to accept it, in view of the language in which it was introduced in the other House and the language in which my honourable friend (Hon. Sir James Lougheed) introduced it here and the language resorted by the press towards Quebec? I regret to have to say what I am about to say, because there is no man who has a higher esteem and respect for the honourable leader of the Government in this House than I have. Ever since I have been a member of this House, I have, I think, always shown him the greatest respect and deference. I confess, honourable gentlemen, that I have not yet recovered from the surprise with which I listened to his words in introducing this Bill. May I be permitted to quote his words? I am doing this, not in anger, not

for the purpose of being offensive or disagreeable, not for the purpose even of making a reproach, but simply for the purpose of accounting for a condition of affairs existing in one part of this country at the present time and some of the difficulties with which this Bill is meeting. In introducing the Bill my honourable friend said among other things:

> To talk of a referendum at such a time does violence to every instinct of defence. To say that the Government should ask every craven to his country, every pacifist, every slacker, every recreant to public defence, every coward who fears to face the enemy, every Socialist who preaches disloyalty, every alien who asks the protection of our country at the expense of the lives of the men who fight for it to say that the Government shall ask a verdict from the thousands who proclaim their disloyalty from the house-tops, would constitute a farce out of the greatest tragedy that the world has ever seen enacted.

The other statement, which caused me equal surprise and pain, is this:

> Think of a race of people growing up oblivious to the grandeur of love of country, of patriotism, and of the self-denial and sacrifice by which men are prepared to place their lives on the altar of their country. When we think of men indifferent at such a time to all the best interests of civilization involved in this struggle, indifferent whether the enemy should crush out the freedom and liberty which they have enjoyed under their country's protection, it shakes our confidence in human nature.

Well, honourable gentlemen, who are the people who are asking for this referendum? Largely the people of the province of Quebec. Which race did my honourable friend refer to as the race of slackers, poltroons, cowards, disloyal men? Did my honourable friend, before penning these words, reflect that it was men of that race who fought and bled and died at Courcelette? I want to mention to my honourable friend that at Courcelette, out of 21 officers of the 22nd Regiment who took part, 16 died on the battlefield or afterwards from the wounds they received in that battle. Did it not occur to my honourable friend when uttering those words that the race which he is now describing in this opprobrious way is the race to which those men belonged? What will the mothers and fathers of those boys think when they read, if they do read, the remarks of my honourable friend? What will the whole race think of the appreciation which my honourable friend entertains and expresses so plainly in face of the sacrifices made by these men and many others of their race? Does my honourable friend think his language is going to help the task of those who, like myself, have been frankly, clearly and openly from the outset for participation in the war? Does he think it will help honourable gentlemen who sit on his side of the House, like his neighbour the honourable gentleman from Montarville (Hon. M. Beaubien) as well as those who may vote for this amendment? Does he think it is going to help them to convince the people of the province of Quebec that they should accept this measure, and continue to contribute in this war? Is that the kind of argument with which you convince or convert people? It has been repeatedly said in this House during the debate that this was a punitive measure. I do not want to say it is; I don't believe that it is; but if there were anything to make me believe it, it is the words of the Prime Minister in the other House and the words of my honourable friend here. If it is not a punitive measure, why use such words with regard to the province of Quebec? I am not arguing that it is; but those who are going to argue that it is will have no stronger argument than these very words of my honourable friend and the Premier. I know my honourable friend too well, I know his goodness of heart and his calm, judicious and fair mind too well to have the slightest doubt that when he reflects upon the construction which is bound to be put upon his words, and the use that will be made of them, he will regret having used them. Unfortunately, like many other things which are said, while they are sometimes forgotten, they are often not forgiven. The mischief is done. How suggestive are these words of such high-minded and thoughtful, and usually calm and considerate men as the Premier and my honourable friend, of the troubled mind and soul of Canada, and how suggestive of the necessity for immediate and thoughtful consideration and action!

In this way, and in many other ways, yesterday, last month, last year, and in previous years, you have estranged the people of the province of Quebec. You have made them feel that so long as they remain in their own province, where they are in the majority, they may do as they like, with regard to their education and the use of their language, but immediately they cross the Ottawa river, for instance, they cannot continue to speak, or to have taught to their children, the French language; they may do so on the north side of the river, but

if they cross over to the south side they run the risk of having to pay a fine of $500 or go to jail. These are the things honourable gentlemen which are reaching the people in Quebec and have been reaching them from Ontario for many years past and especially during recent years and the effects of which are manifesting themselves to-day; these are the things which I say in all earnestness must be remedied if we are to create a united and prosperous Canada.

Am I wrong in this? May I trespass further on the time of this honourable House to give the proof, not in my own words, not in the words of a French-Canadian, but in the words of an Englishman, British-born, who knows the French-Canadian people, who has followed this question, and has written a letter which I find in the Montreal Daily Herald of July 3 of this year. It is signed by Mr. E. Harper Wade. Mr. Wade is a man of substance and of intelligence, a graduate of one of the English universities, who has lived in Canada for a number of years. This is what he says:

To the Editor of the Herald:

Sir,—My repeated assertion, accompanied by confirmatory evidence, that it is the Ontario bilingual trouble that has prevented the French Canadians of Quebec from sending as many volunteers as other provinces, is now receiving confirmation from many sources, notably from Lieut.-Col. Arthurs in the House on Thursday. It is neither a question of passion nor reason, but of sentiment, which in every human being outweighs either, and has done so since man was first man. Probably the strongest sentiment of the French Canadian race is in connection with their language. If you persistently try to deprive a man of what he holds dearest, then appeal to him to assist you against a common enemy, on the insultingly low ground that it is better for him to join you before being himself attacked, and when his response seems to you inadequate, call him a slacker and a coward—

The very words used by my honourable friend.

—and finally tell him you will make him fight whether he likes it or not, you must be sanguine indeed to expect good results.

Why, these are the very words which I have been using. My honourable friend from Peel (Hon. Mr. Blain) may cogitate over these words:

Yet this is precisely what Ontario has done. All friends of the English-speaking people, of which I am certainly and with good reason one, must keenly regret the fact that the Government of that province has seen fit to put the restriction of the French language in the separate Roman Catholic schools of Ontario before the national issue of encouraging, or at least not impeding, French Canadian recruiting. To rightly apply the words of "Justice to all":—The lives of the wives and children of the men fighting to give protection against an infernal foe are not of so great consequence in the eyes of the Ontario Government as having the French language restricted, hampered and if possible repressed in Ontario as Erse was in Ireland, but as neither Welsh nor Gaelic have been in Great Britain, for England learns by experience, and found Irish results discouraging.

General Smuts in a speech that rang through Europe and reached throughout the entire civilized world, said in effect, "Even those nations that have fought against you must feel that their language is as safe and secure under the British flag as that of the children of your own household and your own blood."

The New Witness, published in London, England, and edited by the well-known writer, G. K. Chesterton, says, under date of May 24: "In Ontario it is now a crime to teach French to little French Canadian boys and girls in French Canadian schools. The penalty is a fine of $500, or six months' imprisonment." If it were possible to contradict this, in the interest of Canada I would gladly do so. But can I truthfully? I am assured one school teacher was fined $500 for some infringement of the school laws, and only saved from six months' imprisonment by the fine being paid by others.

Why not be British? The United Kingdom regards the languages of all peoples that come into the Empire as a sacred trust. If it had not been so, and if England had treated the Boers as Ontario treated her quarter of a million French Canadians, there would have been no British South Africa to-day, yet it was what some Big-Englanders wanted to do.

If in South Africa the Dutch language were treated as the French language is treated in this country, how long, I ask you, would there be peace and unity in South Africa? How long would the South African union exist if an attempt were made to proscribe the Dutch language there?

Why Americanize our institutions? This idea of a common language comes from the States, not from England. It is a good one to apply to European continental immigrants, but we Canadians must never forget that while Great Britain has always been ready to protect us to the utmost of her power, it was French Canadians that saved Canada for England at the time of the War of Independence, and that Quebec would never have come into Confederation if such action as Ontario and Manitoba have been guilty of had been anticipated or thought possible.

Bourassa and Lavergne could have no following—

I would ask my honourable friends to weigh these words, coming from an Englishman, British-born, a man who knows the province of Quebec and knows French-Canadians.

Bourassa and Lavergne could have no following if there had been no school language question.

May I say this further with regard to the French-Canadian? He thinks that the size of his churches, his reverence for his priest,

his so-called backwardness, his alleged ignorance of the art of money-making—and we were reminded of this repeatedly this afternoon—his habits of life so long as he is law-abiding—and he is law-abiding —are matters which concern himself alone and which ought to be sacred from sneers and insults. He is bound to resent such statements for instance, as were made not long ago in Parliament, that his priests are merely parasites and should be deported; that it is dangerous to allow the Arsenal to remain at Quebec, because the loyalty of the French Canadians cannot be trusted. He resents the calumnies and lies invented and circulated constantly and systematically through the press, in speeches and in private conversations, concerning him, his race and his creed. I want to be perfectly frank. The French Canadian is not willing to subscribe, and will never subscribe, to the doctrine that he must renounce his language; he is not prepared to adopt the first article of the political faith which is so strenuously advocated in Ontario and elsewhere, that there must be but one language for all Canada and all Canadians. He is not prepared, either, complacently to accept the statement that there are a superior race and an inferior race; that he is a sort of pariah and is to be treated somewhat after the fashion of the Indian and kept confined on the reserve where he constitutes the majority—in the province of Quebec; that if he chooses to settle anywhere else in Canada, which his forefathers discovered and colonized, he must give up his mentality, his language, his traditions—things which he holds dearer than life itself. He resents being placed on the same footing as the refuse of Sicily, Austria, and continental Europe—strongly resents that these immigrants should be preferred to him anywhere outside of Quebec. He is not willing to be denationalized. He is unwilling to renounce his origin and his speech and what they stand for, especially at this very time. While he freely recognizes and admires the virtues of the Anglo-Saxon, he knows he is possessed of virtues which are proper to himself and no less valuable and admirable. He thinks he is just as good, as law-abiding, as intelligent, as well educated, as well behaved, as patriotic, and as loyal as his Anglo-Saxon neighbour—though he is not quite so boastful about it. At all times and in all places he is willing to recognize that the Anglo-Saxon is a much better money-getter than himself; but he insists upon keeping his notion that the correct proportion of money in this life's happiness and purposes is more in accordance with his measure than with that of most of his English-speaking fellow-citizens. He is proud of being a British subject, but prouder still of being a Canadian; and if ever he has to choose between the two he will not hesitate. He is proud of the French blood in his veins, but he would not for one moment think of exchanging British citizenship to become a citizen of the French Republic. He loves and admires France, but he loves and admires still more the language which France gave him, and with which France has so constantly disseminated throughout the world enlightenment, progress, science, art, and honour, and in which France has ever eloquently and consistently upheld the cause of human progress and human liberty. His love of French speech is not so much because—or not even because—it is the language of France as because of the incomparable things which French thought and French speech have accomplished throughout the whole world. The attempt to banish his language from any part of this country, discovered and colonized by his ancestors, to punish with large fines or imprisonment the teaching of school matters or even of religious subjects in French to his children, is, he thinks, not much better than many things which the now world-hated German has been doing in this cruel war.

The French Canadian has had ample time and opportunity to appraise the methods, thoughts, and habits of life of his English-speaking brother and to compare them with his own, and he still prefers his own. He may be, and no doubt is, obtuse and blind: yet he is not willing to be disturbed in his blissful ignorance. He persists in believing that his frugality, his thrift, his respect for law and order, his contentment with a modicum of the world's riches and honours, his easy, happy ways of life, his numerous children, and finally his preference for Canadian to any other soil, are quite consistent with his loyalty to our common flag, his duty to his fellow-citizens of another speech or of another faith. And he is content to rely on these virtues in the struggle for life, either as an individual or for the community of which he is a unit. If these habits and virtues do not count sufficiently in the struggle for the survival of the fittest, he accepts in advance the result with stoicism; but he shrewdly believes that they will count in the ultimate result. If he is treated fairly, as an equal, as a co-partner, not merely tolerated as an inferior, he will be second to none in his love of and devotion to Canada, in his loyalty and wil-

ling sacrifice to British institutions and Canadian needs. You cannot make an Anglo-Saxon of a French Canadian, and if you could the product would be worthless. The fruitless and irritating attempt to denationalize him should be given up forever.

The time has come when this situation must be faced frankly and squarely. To allow it to drag along will only make matters worse. It is more fitting to think about it and more necessary to endeavour to settle it now than it is to deal with those after-war measures to which I have referred.

French Canadians are sometimes charged with provincialism, with Chauvinism. It is charged that their vision does not extend much beyond the limits of their province. When they are told that they may not elsewhere speak their language or exercise the rights and privileges which they exercise when they live in the province of Quebes, is it any wonder that they are attracted to the soil of their own province more than to the rest of Canada? Treat them with equal liberality and their provincialism will disappear at once.

Why not frankly recognize that both races have qualities and have defects? Why not admire and endeavour to imitate our respective virtues, and be tolerant with regard to our respective faults or defects? Would you have a better understanding and a more thorough conception of the irritation which is to be found all over French Canada if I mentioned to you the fact that to-day in the province of Ontario the world-hated German enjoys privileges which are denied the French-Canadian people in this province?

Hon. Sir MACKENZIE BOWELL: Nothing of the kind.

Hon. Mr. BELCOURT: It is so, and I will prove it to you. I expected my honourable friend to say no, and I have the proof right here. I know my honourable friend would be shocked at hearing such a thing; who would not be? But this is a fact. One of the regulations which govern education in this province is Regulation 15.

Hon. Sir MACKENZIE BOWELL: We have heard that often.

Hon. Mr. BELCOURT: Well, you have forgotten it.

Hon. Sir MACKENZIE BOWELL: No, I have not. The honourable gentleman makes a total misrepresentation of the facts in connection with it.

Hon. Mr. BELCOURT: Misrepresentation? I give that as a fact, and I am going to prove it to my honourable friend, and I invite him to listen to me; this is an important matter. Regulation 15, one of the regulations governing education in this province, is as follows:

> In school sections where the French or German language prevails, the trustees may, in addition to the Course of Study prescribed for public schools, require instruction to be given in reading, grammar and composition to such pupils as are directed by their parents or guardians to study either of these languages, and in all such cases the authorized text books in French or German shall be used.

This regulation 15 has been in force and acted on ever since and even before Confederation, up to the time when Regulation 17 was enacted in 1912. Regulation 17 has repealed that provision in regard to French, and left intact the provision in regard to German, and I defy my honourable friend to prove the contrary.

Hon. Sir MACKENZIE BOWELL: No.

Hon. Mr. BELCOURT: It is all very well for my honourable friend to say no, but I defy him to prove the contrary. I know what I am talking about. The people of the province of Quebec know that, and are you surprised at their irritation, at their deep resentment, when they know that the Germans in this province of Ontario get and enjoy rights and privileges which are denied to them? I wish to emphasize the fact that they have to pay a fine of $500 or go to jail if regulation 17 is violated. That is the position. We have stood that for five years in this province. Nobody listens to us except it is my honourable and venerable friend, who says that we are liars. Nobody will listen to us; the whole answer to our statements and arguments is invariably "No." There is no use in talking to people of this kind, for they think that we are not capable of telling the truth.

I regret that I have taken so much time. I did not intend to do it; but, as I have gone into this subject most thoroughly and carefully, and as I know what I am talking about, and as I am making those statements deliberately, knowing that I stand absolutely on uncontradictable ground, I think it is better that we should have this question out, and see if some impression can be made. My sole purpose and object is to try to waken the people of this province to the reality of the conditions which exist. I do not want any more laughing things away in this fashion; the time is past for that. You of the

English-speaking provinces have got to deal with this question, honourable gentlemen, and the sooner the better. I am uttering a solemn warning and a solemn appeal, not a threat. I do not doubt that you are just as anxious in your desire to have a united Canada as I am. I know that we stand on common ground. I know that we are all loyal and patriotic to Canada, and it is because I know that the division between the races is deeper and wider than it ever has been that I appeal to you, the majority of this country, to see that this matter is righted. To my mind it is far more important, far more vital, far more urgent, than those after-the-war questions of trade, shipping, industries, transportation, employment of capital and labour, etc. What is the good of better shipping or transportation facilities and so on, if you are going to have constant and permanent bitter estrangement between the races and a war of races in this country—if you are going to have this festering sore constantly opened? What is the good of anything else? Is it not possible to get in this country some English-speaking people who are willing to go into this question, to study it, and not meet our assertions with mere denials? Is it not possible that an appeal in this House or elsewhere will induce some of them to go into this question and see whether we are telling the truth or not? When this question was up before, I abstained from speaking on it, but matters have come to such a pass that it would be criminal for any one who knows what I know not to express his mind clearly and frankly about it and not to utter a solemn warning.

With reference to the Bill, I am going to vote for the amendment, not because I am not in this war to the end, not because I believe Canada has done everything it can do, for Canada may do more yet; but because I think the method of continuing Canada's contribution to the war is not that proposed by the Government. If the people of Canada had approved of it, or if they approve of it when it is submitted to them, then I will do my level best, as I have done in the past, to get my French-Canadian friends to submit to the law and obey it and let it be put in force. I think the law is ill-conceived, ill-timed. I have not gone into a discussion on conscription, which would be purely academic. I do not know of any logical or constitutional ground against conscription, but I say that conscription at this hour and in this way and because what has already been done and said in this House and elsewhere on public platforms and in the Press is not the best means at our disposal. If I may repeat it without any offense to my honourable friend, for whom, as he knows, I have the greatest respect, his manner of introducing this Bill and the words that we have heard in this House, and which have come to us from elsewhere are not going to make it very much more acceptable to Quebec than it is in itself. On the contrary, I think the things that have been said are going to make it impracticable, even if the situation were not as I have described it. These things make it impossible for my honourable friends from Stadacona, Montarville and De Salabery and others to go down to Quebec and ask the people to accept this Bill. How can we go and ask them to approve and accept the bill when we have such evidence as I have described directed against them? The only patriotic thing, the only truly loyal thing, the only efficacious thing to do would be for Sir Robert Borden to approach the leader of the Opposition with a view to making enlistment what it ought to be, and what it can be if it is dealt with in the proper fashion.

Let us stop at once and forever this constant daily misrepresentation, this vilification of a whole race, two-thirds of the population of Canada, the descendants of the heroic founders and colonizers of Canada, the cousins of the heroes of the Marne and Verdun; the heroic participants in the valorous and heroic deeds of Courcelette. Let us stop the cruel and senseless persecution to which they are subjected in the education of their children. Stop that useless and cruel attempt to proscribe their beautiful and immortal French speech. Remember that after this war and for all time French and English must live here side by side, and together work out a common destiny, for better or for worse. Let us remember that it is by no blind hazard nor fortuitous circumstances that the descendants of the two greatest and proudest races have been thrown together in this part of the New World, to live together and prosper, not to ostracise one another. Let us remember that it is in our combined power to establish and perpetuate, on this northern half of the North American Continent, probably the most perfect, as human things can be perfect—the most perfect christian democratic Commonwealth. Let us remember that we can make or forever mar such a glorious future. And inevitably we shall mar it, and irrevocably, if we do not at

once put an end to our religious and racial strifes. Let us fully realise that in this Canada of ours, God's country, we, you of British origin and we of French birth, are offered the very best, probably the last, chance of making a success, and a brillant one, if we only will try of democratic ideals and purposes; and that if we fail it will be only because we will have allowed our vision to be obscured by old-time feuds which have no place and should have no refuge in this free land, by wretched and miserable intolerance, by an insane and puerile wish to make each and every one of us eat, sleep, live and die, dress, walk, talk, and act, with deadly uniformity. If we fail, it will be because we shall be so blind as to not see that each race has qualities, virtues and aptitudes peculiar to itself and that if you destroy them you are destroying as many elements of progress and happiness. If we fail it will be because we shall fail to realize that it is union, not fusion, of the races which alone is possible and necessary in Canada. Let us, for the sake of preserving and utilizing our respective virtues and qualities, be tolerant of our respective faults or shortcomings.

This measure will probably become law. It may be enforced soon or late, or never, as I hope. The war itself, the great calamity which has overcome the world, will come to an end some time. Things will right themselves with more or less celerity and completeness. But we in Canada, English and French, will be here forever; and that is to my mind the most important, the most vital thing to always remember and never to lose sight of. Shall we forever continue or shall we now put an end to fratricidal strife?

Hon. Sir MACKENZIE BOWELL: It is not my intention to make a speech, nor to discuss the school question of the province of Ontario, nor the law as it stands upon the statute book. I rise merely for the purpose of entering my protest in the most solemn manner against the allegations which the honourable gentleman has made against the Conservative party of the province of Ontario. I have been contesting and taking part in elections for sixty or seventy years, and from my long knowledge and extended experience I say that the charges the honourable gentleman has made against the Conservative party in reference to the use of the French language or the condemnation of the French people or their religion are totally incorrect. Whenever that question has arisen—and I have fought it over and over again myself—it has been raised by the party with which the honourable gentleman himself is connected. If he wants any proof of that I have a scrapbook containing extracts from the speeches of the leading men whom he has followed all his life, which prove the statements I have made. Perhaps the honourable gentleman has forgotten that in the election which took place in South Ontario between a member of the Government of Sir John A. Macdonald and a representative of his own party, the motto that was circulated through the country was: "Vote for Mowat and the Bible, or for Morrison and the Pope." I myself was denounced over and over again as a "French mouton," and a "fleeced mouton," because I refused to join in the condemnation of the Roman Catholic Church and of the French Canadians in conducting my own election, and I lost one election for that very reason, when I took sides with the minority against condemnation, on the ground that, as two-thirds of the population of this country consisted of a different race with a different religion from the other third, the country could not be governed on the principles agitated and advocated—

Hon. Mr. BELCOURT: I did not attack you.

Hon. Mr. MACKENZIE BOWELL: I do not care what you say, I assert that your whole statement is a total misrepresentation of the position of the Conservative party in the province of Ontario. You instanced Dalton McCarthy. What was the result of Dalton McCarthy's agitation?

Hon Mr. BELCOURT: The P.P.A.

Hon. Sir MACKENZIE BOWELL: Let me continue.

Hon. Mr. BELCOURT: Didn't you interrupt me three times?

Hon. Sir MACKENZIE BOWELL: You mention the name of Dalton McCarthy, but Dalton McCarthy was not justified or supported by the Conservative party as a whole. There were but thirteen members of the House of Commons who supported him, and when he went to election he was kicked higher than Gilderoy's kite by the Conservative party, as the honourable gentleman knows well, and he has no right to get up and charge the whole party with the conduct of two or three newspapers which may have taken strong grounds. It is just such gentlemen as he is, and those who have spoken before him on this question, who have kept up the agitation in this country.

Hon. Mr. BELCOURT: Yes, and we are going to keep it up until we get justice.

Hon. GEORGE LYNCH-STAUNTON: The question before us to-night arises out of a Bill to increase the available forces of Canada in this war. It has come before the House of Commons and is now in its final stage before this House. This Bill involves the most serious action that this Senate has ever been called upon to discuss or take; and senators should approach it as judges, trying to raise themselves high above passion, try to raise themselves to a height from which they can discharge their duty to their people and their country, and to decide, not as race hatred, religious animosities and prejudices may lead them, but by the light which the Almighty has given them to decide questions of this vital importance. I have listened with a great deal of pain and sorrow to the discussion on this Bill. I had thought that in the Senate, where we are supposed to have men chosen for their rectitude, for their clear-headedness, for their character, we would have this question discussed as becomes gentlemen, Canadians and patriots. I cannot say, if I speak truthfully, that I have had that hope realized. The question is whether or not we, with the delegated authority which the nation has given us, shall order 100,000 men to the trenches of Europe, and, no matter what religious animosities, what race hatreds, what wrongs we have suffered at the hands of each other, we must discuss the question without considering them at all; else we do not perform our duty to our country and our people. I will at least try to discuss this question on a plane above party turmoil, above race hatreds, above religious animosities, in the clear atmosphere of public duty.

We are called upon to decide whether or not we shall say to our fellow-citizens: "You, sir, shall come out and put on the King's uniform and go to defend us and yours who remain at home." Yesterday the question in effect was asked: "What right have we, sitting in this Senate or in the House of Commons, to say to a fellow-citizen that he shall go forward to face the belching gun, to meet the fire-hissing message of death?" I say we have no right—neither here nor in the polling booth, nor in the streets, nor anywhere; but we have the duty. We have a duty to perform if the occasion arises, just as a judge sitting on the bench has a duty to perform when he takes away the life of a convicted fellow-citizen. He has no right to take that life, but he has the duty. So, if the occasion arises, we have the duty, but no right. The question of right does not arise in this case. It seems to me that morally and legally that duty arises only on one occasion, and that occasion is when the state is in danger.

Is the state in danger? The honourable gentleman from Ottawa (Hon. Mr. Belcourt) has proved it, and honourable members who have spoken before me have brought witness after witness, and all men agree that the state is in danger. By the state I do not mean the British Empire alone. I mean Canada, the land of our birth. Sir Wilfrid Laurier is a witness for whom our friends on the other side will have some regard. He said this:

> The fate of Canada will depend upon the happy or unhappy issue of the terrible conflict which has set almost all the European nations at each others throats, the cause of liberty and civilisation for which we are fighting dominates from very high our miserable party strife.

These are the words uttered by Sir Wilfrid Laurier, one of the leaders of thought in Canada, one of the big men in Canada, one of the men from whom the people receive their inspiration, and by whom the people expect to be led. If the fate of Canada is in the balance, then it is our bounden duty to see that that fate is not unfortunate, and to resist with all the power of the state, even as France has done, to the last man and the last dollar. If Canada were not in danger, but if Great Britain were in jeopardy, that rock "set in a silver sea," the only dam against the onrush of Hun barbarism which threatens to inundate the world, then I would say it was our bounden duty, not as British subjects alone, but as part of the human race, to do all that in us lay to stem the tide of German brutality.

I have very fixed convictions upon the question of conscription. I believe that our voluntary system is the bastard offspring of modern democracy. I believe that it is vicious, that it is wrong, that it is unfair, and that it brings disease into the state. I believe that it weakens our forces. I believe that it is unmanly. Using the word voluntary in its generic and proper sense, I believe that there is no such thing as a voluntary system. It is a nickname given to moral coercion. The voluntary system was never heard of in the history of the world until the civil war in the United States brought it forth and destroyed it. To say that it is a tradition of England is in my humble judgment to misread her history. Until

1914 the greatest army that ever crossed the channel was a conscript army. It was the army sent in the reign of Henry VIII by England's first great war minister, Cardinal Wolsey. In England's history, down to the time of Charles I, there never was an army of anything but conscripts. In those days every lord had to bring his quota of men to the standard of the King, and England never required to ask her people to volunteer for her defence. From the days of the Stuarts down to 1914, England had a professional army whose ranks were filled by men who thought their vocation was the profession of arms, and by those who were driven into it by starvation. Those are the classes which composed her army—the model, the glorious, the splendid British army. England never required a conscripted army; she never had more than a police force in the Napoleonic wars as compared with the force engaged in the present conflict. From twenty-five to fifty thousand men was her greatest contribution to the greatest battle of all time until this war commenced. So a modern army is a citizen army, and a citizen army was never required in England until now. The French introduced conscription, as we understand it, although that gentleman who has been called the blackguard of Europe, Frederick the Great, had a conscript army many years before. His army was not composed of selected conscripts; they were slaves driven in to fight his nefarious battles. The United States first experimented with what is called a voluntary army. The other night Sir Wilfrid Laurier quoted Abraham Lincoln, of whom he is a great admirer, that champion of government of the people, by the people, and for the people; but he forgot that Abraham Lincoln was the first modern democrat who saw, realized and believed that the only proper way for the people to defend themselves was by selective conscription.

In my opinion no people in the world will vote for conscription. No people in the world, except in Australia, have ever been asked to vote for conscription, and no Government in the world should ever resort to the voluntary system.

Now, let us see what the voluntary system is. It is the most brutal form of coercion ever practised. My honourable friend from Ottawa (Hon. Mr. Belcourt) says that the English-speaking people of this country are calling his French compatriots slackers and cowards. I may say that what education I have I received among the French in Montreal. For years I lived among the French people, and no man can convince me that the men in whose veins runs the blood of the companions of Dollard and the followers of Champlain and La Salle are cowards and slackers. I believe that no part of this country is inhabited by a traitorous people. God made us all, and I believe, as Mr. Balfour has said in one of his inimitable essays, that from the beginning until now man has been ever the same. He speaks in different tongues, but the same heart pulsates within his breast, the same soul God put into his body. All races are alike, and have amongst them, as we have, the brave, the chivalrous, the great, the small, the cowardly, and the average is about the same.

Day after day and month after month, in the city in which I live, men have been hounded through the streets and called slackers. That condition is not peculiar to Quebec. Every man who has a tongue seems to call other men who do not go slackers and cowards. Do not go away with the idea that the bouquets are all thrown at your race. Every man who has withstood the call to volunteer and has refused to go has been spat upon because he would not go. It is the common evil result of an iniquitous system.

Honourable gentlemen say that we should not conscript the people until we have a referendum, until we have the voice of the people at large. Is there any justice in that? I have said here, as I have said outside, that I have never heard a moral or a legal argument, a fair or a just argument, advanced in favour of the voluntary system. I defy any man to put up any argument in favour of it that is not fallacious. Of course, men may use smooth words which, running along with nice sentences, catch the ear, just as music does, but honourable gentlemen know that there is no "plea so tainted and corrupt but being seasoned with a gracious voice obscures the show of evil."

The question of a referendum has been raised by Sir Wilfrid Laurier, who represents the anti-conscriptionists. I may say that never until now have I thought of Sir Wilfrid Laurier except as a great and patriotic Canadian. Never in my life have I spoken of him with disrespect. I have always regarded him as second only to one other Canadian, Sir John Macdonald. Although I differ with Sir Wilfrid in politics, I see no reason why I should not admire any of my fellow-Canadians who are great. But I have been woefully disappointed by his

action in this case. I do not know what to attribute it to, because I believe that he is a wise, clear-headed man. A few years ago, when he was asked to submit to the people a question which affected the people's rights, Sir Wilfrid Laurier condemned the referendum. To-day he commends it when there is no right of the people to be submitted to them. What are we going to do if we follow him? We are to ask the millions of voters in Canada whether or not 100,000 men shall go to the front. If we were going to levy a local improvement tax in Ottawa, we would not submit the by-law to the citizens of Ottawa. We would submit it to the taxpayers, and why? Because the men who do not pay have no right to a say. Now we want 100,000 men between the ages of 20 and 30, and Sir Wilfrid Laurier proposes to ask men between the ages of 30 and 40 who are eligible whether other men shall go. He proposes to ask men who have no children, and who are beyond the age limit, whether the eligibles shall go. Will anybody tell me what right any man who has not a chance of going himself has to say that his neighbour shall go? The proposal is a palpable travesty. It is wrong and fundamentally vicious to submit the fate of one man to the vote of another.

Hon. Mr. BEIQUE: Have you any more right to do so?

Hon. Mr. LYNCH-STAUNTON: I say that we have no right at all, but we have a duty. Honourable gentlemen sitting in this chamber are the delegates of the people; the members of the House of Commons are the accredited agents of the people. Under the British North America Act the people of Canada asked England to give them a Parliament to protect their rights in the state and to enforce their duties to the state.

Hon. Mr. BEIQUE: Is the honourable gentleman aware that the mandate from the people has expired?

Hon. Mr. LYNCH-STAUNTON: I know all about it. I will refer to that in a moment. I say that no man has any natural or legal right to take his neighbour by the shoulder and place himself behind that man in order to save is own life or his family. I have no right over my honourable friend; I have no right to take him by the collar and throw him out of this room; but an occasion may arise—

Some Hon. SENATORS: Oh, oh.

Hon. Mr. LYNCH-STAUNTON: This is not intended as a joke. An occasion may arise when it would be the duty of an officer to do so. Now, the people of Canada have chosen their representatives, who swear when they enter Parliament or this Senate that they will enforce the duties and protect the rights of the people. So I voted for a member of Parliament; you voted for a member of Parliament; I consented to the constitution; you consented to it; and therefore we gave authority to the Parliament to enforce our duties to the state. That is the reason we have the right. No man has any right, unless it is given to him, over another man's liberty. Parliament has been given that right, and I declare to the honourable gentleman from De Salaberry (Hon. Mr. Beique) that Parliament is the only place in which is deposited the privilege of enforcing the performance of duties by the people.

Now, the referendum would be plausible enough if, for instance, we were contemplating the taking over of the railroads. A government might well say, "We will submit that question to the people, because it is a question of right;" but a question of duty, never. It is most unfair to give to a lot of men who have no chance of going themselves the right to vote whether I shall go or not, or to give to men over 30 and under 40 the right to send their neighbours in order to save their own skins. Therefore I say that if Sir Wilfrid Laurier spoke sincerely he would condemn the referendum instead of commending it to the people of this country.

"Oh, well," they say—and this amendment to the motion says: "We want conscription, but we will put it off till after the elections." "Put it off," says By-and-by. Why put it off till after the elections? Honourable gentlemen say that more soldiers are required, and these gentlemen say that the people are not in favour of it.

Hon. Mr. BEIQUE: Did not the Prime Minister himself first suggest it?

Hon. Mr. LYNCH-STAUNTON: To put it off until after the elections?

Hon. Mr. BEIQUE: Yes.

Hon. Mr. LYNCH-STAUNTON: If he did, he was wrong, in my opinion; and I am speaking my opinion and not the Prime Minister's. I do not care what position the Prime Minister or the Government takes; I am exercising my own judgment in this

case, and I will not exercise Sir Wilfrid Laurier's or Sir Robert Borden's. Put it off till after the elections? I believe that Sir Robert Borden—and I am not saying this to defend him—said to Sir Wilfrid Laurier: "Come in with me and I will give you half the portfolios. Come in with me and help me to enact a law for enforcing conscription in this country. I have in my mind the knowledge which makes me go back on all my former intentions. I never wanted to see conscription in this country, but I feel now that I must swallow my words." And Sir Wilfrid Laurier, having taken the proposal into his serious consideration, declined. Then, as a concession and for the purpose of inducing him to come in, Sir Robert Borden proposed that they form a coalition Government, pass the Military Service Bill, and go to the country after the Bill became law and before its enforcement. He did not offer to go to the country in the first place, and he offered to go to the country only as an additional inducement to obtain Sir Wilfrid Laurier's concurrence. Now, that is the truth, and Sir Wilfrid Laurier admits in his letter that that is the fact.

All the honourable gentlemen on the other side who have spoken have said that the people are against conscription. They are against it. Some honourable gentlemen who have been frank have said that we need soldiers. Some of the honourable gentlemen have said that the country is in danger, that the emergency has arisen; and yet they say, "Put the question to a general election." Why? We need the soldiers. The necessity has arisen. Put it to a general election so that you will have it killed?—is that a right or proper way to perform one's duty? It is only the men whose hearts are of water, whose characters are unstable, that are afraid to perform their duty for fear of losing popularity. No man is worthy of a public position, or worthy of the esteem of his fellow-citizens, who will not in a grave national emergency, an emergency much less than this, in which the whole world is involved, stand, even if he is the only man in his province to stand, against public opinion if it is wrong. It is his duty to stand, as stood the greatest patriot whom we have ever had in English history, Lord Chatham, whose effigy or monument in Westminster is so splendidly described by Macaulay:

> High over those venerable graves towers the stately monument of Chatham, and, from above, his effigy, graven by a cunning hand, seems still, with eagle face and outstretched arm, to bid England be of good cheer and hurl defiance at her foes."

That is the position which every man should take—stand up for the right; stand against all public opinion; and do not allow your feet to be enmeshed in your wrongs; do not allow your sight to be blinded by your grievances, real or imagined.

Let me say another word and I shall have done. The honourable gentleman from Ottawa (Hon. Mr. Belcourt)—and I cannot follow his argument at all—began with a speech which I thought was most sincere, most self-detached. He was, I thought, trying to put before us, as the honourable gentleman from De Lorimier (Hon. Mr. Dandurand) did the other night, the conditions in Quebec. But I am surprised that he should make two absolutely contradictory statements. He said that the cause of the shortage of recruiting in Quebec was that the Government had not inaugurated an active crusade, had not treated the people properly, had not stirred up the feelings of the people sufficiently. I may tell him in passing that the Government did nothing with us. We in Hamilton made our own recruiting league; we in Hamilton stirred up our own people; and I am proud to say that no other city in Canada of our size has sent as many men. We had no assistance from the Government, and I take serious objection to his reflection upon the Government, because, so far as my experience goes, in Hamilton the plums were given to Liberals and not to Conservatives. We know who General Logie is; we know who Major Chisholm is; we know who General Mewburn is; we know who Colonel Robertson is; we know who Colonel McLaren is. I do not know a leading Conservative in Hamilton who got anything. Now, it may be that in his part of the country, or the part of the country that he has in his mind, Conservatives may have received appointments from the Government, but I assure him in all sincerity that one thing for which I admired Sir Sam Hughes, so far as my experience goes, was the absence of politics. The honourable gentleman first said that these were the reasons why they were not recruiting—

Hon. Mr. BELCOURT: Some of them.

Hon. Mr. LYNCH-STAUNTON: The honourable gentleman said, the reasons—pardon me.

Hon. Mr. BELCOURT: I know what I said.

Hon. Mr. LYNCH-STAUNTON: Then he burst forth like a torrent and declared that the reason was the racial hatred of the rest of Canada.

Hon. Mr. BELCOURT: No, no.

Hon. Mr. LYNCH-STAUNTON: It all came out of the school question. I know that there is nothing more tender in a man than his race and perhaps his religion. Let the honourable gentleman remember that I too am a Catholic, that I too have had my humiliations, that I have had my grievances; and all English-speaking Catholics, like you of the French race, have had what we think were very serious complaints to make, not of our fellow-citizens generally, but of those whom I have on other occasions described as the undesirable citizens of our country. The minority is always sensitive. When any man does anything against my religion or my country, I am very sensitive. When I hear a man say things against the Roman Catholic Church, I resent them with all my soul. But I will not sink my duty to my country or allow anybody to destroy my country because there are evil men in this community.

Hon. Mr. BELCOURT: Will my honourable friend permit me to say that that is my position. I have not allowed these things to prevent me from performing my duty. I was describing a condition; I was not justifying it.

Hon. Mr. LYNCH-STAUNTON: But, if my honourable friend will allow me to say so—and I have a deep sympathy with him and his French compatriots—this is not the time nor the place for that. I tell him, and I trust my honourable friend will believe in my sincerity, that in a national emergency, at a time when his life and liberty and my life and liberty are at stake, these things should not be discussed. He may feel so intensely—I know he does—that he cannot see it as I see it; but I ask him in all sincerity to rise above his wrongs, if wrongs he has, and not to go and tell his people to inject a consideration of their wrongs into this discussion.

Hon. Mr. BELCOURT: I have not done that.

Hon. Mr. LYNCH-STAUNTON: He has done it to-night. And I tell you this, that such speeches as these do not do any good. There are just as many prejudices on the French side as there are on the English side; there are just as many hatreds, just as many narrow-minded people, just as many bigots; but the leaders on our side are endeavouring to drag the people out of those shadows, and the leaders on that side should try to drag the people out into the clear day. That is my point. Let nobody imagine for one moment that I am casting reflections.

Now, let me say one other word. Conscription is necessary if the honourable gentleman from De Lorimier (Hon. Mr. Dandurand) is correct. He made the strongest speech for conscription. Mind you, I say conscription is the only way. My own private belief is that the voluntary system should never be resorted to. But conscription is necessary, according to the unimpassioned speech made in this House a few nights ago by that honourable gentleman. He said that the people of Canada had enlisted in inverse ratio to the time during which they had lived in this country. He said that the French people who had lived here 250 years were less inclined to enlist than the English people; that the English-speaking people who had lived here perhaps 100 years were less inclined to enlist than the English, Irish, and Scotch who had recently come to this country. That is a fair interpretation of the honourable gentleman's statement. And he said, therefore you cannot expect from the people of Canada a whole-hearted response to a call for voluntary enlistment. I took down the proportions which he gave. I think he said that there were among the French people enlistments of about five per cent, and among the English-speaking about seven per cent of the old-timers in the country. Then, if these are the conditions, what is the use of resorting to the voluntary system? Are you going to send men out over the country to call everybody a slacker, a coward, a scandalous loafer, if he does not go to the front? That is the gospel of the voluntary system, and that is what will produce the disunion.

I pray to God that we shall never have—and yet sometimes I fear we shall have—a condition in Canada similar to that prevailing in Ireland; and I pray for our children coming after us that they may never have such a condition; but I tell him that I would rather live in disunion under the beaver than in union under the German vulture, if I had to choose. But I do not believe a word of the talk of disunion. In the United States there was a civil war; the country was cleft in two; the hatreds and the animosities were terrible. When the war was over, the blood of

500,000 Americans had been shed and their bones were bleached on their soil before their time. But what of the United States to-day? They are a united nation. And we can be a united nation. Why should men become disunited on this subject? The question of conscription is to-night the plank to the saw. Why should conscription disunite us? The honourable gentleman says there now yawns a great chasm between the English and the French-speaking people. God grant it may soon be bridged. But I do not see why conscription should make that chasm wider.

Surely it was ungenerous for the honourable gentleman from De Salaberry (Hon. Mr. Beique) to say yesterday that the Government had aimed this Act at Quebec. I have absolute confidence that Sir Robert Borden is an honourable, patriotic gentleman. I believe that Sir Robert Borden is as sincere and honest a man as lives in Canada; I believe that Sir Robert Borden would not turn a single inch out of his direct path to do any portion of this community a wrong; and I believe that, when he introduced that Bill, he introduced it because he thought it was necessary for the people of Canada. What earthly political advantage could he get by it? Everybody admits that the majority of the people is against it. Then he cannot gather any political profit from it. What can he win by it? Everybody on the Liberal side tells us that he has committed political suicide—that he has destroyed his political future by it. Then why should he introduce such a measure just to get square with Quebec? Is not that a politician's rather than a statesman's argument? I am surprised at it. I would never dream of hurling a charge at the leader of either party in this country that he wished to shed the blood of the people of Quebec because he resented something—to say that he would do a mortal wrong, would commit legal murder.

Hon. Mr. BEIQUE: Who said that?

Hon. Mr. LYNCH-STAUNTON: The honourable gentleman said that he aimed it at Quebec.

Hon. Mr. BEIQUE: I beg the honourable gentleman's pardon.

Hon. Mr. LYNCH-STAUNTON: The honourable gentleman charged that the Government of Canada had brought in this Bill for the purpose of getting at Quebec, and the honourable gentleman from Ottawa (Hon. Mr. Belcourt) repeated and re-echoed that statement.

Hon. Mr. BEIQUE: The honourable gentleman is mistaken. The only thing I said was that the Government was suspected of doing so.

Hon. Mr. LYNCH-STAUNTON: Well, no gentleman will insinuate anything that he does not believe, and I give the honourable member credit that as he is a gentleman he believes that, or he would not have said it. Surely he would not take away a man's character by innuendo. Surely he would not do it by whisperings.

Hon. Mr. BEIQUE: I have a right to say what statement I have made when it is referred to in an incorrect way. I said that he was suspected of that by the people in Quebec, and that that was one of the reasons why this measure should not be pressed—because it tended to disunion.

Hon Mr. LYNCH-STAUNTON: Will the honourable gentlemen answer my question?

Hon Mr. BEIQUE: I think I did so. I do not say that it is true. I do not say that I believe it.

Hon. Mr. LYNCH-STAUNTON: Will the honourable gentleman allow me to ask him a question?

Hon. Mr. BEIQUE: Of course.

Hon Mr. LYNCH-STAUNTON: Will the honourable gentlemen say, on his honour, that he believes that, or that he disbelieves it?

Hon. Mr. BEIQUE: I do not know.

Hon. Mr. LYNCH-STAUNTON: Then, if you do not know, you should disbelieve it, because I shall imagine evil of no man, and woe unto the slanderer. I say that it shatters my belief in the sincerity of any gentlemen who will try to disseminate a foul slander against a man when he admits that he does not know whether it is true or not; and I am surprised, for, as has been said in this House to-night, the honourable member for De Salaberry stands high in this country as a gentleman, as a professional man, as an educated man, and I would not have noticed that had it not come from such a high authority.

I have endeavoured to put this case before you as I believe it. I have said that we should not let any political consideration influence us. We cannot be expected, by any man who possesses common sense, to do anything which we do not believe; but we are expected to discharge our duty and to allow

the scales of prejudice to fall from our eyes. If any man votes against this Bill for political reasons, he is guilty of a wrong to the state. If any man votes for it against his conscience, he is guilty of a wrong to himself. Every man must govern himself in this case by what he believes is the requirement of the case and is the remedy for the condition. We need the men, and we should have them.

But it is said, if the law is passed it will not be obeyed. Whenever I hear men talking like that I am reminded of the speech of Marc Antony: "They are all honourable men, but if I were you I would rise and destroy them." That kind of a speech should not be uttered. You should say whether or not you believe in this condition: "The people will respect the law." You should never say to the people: "The people will not respect the law." Once it is made a law, all just men respect it.

Sir Wilfrid Laurier said that the workingmen of Canada are against this Bill. Well, I come from a city made up essentially of workingmen, a city of one hundred thousand people who have sent ten thousand men to this war. I say that there is not a factory in Hamilton that has not sent hundreds or thousands of its workingmen to this war; and I say that the man who states that the workingmen of this country are against this proposition speaks either ignorantly or falsely. Let me read a short extract from a letter which appeared in the Ottawa Journal yesterday:

> This is no class war, so far as Canada's part is concerned. The only question of class in it is the class of the world's free men against all the elements of oppression, barbarism, and brutality, and the supreme question is: Are we going to continue in the war? Are we going to give our men the support they urgently require, or are we going to lie down like cowards, and quit?

You see, he is not talking to the French; he is talking to Canadians generally.

> Are we going to send our boys at the front reinforcements, or are we going to abandon them to their fate? They are patiently and determinedly holding the line, anxiously waiting for our decision without even complaining. Their ranks, however, are constantly being decimated by the wastage of war. Our reserves are fast becoming exhausted. What are we going to do about it? To abandon our task at this critical moment or subject our men to unnecessary hardship and trial while we hang back in comfort would be an act of infamy so gross that the name of those responsible for it would stink in the nostrils of decent men so long as time continues.

This is signed by George B. Nicholson, of the Brotherhood of Locomotive Firemen, of whom there are ten thousand in Canada. I know, and we all know, that those men in their lodges have kept alive the insurance of their men; and I speak from what I know when I say that in the city of Hamilton no man can stand up for political or any other honours who is not for this Bill—and it is a city of workingmen. So, if you believe that behind you gentlemen who oppose this Bill there will be an army of workingmen, you will find when you examine it that it is a mirage—the workingmen will not be there.

I am told that this law will not be observed. I am told that by men who, I suspect, by their speeches, will encourage it not to be observed. Every good citizen obeys the laws. No man loyal to the state will by word or act incite the people to disobey the law. Let me repeat to those who by their speeches encourage lawbreaking what was said twenty-four hundred years ago by the wisest of the Greeks personifying the laws:

> Socrates: "And because we think right to destroy you, you think you have any right to destroy us in return, and your country so far as in you lies? And will you, O professor of true virtue, say that you are justified in this? Has a philosopher like you failed to discover that our country is more to be valued and higher and holier far than mother or father or any ancestor, and more to be regarded in the eyes of the gods and of men of understanding? Also to be soothed and gently and reverently entreated when angry, even more than a father, and if not persuaded obeyed? And when we are punished by her, whether with imprisonment or stripes, the punishment is to be endured in silence; and if she leads us to wounds or death in battle thither we follow as is right; neither make anyone yield or retreat or leave his ranks, but whether in battle or in the court of law, or in any other place, he must do what his city and his country order him; or he must change their view to what is just; and if he may do no violence to his father or mother, much less may he do violence to his country."
>
> What answer shall we have to this, Crito? Do the laws speak truly or do they not?
>
> Crito: "I think that they do."

I prophesy that, when this Bill becomes law, every man who appreciates his duty will say to the people, "Obey the law;" and I believe that there is no part of Canada where the law will be better obeyed than in the province of Quebec.

Hon. Sir JAMES LOUGHEED: Notwithstanding the very many differences which have found expression on both sides of the House during the discussion of this subject, I think we shall agree that I should not occupy very much time at this very early hour of the morning, and I do not propose to do so. In fact, I almost hesitate to say anything.

My honourable friends on the opposite side, particularly my French Canadian colleagues, have so criticised me for the alleged emphatic language in which I indulged, that I approach the further discussion of this subject with very great diffidence. However, I should like to say to my honourable friends, from whom I have always received the best of good-will and the most gentlemanly courtesy, that I certainly had not those honourable gentlemen in view, nor specially the French Canadians as a people, in speaking upon this subject. In no way during the course of my remarks did I refer to Quebec, nor did I refer to the French Canadian people by name. What I had reference to was disloyalty wherever it had been uttered throughout the Dominion. I am unaware that we have arrived at that very delicate state of society, and particularly in the carrying on of parliamentary discussion, when we find it undesirable to rebuke disloyalty wherever it may be expressed. I believe that when disloyalty raises its head, no matter whether in Quebec or Ontario, we should strike it. From the Atlantic to the Pacific, during this war, in all the large centres of Canada, disloyalty at times has been indulged in openly. It has appeared in the press. It has been expressed by speakers not only in the province of Quebec, but in the western provinces; and it is the duty of my French Canadian friends, as well as the English-speaking members on this side of the House, to rebuke it whenever and wherever it finds expression. Let it not be overlooked that we have in the Dominion of Canada over a million aliens from Europe—aliens who have come here and avail themselves of all the advantages of our institutions, of all the assistance given them by our Government, of all the advantages of our civilization; and, notwithstanding all that, those aliens bring to this country their prejudices, and they make no hesitation in expressing utterances subversive of good government and national unity. I have in view certain western cities where utterances have found expression of such character that in continental Europe those who expressed them would at once pay the penalty of the traitor. Therefore, if I have expressed myself strongly in regard to the public indifference which has been shown not only in response to recruiting, but in many circles in the denunciation by such people of the Government in the carrying on of the war, I hope honourable gentlemen will understand my feelings in regard to this subject.

Hon. Mr. POWER: For one, I accept the honourable gentleman's apology.

Hon. Sir JAMES LOUGHEED: There is no apology about it, and I may say again that if similar conditions come under my observation I shall feel myself at liberty to express myself quite as strongly as I did in introducing this Bill.

Now, permit me to say that, this Bill having been introduced, it is right to presume that the Government had a reason for what they have done. It was not introduced until the Prime Minister returned on the last occasion from England. He was made acquainted with such facts as not only suggested but rendered it necessary that the Government should introduce conscription. As reflecting the opinion of the Imperial House upon this subject, let me read some remarks made by the Right Hon. Mr. Balfour on the introduction of the Conscription Bill in the British House of Commons. He said:

> The credit of the Government and the credit of the House of Commons—these are great things. But there is something even greater, and that is the safety and success of the country. Let me say with the utmost emphasis that on this point those who have looked into the matter entertain no doubts whatever. We on this bench who have looked into the matter are of opinion that this Bill is a necessity. I have learnt from the authorized sources of public opinion that there are divisions in the Cabinet. I have learnt from the daily press a great deal about my own opinions and about the opinions of my colleagues. But this I can inform everybody, for what it is worth: There is not one member of the Government who does not hold that this Bill is a Bill essential for the proper carrying on of the war. If the House refuses this Bill to the Government they are refusing to the Government what the Government are clearly of opinion is a military necessity.

He was followed by Mr. Asquith and Mr. Bonar Law, who also insisted strongly on the military necessity, and on the advice given by the Government experts. I need not say that that opinion was strongly impressed upon the Prime Minister of this Dominion, and in the exercise of the very important duties which fell upon his shoulders he assumed the responsibility of advising his Government that this Bill must be introduced into Parliament. Accordingly Parliament has been asked to adopt it.

Now, my honourable friend (Hon. Mr. Bostock) has moved an amendment that this Bill should not come into operation until after the general election. Since Tuesday last we have been

regaled by honourable gentlemen on the opposite side of the House who have spoken on the subject, condemning this Bill in the strongest language which they could use. They not only condemned the principle of the Bill, but they cast aspersions on the good faith of the Government as to the manner in which the Bill would be carried out if passed, and they furthermore informed us that even if passed it could not be enforced. Notwithstanding this disapproval of the Bill, particularly of the principle of the Bill, we have the peculiar situation presented to us by my honourable friend introducing an amendment approving of the principle of the Bill and yet asking for its delay. In view of their denunciation of the Bill, when the division is taken will my honourable friends be prepared to support the principle of the Bill? I shall look forward with a very great deal of interest and curiosity to see how my honourable friends will vote.

Various reasons have been advanced as to why this Bill should not be made effective. My honourable friend who introduced the amendment made the suggestion that in his judgment the opinion of the electorate should be obtained before determining whether further support should be given to our forces in the field.

Hon. Mr. BOSTOCK: Will my honourable friend excuse me? The argument that I tried to make was that the Government could make a further effort in the way of voluntary enlistment, and could defer putting the Bill into force until after the election.

Hon. Sir JAMES LOUGHEED: Notwithstanding that, my honourable friend made the statement that the opinion of the electorate should be taken as to whether further support should be given to our forces. I made a note of it at the time. His remark may have been made unwittingly; if so, I gladly withdraw my statement. However, the attitude taken by my honourable friend, and by the honourable gentlemen who have supported him, is one, it seems to me, of very deep humiliation. At the beginning of the war Canada committed itself to the policy of carrying this war to a conclusive issue. We have pledged our honour, we have pledged everything we possess as a people in order to carry this war to a successful end; and to think that at this crucial moment, a moment more crucial than any which has yet arisen during this war, it is suggested that this Bill, which must necessarily furnish the reinforcements which we shall send to the front, and by which alone we can do it, should be left, like Mahomet's coffin, suspended between heaven and earth! It seems to me that the people of Canada should realize the discredit that must issue from such a course.

Hon. Mr. DANDURAND: Yet Sir Robert Borden suggested that.

Hon. Sir JAMES LOUGHEED: My honourable friend knows very well that if the proposals made by the Prime Minister to the leader of the Opposition had been accepted, this Bill would have been passed and put into operation at a very early date.

Now, in what way would the honourable gentleman put this Bill into operation if it is passed? My honourable friend from De Lorimier (Hon. Mr. Dandurand) entered into a very learned and interesting disquisition on the ethnology of the French race, and advanced that as a reason why the Bill should not be put into operation. My honourable friend seriously advanced this as a reason why his countrymen in Quebec should not be called upon to fight the battles of the Empire.

Hon. Mr. DANDURAND: I am sorry that my honourable friend does not exactly reproduce my idea. That is not the reason that the appeals which were made to them —by myself and others—should not be answered. I was simply expressing an opinion as to the state of mind and the comparative slowness with which they were answering, and I showed that as between the British-born and the Canadian-born there was the same difference.

Hon. Sir JAMES LOUGHEED: Does not my honourable friend think that their minds should be quickened?

Hon. Mr. DANDURAND: I have been doing what I could to accomplish that, and I am still ready to go on.

Hon. Sir JAMES LOUGHEED: I hope my honourable friend will join us.

Hon. Mr. DANDURAND: Not with conscription.

Hon. Sir JAMES LOUGHEED: My honourable friend from Russell (Hon. Mr. Edwards) has advanced another reason why conscription should not be put into operation. He seemed to have a pessimistic moment, and concluded that we could not afford to carry on the war. He advanced that as a reason why we should practically

abandon the policy which we have pursued up to the present time. For the purpose of encouraging him and leading him to revise his opinion, and to show him that the country is not going to the dogs, I would point out the great increase in the volume of trade during the past year, which is a very fair criterion of the prosperity of the country. I might say that the figures for the fiscal year 1915-16 show an increase of 130 per cent.

Hon. Mr. CASGRAIN: How much of it was bacon?

Hon. Sir JAMES LOUGHEED: Not necessarily bacon nor munitions—and an advance over 1916 of 69 per cent. My honourable friend also pointed out the fact—and I hope that he did not give serious thought to it—that he did not approve of the well-established constitutional doctrine that when the Empire is at war Canada must necessarily be at war. My honourable friend was of the opinion that we could pick and choose what wars we should enter. Does he not know that we are regarded by Britain's enemies as belligerents, no matter whether we remain passive or become active.

I was very much interested in the ideas of some of my honourable friends opposite as to the service which we should render the Empire in carrying on this war. My honourable friends seemed to be of the opinion that our people should become engaged and entirely absorbed in producing food products at war prices, and munitions at wage rates 100 per cent above normal. That appeals to me as a rather extraordinary conception of the service which Canada should render to the Empire, particularly when a paucity of our men are fighting in the trenches for liberty and human rights. If that is the ideal seriously entertained by our friends in Quebec—and they have laid it down in all seriousness on this occasion—then I must say that I am not hopeful of that province taking a more patriotic view of the situation than it is doing to-day. What would be thought of the people of Great Britain, or the people of France, or the people of Belgium, or of the people of any of our Allies, if they were to say: "We are not going into the field, we are not going to enter upon active service, we are not going to face the enemy and pay the supreme sacrifice," which millions of men are doing; "but we are going to produce food, we are going to manufacture munitions at a profit of 100 per cent beyond what we have been receiving in the past." I hope that honourable gentlemen do not seriously entertain such opinions. In the face of the pledges made, and particularly in view of the advocacy of the voluntary system, what hope have we from the voluntary system if my honourable friends will not give it any more assistance than they have done in the past? Do the sentiments expressed by them give us an earnest that it would be worth while trying, particularly in Quebec, to depend on the voluntary system and for this reason to reject this Conscription Bill, which we have been forced to introduce, and upon which we must necessarily rely?

Notwithstanding the surprise manifested by my honourable friends in this matter, they seem to have entirely overlooked the fact that in 1904, during the régime of the Laurier Government, a Conscription Bill was placed on the statute book, a Bill more drastic than the Bill which we are now considering. And, to make it more drastic than ever, after the South African war, the Prime Minister, then Sir Wilfrid Laurier, introduced an amendment into the Bill, which honourable gentlemen will find in the recital now before us, making it operative beyond Canada, and adopting all the drastic clauses which had been in the previous Bill. Yet we hear not a word in regard to this being the law of the land since 1904.

Hon. Mr. DANDURAND: Oh, it was long before that.

Hon. Sir JAMES LOUGHEED: It dates back to 1868; but I am speaking of the period when it was so amended as to place beyond peradventure the object of the Bill, namely, to give the power to send forces beyond the seas.

Hon. Mr. DANDURAND: The text on that point was the same. "The King" was changed to "Governor General," that is all.

Hon. Sir JAMES LOUGHEED: I need not elaborate upon any distinction between the Bills, except to say that the Bill which we are now considering provides for the selective system, and is admittedly superior in every respect, and very much more moderate than the Act of 1904.

At this point I wish to say, if my honourable friends are intent upon moving this amendment, and if this Bill were to be defeated, that, inas-

much as the Government has absolutely committed itself to maintaining 500,000 men in the field and sending reinforcements to them from time to time, they might feel it incumbent upon them to put into force the Militia Act. This amendment is moved for the purpose not only of delaying but of defeating the Bill. It has already been pointed out and elaborated upon that the bill provides for selective conscription. The advantages of this system have already been dwelt upon at great length.

In 1904 Sir Wilfrid Laurier, as I have said, placed upon the statute book a system of conscription by ballot, under section 70 of the Militia Act, and re-enacted by section 69, chapter 41, of the Revised Statutes of 1906, as set forth in the preamble of the Bill now under consideration. That section is as follows:

> The Governor in Council may place the militia, or any part thereof, on active service anywhere in Canada, and also beyond Canada, for the defence thereof, at any time when it appears advisable so to do by reason of emergency.

Enrolment under that Act is by ballot. As a conscriptive system, the Laurier Act is more drastic in its compulsory features than the Bill now under consideration. I have authority for saying that if this amendment is carried and the Bill is thus practically defeated, the Government will be compelled to give their serious consideration to giving effect to the Laurier Conscription Act, for the purpose of furnishing reinforcements necessary to support our men in the field.

Hon. Mr. CHOQUETTE: We are willing to let you do that.

Hon. Sir JAMES LOUGHEED: My honourable friend could not prevent it.

Hon. Mr. CHOQUETTE: What is the position?

Some Hon. SENATORS: Order, order.

Hon. Sir JAMES LOUGHEED: If, therefore, the Laurier Conscription Act should press more heavily upon Canada in the raising of the necessary forces, the responsibility will rest upon those responsible for the defeat of the present Bill.

I have nothing further to say, except to appeal to your sense of patriotism, to your sense of honour, to support the men already in the field. In the name of the thousands of Canada's sons who have shed their blood in France and Belgium, let us break away from these racial and political differences, and in a patriotic spirit show ourselves sufficiently unanimous and sufficiently patriotic to support a Bill which is necessary for the carrying on of this war.

Hon. Mr. EDWARDS: May I ask a question?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. EDWARDS: In view of the position in which my honourable friend places me and several others who are opposed to the Conscription Bill, what would he say of the many who opposed the Conscription Bill in Great Britain, where there are no racial differences?

Hon. Mr. LYNCH-STAUNTON: They are slackers.

Hon. Mr. EDWARDS: Then, with regard to the Boer war, what would my honourable friend say of the great opposition that there was in England, led by the gentleman who is now Lord Bryce? In what position do you place him?

Some Hon. SENATORS: A slacker.

Other Hon. SENATORS: Order, order.

Hon. Mr. EDWARDS: Then, when war was declared and the Honourable John Burns and the now Lord Morley resigned from the Government, in what position would you put those honourable gentlemen? Where would you place the minister of the Crown who retired, Sir John Simons, I think it was, when the Conscription Bill went into effect?

Hon. Sir JAMES LOUGHEED: I would come to the conclusion tnat they were not serving their country as they should. I would say they were slackers. I do not care how distinguished as ministers of the Crown they may have been, they were cowardly in not facing their responsibilities.

Before the question of the amendment was put:

Hon. Mr. THOMPSON: I would like to say that I do not intend to vote on the amendment, but I propose to vote for the second reading of the Bill.

The Senate divided on the proposed amendment of Hon. Mr. Bostock:

CONTENTS.

Honourable Messieurs:

Beaubien,	Landry,
Béique,	Lavergne,
Beith,	Legris,
Belcourt,	McHugh,
Bostock,	McSweeney,
Boyer,	Mitchell,
Casgrain,	Montplaisir,
Choquette,	Power,
Cloran,	Prince,

Dandurand,
David,
Dessaulles,
Douglas,
Edwards,
Farrell,
Forget,
Gillmor,
Ratz,
Roche,
Talbot,
Tessier,
Thibaudeau,
Watson,
Wilson,
Yeo.—34.

NON-CONTENTS.

Honourable Messieurs:

Blain,
Bolduc (Speaker),
Bourque,
Bowell (Sir Mackenzie),
Crosby,
Curry,
Daniel,
Dennis,
Donnelly,
Fisher,
Foster,
Fowler,
Girroir,
Gordon,
Laird,
LaRivière,
L'Esperance.
Lougheed (Sir James),
Lynch-Staunton,
Macdonell,
Mason (Brig. Gen.),
McCall,
McLaren,
McLean,
McLennan,
McMeans,
Milne,
Murphy,
Nicholls,
Planta,
Poirier,
Pope,
Pringle,
Richardson,
Robertson,
Ross (Middleton),
Sharpe,
Shatford,
Smith,
Sproule,
Tanner,
Taylor,
Thorne,
White.—44.

The amendment was negatived.

The question of the second reading of the Bill was then put.

Some Hon. SENATORS: The same division reversed.

Other Hon. SENATORS: Question.

The Senate divided on the motion of Hon. Sir James Lougheed that the Bill be now read the second time:

CONTENTS.

Honourable Messieurs:

Beaubien,
Beith,
Blain,
Bolduc (Speaker),
Bostock,
Bourque,
Bowell (Sir Mackenzie),
Crosby,
Curry,
Daniel,
Dennis,
DeVeber,
Donnelly,
Douglas,
Fisher,
Foster,
Fowler,
Gillmor,
Girroir,
Gordon,
Laird,
LaRivière,
L'Esperance.
Lougheed (Sir James),
Lynch-Staunton,
Macdonell,
Mason (Brig. Gen.),
McCall,
McHugh,
McLaren,
McLean,
McLennan,
McMeans,
Milne,
Murphy,
Nicholls,
Planta,
Poirier,
Pope,
Pringle,
Richardson,
Robertson,
Ross (Middleton),
Sharpe,
Shatford,
Smith,
Sproule,
Talbot,
Tanner,
Taylor,
Thompson,
Thorne,
Watson,
White.—54.

NON-CONTENTS.

Honourable Messieurs:

Béique,
Belcourt,
Boyer,
Casgrain,
Choquette,
Cloran,
Dandurand,
David,
Dessaulles,
Edwards,
Farrell,
Forget,
Landry,
Lavergne,
Legris,
McSweeney,
Mitchell,
Montplaisir,
Power,
Prince,
Roche,
Tessier,
Thibaudeau,
Wilson,
Yeo.—25.

Hon. Mr. WATSON: I beg to call the attention of the House to the fact that the honourable gentlemen from North Middlesex (Hon. Mr. Ratz) has not voted.

Hon. Mr. RATZ: I have been paired with the honourable gentleman from Moosejaw (Hon. Mr. Ross). Had I voted, I would have voted against the Bill.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until Monday at three o'clock.

THE SENATE.

Monday, August 6, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

ENLISTMENTS AND REJECTIONS.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. What is the total number of enlistments in Canada since the outbreak of the war to July 15, 1917?
2. What is the total number of men who volunteered for military service during the same period who were rejected as medically or otherwise unfit?
3. What is the total number of Canadian troops rejected by British military or medical authority on their arrival in England during the same period?
4. What is the total number of Canadian troops who, having rendered no military service, have been consigned to hospitals in England? How many of these men are on the pay-roll of the Militia Department drawing salary, allowance and contributions from the Patriotic Fund for themselves or their dependents?

Hon. Sir JAMES LOUGHEED:

1. 426,234.
2. Information not at present available.
3. Information not at present available.
4. None.

BRITISH RECRUITING MISSION IN UNITED STATES.

INQUIRY.

Hon. Mr. BOYER inquired of the Government:

1. How many officers, non-commissioned officers, and privates of the Canadian militia have been doing recruiting under the British Recruiting Mission in the United States. Authority P.C. 1505, June 7, 1917?
2. At what expense to Canada?
3. Were there any French Canadian officers, n.c.o.'s or privates attached to this Canadian Mission?
4. If none, why so?
5. Is the Government aware that there are one million five hundred thousand to two million French Canadians in the United States?

Hon. Sir JAMES LOUGHEED:

1. 30 officers, 26 n.c.o.'s.
2. Pay and allowance of rank.
3. Yes.
4. Answered by No. 3.
5. The Government is aware that a considerable number of French Canadians reside in the United States.

THE SENATE AND HON. THOMAS CHAPAIS.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

Has the Prime Minister or any member of the Government made the offer of a seat in the Senate to Honourable Thomas Chapais, of Quebec?

Has the offer been withdrawn or refused?

Hon. Sir JAMES LOUGHEED: No.

JUDGES ACT AMENDMENT BILL.

FURTHER CONSIDERATION IN COMMITTEE.

On the Order:

Consideration of the amendments made in Committee of the Whole House to Bill 66, an Act to amend the Judges Act.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, if there is a disposition on the part of the House to give a third reading to this Bill as it has been amended in committee, I desire to say that some of the amendments do not meet the view of the Government as to what should be incorporated in the Bill. For instance, the amendment respecting the superannuation of judges should be so qualified that judges who have been appointed since the passage of the superannuation clause should be permitted to take advantage of the rights to which, under the statute as it is at present, they are manifestly entitled. Undoubtedly many of those judges, if not all of them, in accepting office, would necessarily have those particular advantages in view. Inasmuch as an Act of Parliament constitutes practically a contract between the governing power and the appointee, the proposed amendment would manifestly deprive them of rights which are of substantial advantage to them.

There is this other phase of the question, that many of those judges who were appointed even before the passage of the Act have gone beyond their fifteen years at the end of which they could have been superannuated, and have been awaiting the effluxion of the time provided for in the Act so that they may take advantage of its provisions. That class of judge would thus be excluded from the provisions of the statute.

The question as to the relation of judges to commissions is a matter of policy. I am not prepared to pronounce on that question except to say that, owing to the very great pressure of work on the Government, it has not been able to give proper consideration to it; so that I am unable to say that the Government is favourable to it. The matter still remains in abeyance. In fact, I observe from the Order Paper that notices have been given by, I think, two different honourable gentlemen as to further proposed amendments. Should the House consider it desirable to adopt the amendments which have already been made, and to give consideration to those which will be moved upon the third reading, I can only say that the Bill will doubtless have to be considered in the House of Commons; and the probability is that further amendments will be made there, looking to remedying the difficulty which I have pointed out, particularly in the clause regarding the advantages to which judges are entitled by reason of full superannuation. I leave it entirely with the House whether or not we should give the third reading to the Bill as it is.

Hon. Mr. POWER: The honourable gentleman has stated a case which, I think, goes to show that, on the whole, the wiser course would be to refer the Bill back to the Committee of the Whole, so that we may discuss the proposed amendments and the amendments which have already been made. I may say for my own part that one or two of the amendments which have been made do not meet with my humble approval. I think that to discuss these various clauses in the House is not as con-

venient as it would be to discuss them in Committee of the Whole.

Hon. Sir JAMES LOUGHEED: I think we can discuss them better there, and then report progress, and let the Bill stand till Wednesday.

Hon. Mr. POWER: Perhaps in a day or two the movers of the amendments will be in a position to agree.

Hon. W. B. ROSS: Why not refer the Bill back to the Committee of the Whole House now, and have the amendments made to-day? I would move that.

Hon. Mr. POWER: One of the reasons is that there is a very slim attendance, and, further, I think that these amendments require consultation and consideration before being dealt with.

Hon. Sir JAMES LOUGHEED: We might make some progress with the amendments, so that we may have an appreciation of the particular parts of the Bill to which they are directed; the committee could then rise and report progress. If that is the view of the House, I am quite willing that we should go into committee and deal with the other proposed amendments.

Hon. Mr. NICHOLLS: I should like to ask the leader of the Government if I understood him to say that he thought there was an objection to these amendments because they were in the nature of retroactive legislation, and whether that consideration has governed him in making the suggestion that the Bill should be referred back.

Hon. Sir JAMES LOUGHEED: I cannot say to my honourable friend that the amendment is retroactive in form, but it certainly has that effect. It seriously affects the rights of those judges appointed since the passage of the Act, and likewise the rights of those appointed before the passage of the Act whose services have continued since.

Hon. Mr. POWER: They have been paid.

Hon. Mr. DAVID: The honourable the leader of the House has alluded to other amendments which were to be moved. I gave notice that when the Bill came up for a third reading I would propose the following amendment:

> Provided that nothing in this law will preclude judges acting or being appointed under provincial laws to investigate municipal matters.

I move my amendment because the effect of the amendments adopted is to abrogate provincial laws under which investigations into municipal matters take place. If the amendments are not made, my amendment will naturally drop.

Hon. W. B. ROSS: There are two distinct things, perhaps three, before the House in connection with this Bill. The amendment proposed by the honourable gentleman from Halifax (Hon. Mr. Power) might perhaps very well stand till Wednesday. Then there is the amendment moved by the honourable member for Ottawa (Hon. Mr. Belcourt) to section 33 of the Act, which is similar to one that I suggested. Now, I want to move to restore my original amendment, in which case the amendment moved by the honourable gentleman would not be requisite. I moved an amendment to the effect that when judges are appointed by any lawful authority to act on a commission they may so act, but that they shall not be paid any salary—nothing but travelling fees and expenses. That would probably meet the honourable gentleman's views. The honourable gentleman from Ottawa moved that judges should not act as commissioners at all. I think that the amendment which I proposed would meet the situation. Then, I have given notice of a motion to add two new sections to the Judges Act, as sections 34 and 35. If honourable gentlemen will excuse me for a moment I will explain why I propose these sections. Section 96 of the British North America Act provides:

> The Governor General shall appoint the judges of the Superior, District, and County Courts in each province.

Section 100 provides that the Parliament shall pay the judges. Then, when we go back to section 92, subsection 14, we find this:

> The administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.

These are provincial matters. There is an argument that section 33 of the Judges Act is ultra vires of this Parliament; that is to say, that the working out of section 33 may involve some interference with the maintenance and organization of the provincial courts. Therefore I propose sections 34 and 35, and have kept myself entirely within sections 96 and 100 of the British North America Act, which give us the exclusive right to fix the salaries of the judges. I will read the sections which I propose:

> 34. No judge of the Supreme Court of Canada or any Superior, District or County Court

shall receive or be paid any salary or allowance except as provided by the Parliament of Canada.

35. On proof being made to the Minister of Justice of the payment or receipt of any such salary or allowance, he shall forthwith order it to be deducted from the salary provided by the Parliament of Canada.

The Senate then went into Committee on the Bill, Hon. Mr. Girroir in the Chair.

Hon. W. B. ROSS: I need not repeat what I have already stated. I now move that sections 34 and 35 be added to the Act.

Hon. Mr. SPROULE: After looking over the Bill carefully, it seems to me that the method proposed by the honourable gentleman (Hon. W. B. Ross) for accomplishing what he aims at is not the best method that can be devised. In the first place, the more one looks into this question and sees the increasing work which has been put upon the judges from year to year by provincial governments and federal governments, the more easily one will understand the difficulty of preventing the judges from doing what is regarded by the provincial governments and other bodies in the country as a very important and useful work, and one which the Provincial Government has provided shall be paid for when done by the judges. I have always been in favour of the judges being paid full compensation for their services, but nothing beyond that, and of their whole time being given to the work naturally belonging to their office; but after a while we found that their remuneration was being increased all the time, especially by the Provincial Government. There was work assigned to them which up to that time they had never been accustomed to do, and which they never did. Under the Mowat régime in Ontario it was provided that, if a dispute arose between school sections, a county court judge should be the arbitrator to settle the dispute, and that he should be paid $20 or $25 a day for the time that he was engaged in that work. That is the first I remember of these innovations by the Provincial Government. Afterwards work was given to them in the surrogate courts, for which I think they received remuneration. Following that there was work in connection with drains and watercourses assigned to the judges. I think provision was made that they should be paid for this work. They seemed to be the natural and only available men likely to do it satisfactorily. About that time, or shortly after, we enacted here, at the instance of Mackenzie King, the Industrial Disputes Investigation Act. That Act was discussed at great length in the other chamber, of which I was a member at the time, and the judges were selected as the most suitable men to deal with it, for the reason that they would command the confidence of the labour element of the country more fully than laymen. I contended that the Act should go further and be a compulsory arbitration act, but it was decided otherwise. I have been told, and I believe correctly, that the judges have done a great deal of work along that line, and generally speaking their decisions have been respected by the labour element of the country. If that be the fact, as I believe it to be, it seems to me that it would hardly be wise to prevent them doing this kind of work. From year to year, we find the provincial and federal governments constantly loading more work on the judges. At another time the duty was imposed upon them of revising the provincial voters' list. The federal Parliament had assigned to them a duty in connection with the administration of the Franchise Act. A revising officer was to be appointed, either a judge of the county court or some man who was not a judge. Generally speaking, it was a judge of the county court, and for performing that duty he was allowed $200 for each constituency dealt with. That was a valuable work, and it was generally believed that no one else could do it and still command the same respect as a judge. Of course, the Franchise Act was later repealed, and that work was removed from the shoulders of the judges; but they are still revising the provincial lists. The judges are continually having more and more work to do, work that no one else seems as capable of doing, while still commanding the respect of the people. That being the case, it seems to me that it would be hardly wise to bind the judges down to take so much salary and no more, while at the same time loading them up with more work. Its seems to me that if that were done, the only course that would be proper and legitimate, and that would do no injustice to the judges, would be to strike their salaries in very much the same way as the provincial governments fix the salaries of registrars. For some years they were paid by fees, but it was found that while some registry offices received entirely too much in the aggregate the receipts of others were so low that the remuneration was not fair. Hence the provincial legislature enacted that where the fees amounted

to more than a fair compensation for the registrar, he should be paid what was regarded as a fair compensation, and the surplus should revert to the consolidated revenue fund of the province, whereas if the fees did not make up the amount to which he was entitled the balance would be paid out of that fund. As a layman, I make the suggestion, which may be very crude and improper, that the remuneration of the judges might be worked out in the same way. I quite agree with the honourable senator (Hon. W. B. Ross) that there is no question as to the right of the federal Government to strike the judges' salaries and pay them; but when we strike those salaries we should make provision that, when we load more work on the judges, they may receive further remuneration from other sources until the sum reaches what Parliament regards as their whole compensation for the year, and that if they receive more than that, the balance should go into the consolidated revenue fund of the country to be used for other purposes. This would permit of the judges' services being available, in cases in which other men could not take their places and command the same respect and confidence of the people of the country. By that plan their salaries could not be too small, because we would fix them at a fair rate, and they would in any event be ensured a full compensation for their whole year's services. If these amendments are adopted, we shall find ourselves in much greater difficulties than we have had in the past. They would require careful consideration by the House of Commons as well as by the Senate, and I think also there would need to be consultation with the various provincial governments before we could reach a satisfactory basis that would do no injustice to any one.

Hon. W. B. ROSS: The honourable gentleman has evidently forgotten altogether the Act that was passed in 1906, known as the Judges Act, which increased the salaries of the judges fifty per cent or more. Through that statute a bargain was made with the judges that, in consideration of that increase, which in Nova Scotia was from $4,000 to $6,000 in the case of the Superior Court judges, and proportionately large in the case of the County Court judges, they were to give their whole time to the duties of their office. Now, as they are to give their whole time for the salaries fixed by the Parliament of Canada, if a County Court judge leaves his court, to which he owes all his duties, and goes out to revise a list or goes out as a commissioner, there is no reason why he should be paid anything for such work, because he cannot be in two places at once, and is none the worse off. Every one who knows anything about the judiciary in this country knows that many Superior Court judges are not worked half their time, and that many County Court judges are not occupied for one-fifth of their time. Further than that, the honourable gentleman should bear in mind the great danger to the independence of the judiciary through not having their salaries fixed at a certain sum, and allowing a set of circumstances to be created under which judges will be out canvassing for commissions in order to add to their salaries. I do not think the judges of this country have anything at all to complain of; they are generously treated as to amount of salary, and also as to retiring allowance as it stood in 1906. In the proposal I made to amend section 33 I had this clause:

> No judge of any of the courts mentioned in section 33 of said Act who may be appointed by any competent authority a member of any commission, or to any duty outside his usual judicial duties shall receive any pay for such services, but may receive necessary travelling and living expenses.

The honourable senator from Ottawa (Hon. Mr. Belcourt) brought in another amendment, which I think was agreed to in Committee of the Whole, prohibiting the judges from acting as commissioners at all. I think perhaps that would be going too far, and that the original amendment I had would better meet the circumstances. If the Dominion or a province chooses to appoint a Superior or County Court judge on a commission, he may act, and may receive his travelling and living expenses; but if he is drawing a salary of $20 or $30 a day as a judge, and leaves his court house to go somewhere else, I do not see why he should continue to draw that salary as a judge and also receive another $25 a day as a commissioner. That is one of the things that is sapping the independence of the judiciary of this country.

Hon. Mr. SPROULE: The honourable senator intimated that I was unacquainted with the Judges Act of 1906. On the contrary, I took a lively interest in it at that time, and it was I who raised the question in regard to their salaries, and who induced the Hon. Mr. Fitzpatrick to amend the Act, making it imperative that the judges should obey it. I claimed that it would not be respected because the judges

would say that it had never been brought to their attention. Therefore at my suggestion the Minister of Justice sent a circular to all judges individually so that they would be familiar with the Act and not violate it. But what did we find afterwards? Although it was brought specially to their attention in that way, we found a persistent violation of the law; judges went on doing commission work as previously, acting in other capacities. Thus the Act, though sufficiently specific and binding, was not respected by the judges. From that experience, and from the fact that the people wanted the judges to act in certain matters, I thought we should adopt some other method than the one we had provided for up to that time.

Hon. Mr. DANIEL: I favour to a very large extent the amendments that are offered with the exception that I do not like retroactive legislation; I think it is not seemly, expecially in the case of judges, as personal matters are involved. I know that if this legislation became law it would cause a very considerable disability on the part of some judges with whom I am personally acquainted, who, though quite competent for their duties, might have resigned years ago. In their case this legislation would be entirely inequitable. I believe I voted for that amendment, but, after thinking the matter over, it does not seem to me quite equitable to pass it as it is written. Why make an exception with regard to the pension of any judge who has been retired, if you do not apply the exception to all of those who are eligible to retire? I would suggest an addition like this to section 5 of the Bill :

> But this section shall not apply to any judge appointed before the passing of this Act.

I would then be very glad to vote for it. That would relieve all who are appointees at the present time, and would not alter the conditions under which they assumed office.

Hon. Mr. BOSTOCK: I understood that the honourable senator from Middleton was discussing the clauses in the order in which he proposed to add them to the Bill. My honourable friend from St John is now discussing another of the clauses in the Bill. I suggest that we discuss one cause at a time.

Hon. Mr. SPROULE.

Hon. Mr. DANIEL: What I was discussing was an amendment suggested by my honourable friend from Halifax.

Hon. Mr. BOSTOCK: But that is an amendment that passed. I think we had better get down to some order.

Hon. W. B. ROSS: The motion before the Committee is to add sections 34 and 35.

Hon. Mr. ROBERTSON: In my opinion sections 34 and 35 as proposed ought not to be adopted, for reasons which were pointed out a few minutes ago. So far as the labour interests are concerned, I believe that the success of the Industrial Disputes Investigation Act in its application has been due very largely to the fact that our judges have served as chairmen of the boards of conciliation, either agreed upon by the other representatives, or appointed by the Minister of Labour. The Industrial Disputes Investigation Act was passed, I think, in 1907, though opposed by every labour man in Canada. But we profess to be law-abiding men, and we worked under it. I happened to be one of a committee that made application for the first board that sat after the law was passed. Since that time, I have prosecuted many cases for the employees, and have sat on some five or six boards as representing employees.

Hon. Mr. McSWEENY: Has it worked satisfactorily?

Hon. Mr. ROBERTSON: Generally, yes.

Hon. Mr. McSWEENY: It is the so-called Lemieux Act you have reference to?

Hon. Mr. ROBERTSON: Yes. I desire to point out that workingmen have a natural suspicion—perhaps that is not the right term, but I will use it—that all arbitrations are apt to be one-sided in the sense that the employing interests usually have more opportunity to use influence with members of the board than have the employees. That may be a mistaken idea; nevertheless it prevails. Now, since our judges are being largely used as chairmen of boards of conciliation, the labouring men feel that they are, or at least should be, entirely free from any outside influence, or interest. I will mention, as one illustration of this, that some years ago the engineers and firemen of ninety-one different railroads west of Chicago had a big arbitration

case under the Newlands Act, and one of the ostensibly neutral arbitrators on that board owned largely the stock of one of the railroads in dispute, and was trustee for some twelve million dollars more owned by other people. The result was that when that was found out the employees asked that that gentleman be removed from the board. Their request was declined, and they said: "Never again will this organization agree to arbitrate any dispute." And what happened? Only last year, when the eight-hour movement came up, strong pressure was brought upon those organizations to arbitrate. They said: "No, we have had our experience; no more of that." The workingmen have greater confidence in the integrity and fairness of our judges than they have in any other class of men in this country. They believe that the judge is disinterested and ought to be fair to both sides. Moreover we believe that the judges are particularly well schooled and have practical ability in sifting evidence, which a layman has not, and are able to distinguish between reasons and excuses which may be offered by either party to a dispute. Then, again, the respect that labouring men and, we believe, employers, have for judges, and their confidence in them, tend to make the parties accept the opinions expressed in the awards more readily than they would if the awards were made by a layman. Furthermore, we believe that the public at large have more confidence in the judgment of members of the judiciary than they would have in that of laymen. The consequence is that both employers and the representatives of employees are more careful about refusing to accept the award of a board of conciliation when a judge has been the chairman of it than is the case where the chairman is a layman. I may say that, in my own experience as a representative of the Order of Railroad Telegraphers, we have not once declined to accept the award of a board of which a judge was chairman, though a number of cases were decided against us. The same has not been true when gentlemen other than judges were chairmen of boards. I do not want to delay you unnecessarily, honourable gentlemen, but I feel that sections 34 and 35 as introduced by the honourable gentleman from Middleton (Hon. W. B. Ross) are not desirable and are not in the best interest of the public welfare; because we believe that they would seriously interfere with whatever efficiency of the Industrial Disputes Investigation Act has shown in the past, and would perhaps to a great extent lessen its usefulness in the future; for I do not believe that judges will consent to serve on boards unless they are paid the statutory allowance provided for in the Industrial Disputes Investigation Act.

Hon. Mr. McSWEENEY: With the honourable gentleman's permission, I would like to ask him who settled that dispute in the United States, in which 91 railroads were involved? Was it not the President and the Senate of the United States?

Hon. Mr. ROBERTSON: No. What I wanted to convey to this honourable House was that the Chicago case to which I referred was settled by arbitration, but that the results were so unsatisfactory that the employees declined to again agree to submit a case to arbitration. There is no saving to the country, honourable gentlemen, in depriving the judges of this work, because somebody else will be paid the amount the judges now receive, for rendering similar service. My humble opinion is that judges dispose more expeditiously of disputes than do laymen; and that has been our experience on boards of conciliation. The judges know the procedure and can dispose of the case and report the evidence within a few days; whereas, if a layman is acting as chairman of the board, he very often permits both parties to run wild, and much more time is consumed and much more expense is entailed. So, while I am not contending that judges are the only men competent to sit on boards of conciliation under the Industrial Disputes Investigation Act, I do respectfully affirm that they are, as a class, the most satisfactory men. My opinion is—and I feel sure that there are very many persons connected with the labour movement in Canada who feel as I do—that it would be a serious detriment to the welfare of the working people—indeed, to the industrial peace of the country—were we prevented from having judges available to serve on these boards.

Hon. Mr. POWER: The honourable gentleman from Welland (Hon. Mr. Robertson) has, I think, made it clear that it is most desirable that the Government should not be precluded from employing judges in these inquiries under the Lemieux Act; but it occurs to me that the proposed clause 34 suggested by the honourable gentleman from Middleton (Hon. W. B. Ross), does not really hinder or prevent the employment of judges in such cases. The Government of Canada is charged with the administration of the Lemieux Act, and I think that

the difficulty can be overcome by having an amount placed in the estimates, to be paid of course out of the Consolidated Fund, to meet the expenses of these Lemieux Act investigations. I am disposed to think now that the best way is for us to discuss this matter a little further, and then draft a Bill which will harmonize all views. I think the honourable gentleman from Middleton will recognize the fact that under the wording of his amendment Parliament could appropriate a sum of money to be used for defraying the amounts paid to the judges under these inquiries.

Hon. W. B. ROSS: I wish to say that I am entirely in accord with the remarks made by the honourable gentleman from Welland (Hon. Mr. Robertson). I have tried to meet his views. I tried to explain earlier in the day that the amendment made by the honourable gentleman from Ottawa (Hon. Mr. Belcourt), which precludes the judges from acting as commissioners, was really destructive of an amendment which I had proposed, and that I wanted to go back to my original amendment, which would allow any competent authority—that is, the Parliament of Canada or the legislatures of the provinces—to appoint a judge as a commissioner or an arbitrator. But, inasmuch as the salaries of judges are, under the British North America Act, entirely assigned to the Parliament of Canada and not under a divided jurisdiction, if the judges are to be paid for other work I want to have that provided for by the Parliament of Canada. I quite understand that there are many cases, where the disputing parties would prefer to have a judge as chairman of a board. When the amendment moved by the honourable gentleman from Halifax is rescinded, if the House so decides, I shall move for the restoration of the amendment which I proposed at first. It contains nothing which would prevent what the honourable gentleman (Hon. Mr. Robertson) asks for. The thing will work out quite easily.

Hon. Mr. DE VEBER: I should like to ask the honourable gentleman from Middleton if he would mind having added to the proposed section 34 the following words:

Provided that nothing herein contained shall be held to prevent a judge from receiving the allowance provided for a member of a board of conciliation and investigation under the Industrial Disputes Investigation Act.

Hon. W. B. ROSS: No; nor from receiving anything provided for by the Parliament of Canada. You may add as many provisions as you like.

[Hon. W. B. ROSS.]

Hon. Mr. DE VEBER: That means that under the Industrial Disputes Investigation Act the judge would be entitled to $20 a day.

Hon. W. B. ROSS: Well, the Parliament of Canada can provide for that.

Hon. Mr. DE VEBER: The honourable gentleman is perfectly willing to have that added to section 34? If so, that would cover ground.

Hon. W. B. ROSS: You cannot prevent judges from acting on boards of conciliation if they so desire.

Hon. Mr. DE VEBER: The honourable gentleman from Welland spoke from the labour point of view; and, as a shareholder in one of the coal companies at Lethbridge, I should not like to see anything arise which would prevent judges from sitting upon those arbitration boards. Both sides in a labour dispute would feel satisfied that they were receiving justice from a judge. The owners on their part hold the same opinion in this respect as the labour men; both sides are sure that a judge from his experience in court, is able to bring out evidence clearly and to decide whether certain evidence submitted is pertinent and good. Both sides are better pleased to have a judge to preside at investigations into industrial disputes than a layman, and, to my mind, it lessens the possibility of a strike.

Hon. Mr. ROBERTSON: I would be perfectly in favour of the amendment proposed by the honourable gentleman from Lethbridge (Hon. Mr. De Veber). With respect to the point raised by the honourable gentleman from Middleton (Hon. W. B. Ross) my understanding of the application of the Industrial Disputes Investigation Act is that it is optional with a judge to accept or refuse an appointment on a board. The law provides that the employer shall nominate one representative and the employees another, and the two so appointed may agree upon a third. It is optional with the third so chosen, who in many cases has been a judge, to act or not. In my experience as a board member representing the employees, I have agreed with the employer's representative upon the nomination of a judge as chairman of the board. I have in mind three such cases. The judge was in no way compelled to act if he did not so choose. Likewise, if a judge is appointed by the Minister of Labour in the event of the two disputing parties not agreeing upon a chairman, I

do not understand that under the Act the judge is compelled to serve; and, if he is not paid the allowance stipulated in the Industrial Disputes Investigation Act, I fear he will not be inclined to serve. That is my objection to the amendment as proposed by the honourable gentleman from Middleton. The amendment which the honourable gentleman from Lethbridge (Hon. Mr. De Veber) suggests is perfectly agreeable to me.

Hon. W. B. ROSS: What I desire to point out to the honourable gentleman is that the judges are officers of the Dominion Government, and that they should take up and discharge any duty which the Government may choose to assign to them; and I do not see why a judge acting under the Industrial Disputes Investigation Act should get $50 a day, while a brother judge otherwise engaged gets $20. But there should be no difficulty in working out the matter. I do not want to do anything which would have the effect of preventing judges from being ordered by the Dominion Parliament to go outside of their judicial duties.

Hon. Mr. DE VEBER: I would move in amendment to the proposed section 34 that the words I have read be added hereto.

Hon. W. B. ROSS: I want to point out to the honourable gentleman that my section provides that the judge shall get whatever the Parliament of Canada provides for. The amendment moved by the honourable gentleman does not strengthen it a bit.

Hon. Sir JAMES LOUGHEED: It seems to me, honourable gentlemen, that section 34, as it stands, would permit of a judge receiving, in addition to his salary, such allowance as may be fixed by any other Act. It seems to me also that it would be unnecessary to amend it in the way in which my honourable friend from Lethbridge has proposed. My attention has just been directed to that word "allowance."

Hon. Mr. DE VEBER: The honourable gentleman thinks the amendment would not be needed?

Hon. Sir JAMES LOUGHEED: I should think not. That is to say, the judge is not only entitled to his salary, but also to any allowances provided by the Parliament of Canada. If the Parliament of Canada pass a statute making provision for fees and charges, he clearly would be entitled to those in addition to his salary.

Hon. Mr. DE VEBER: The Parliament of Canada under the Industrial Disputes Investigation Act provides for the payment of $20 a day to the chairman of a board of conciliation and investigation. It does not say whether as a judge he would receive it or not.

Hon. Sir JAMES LOUGHEED: That would make no difference.

Hon. Mr. POWER: That is all right.

Hon. Mr. DE VEBER: I am perfectly willing to withdraw my amendment.

The proposed section 34 was agreed to.

On the proposed section 35:

On proof being made to the Minister of Justice of the payment or receipt of any such salary or allowance he shall forthwith order it to be deducted from the salary provided by the Parliament of Canada.

Hon. W. B. ROSS: Sections 34 and 35 are drafted strictly in accordance with the British North America Act, which makes the judges officers of the Parliament of Canada.

Hon. Sir JAMES LOUGHEED: I would suggest inserting the words "by any other authority" after the words "such salary or allowance."

Hon. Mr. BOSTOCK: In that case what is desired by my honourable friend from Mille Isles (Hon. Mr. David) could not be allowed.

Hon. Sir JAMES LOUGHEED: No. It will be germane for the honourable gentleman to move his amendment.

Hon. Mr. DAVID: I intend to move this amendment as an addition to section 6 of the Bill as reprinted:

Provided that nothing in this law will preclude judges acting or being appointed under provincial laws to investigate municipal matters.

Hon. Mr. BOSTOCK: I think this proviso would come in better under section 35.

Hon. W. B. ROSS: I think the honourable gentleman should have a full opportunity of discussing the amendment, but I think it would be better in connection with section 33.

Hon. Mr. POWER: I do not wish to say anything against the motion of the honourable gentleman from Mille Isles (Hon. Mr. David), but it seems to me that if this motion is passed, the amendment proposed by the honourable gentleman from Middleton (Hon. W. B. Ross) will disappear. We have just made provision for investigations under the Industrial Disputes Act, and

now we are providing for the appointment of judges under provincial laws to investigate municipal matters. I do not think there will be much of the honourable gentleman's amendment left.

Hon. Mr. DAVID: Perhaps I should give the reasons why I have moved this amendment. We have two or three provincial laws in the province of Quebec, and especially one of which reads as follows:

Whenever the Lieutenant Governor in Council deems it expedient to cause inquiry to be made into and concerning any matter connected with the good government of the province, the conduct of any part of the public business, the administration of justice, any matter of importance relating to public health, or any matter connected with the good government of any municipality of the province, he may, by a commission issued to that effect, appoint one or more commissioners by whom such inquiry shall be conducted.

Those laws were asked for by a great number of the ratepayers in the province of Quebec, especially in Montreal, and if this proposed amendment is passed those provincial laws will be abrogated and all the municipalities in the province will be left without any law giving them the means of making investigations. I think we should hesitate before interfering with provincial legislation.

Hon. Mr. GORDON: While I agree with the principle of this amendment, I think that, so far as the county judges are concerned, it would be a great injustice. If I remember rightly, the salaries of the county judges range from $2,500 to $3,500. These salaries were fixed many years ago when the cost of living was a great deal less than it is now, and, unless the salaries of the county judges are increased to meet the present high cost of living, I would be opposed to the amendment.

The proposed section 35 was agreed to.

Hon. Mr. DAVID then moved his amendment.

Hon. Mr. POWER: Section 6 of the Bill, as reprinted, was not considered carefully by the Committee of the Whole after it was submitted to them. Honourable gentlemen will remember that the amendment was made hurriedly at the Table, without sufficient consideration being given to it, and it conflicts with two or three amendments that have already been made. Section 33 of the Act is amended by inserting after the word "Canada" in the third line:

shall act as a member of any commission or perform any duties outside of his judicial duties.

Hon. Mr. POWER.

That does not allow a judge to act as a member of any commission whatever, or to perform any duties outside of his judicial duties. My idea in suggesting that this Bill should remain in committee was that we might revise it.

Hon. Sir JAMES LOUGHEED: I propose that we now take a division upon the amendment moved by the honourable member for Mille Isles (Hon. Mr. David), and, that being disposed of, that the committee rise and report progress, and ask leave to sit again. In the meantime further consideration can be given to those amendments.

Hon. Mr. POWER: The friends of the honourable gentleman from Mille Isles (Hon. Mr. David) are not here to-day. Perhaps they should be, and—

Hon. Sir JAMES LOUGHEED: Let the amendments stand.

Hon. Mr. POWER: The honourable the leader of the Government pointed out one or two, as he considered, serious objections to the amendment which I proposed, and which was adopted by the committee, with respect giving full pay to the judges during the whole of their lives. I may say that there is no injustice done to any judge who was appointed before the Act of 1904, because he continues under the same terms under which he accepted office. At that time there was no provision for full pay during his lifetime, and he is going to get two-thirds of his pay, as was then provided by the Act. It may be said that he has remained doing the work expecting that he would get more; but I say that he can remain as long as he pleases. The same is true with respect to a judge appointed since 1904. He can remain on the Bench as long as he is able to discharge his duties as a judge. He will receive full pay, and I do not think any hardship will result. I think this system of paying a number of gentlemen full pay for years after they have ceased giving any return to the public is a gross abuse and has no precedent anywhere.

Progress was reported.

MIGRATORY BIRDS CONVENTION BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 92, an Act respecting a certain Convention between His Majesty and the United States of America for the protection of migratory

birds in Canada and the United States, Hon. Mr. Thompson in the Chair.

On section 1—short title:

Hon. Mr. BOYER: As one who was a representative of Canada at the International Institute of Agriculture, may I say a few words on the merits of this Bill?

It has taken the European nations over sixty years to realize the great utility of birds. In 1846 our bitter enemy of to-day, Germany, sought, in the interests of agriculture, to interest the other European nations in the depredation caused by insects in the fields, and in fact recognized that birds were the only possible remedy, although the opinion had prevailed in the time of Frederick the Great that birds were extracting too much for the good that they did. When the famous garden of Sans Souci was established plants were brought from all over Europe. Frederick thought that the birds were a nuisance, and ordered them to be slaughtered right and left. The people of Germany, following his example, slaughtered the birds, and with what result? In less than two years their gardens were wildernesses. The peasants of Germany, realizing the usefulness of the birds, interested in the matter the different scientific bodies of Europe, asking that an international treaty should be passed between all the nations of Europe for the protection of all birds useful to agriculture. It took them over sixty years to realize the great benefit. Let me say en passant that the representatives of the world at the International Institute in 1910 represented fifty-four nations. They were selected for the purpose of establishing laws that would be useful to agriculture the world over. What was the consequence? Little by little, through the influence of the delegates, the different European nations who, up to that time, had opposed the protection of birds, gradually fell into line and all agreed to a treaty for the protection of migratory birds, wherever found. Canada and the United States were asked to join in the treaty. The representative of the United States at the International Institute was the Hon. David Lubin, and the representative of Canada was your humble servant. We consulted together. Mr. Lubin consulted the American ambassador and I consulted the English ambassador, but we did not see how we could join with the European nations in protecting the birds. However, we said we would try to induce the Parliament of Canada and the Congress of the United States to pass a similar law, and it is my pleasant duty to-day to offer my congratulations to our new Allies to the South and to the Parliament of Canada on having reached such a conclusion.

Let me give you a few figures to show the enormous destruction of birds that has been going on in Europe. In 1887 there were over 500,000 quails slaughtered in Egypt. These figures are official, as nothing could leave Egypt without being recorded at the custom house and at the bureau of statistics. In 1888 there were 1,235,000; in 1889 there were 900,000. The total number of quails slaughtered in Egypt alone in the three years was 2,685,000. Those quails were sent either to Paris or London, which were the chief consumers of them. I have other official figures. In one year 114,000 larks were slaughtered in Egypt, where they had gone to protect themselves against the rigours of the northern climate, and they were sent back either to Paris or London to feed the gourmets of the two capitals. Count Salvadori, a great bird lover in Italy, has given very detailed statistics, in which he has indicated that in one trap alone, which the Italians call "il raccollo," in twenty years' time there were actually slaughtered 135,485 small birds, or an equivalent of about 60,000 a year. Another very useful law which has been passed is that prohibiting the use of feathers or wings of birds of any kind to ornament the hats of our beloved wives. Let me give you one figure. One house in Paris alone used over 400,000 wings of larks in ornamenting bonnets, which caused the remark of a certain divine one day, that whenever he got up in the pulpit it was like dominating a zoo, and he only wished he could say that all the ladies who wore feathers were birds of paradise. In giving these figures, I only want to establish the statistics furnished in Europe. Unfortunately we have none for Canada; but if you will allow me I will read some extracts as to the usefulness of bird life to Canada and to our neighbours to the south, which I think are worth reading Mr. Chester A. Reed, author of "Birds of North America, their Eggs and Nests," says this:

> The native birds are one of our nation's most valuable assets. Destroy them, and in a comparatively few years the insects will have multiplied to such an extent that trees will be denuded of their foliage, plants will cease to thrive and crops cannot be raised. This is not fancy but plain facts. Look at the little chickadee on the side of this page. She was photographed while entering a bird box, with about twenty-five plant lice to feed

her seven young; about two hundred times a day, either she or her mate made trips with similar loads to fed the growing youngsters.

It has been found, by observation and dissection, that a Cuckoo consumes daily from 50 to 400 caterpillars or their equivalent, while a Chickadee will eat from 200 to 500 insects, or up to 4,000 insect or worm eggs. One hundred insects a day is a conservative estimate of the quantity consumed by each individual insectivorous bird. By carefully estimating the birds in several areas, I find that, in Massachusetts, there are not less than five insect-eating birds per acre. Thus this state with its 8,000 square miles has a useful bird population of not less than 25,600,000, which for each day's fare requires the enormous total of 2,560,000,000 insects. That such figures can be expressed in terms better understood, it has been computed that about 120,000 average insects fill a bushel measure. This means that the daily consumption, of chiefly obnoxious insects, in Massachusetts, is 21,000 bushels. This estimate is good for about five months in the year, May to September, inclusive; during the remainder of the year the insects, eggs and larvae destroyed by our winter, late fall and early spring migrants will be equivalent to nearly half this quantity.

It is the duty, and should be the pleasure, of every citizen, to do all in his or her power to protect these valuable creatures and to encourage them to remain about our homes. The author believes that the best means of protection is the disseminating of knowledge concerning them, and the creating of an interest in their habits and modes of life. With that object in view, this little book is prepared. May it serve its purpose and help those already interested in the subject, and may it be the medium for starting many others on the road to knowledge of our wild, feathered friends.

It is an undisputed fact that a great many of our birds are becoming more scarce each year, while a few are, even now, on the verge of extinction. The decrease in numbers of a few species may be attributed chiefly to the elements, such as a long continued period of cold weather or ice storms in the winter and rainy weather during the nesting season, however, in one way or another, and often unwittingly, man is chiefly responsible for the diminution in numbers. If I were to name the forces that work against the increase of bird life, in order of their importance, I should give them as: Man; the elements; accidents; cats; other animals; birds of prey, and snakes. I do not take into consideration the death of birds from natural causes, such as old age and disease, for these should be counterbalanced by the natural increase.

There are parts that each one of us can play in lessening the unnatural dangers that lurk along a bird's path in life. Individually, our efforts may amount to but little, perhaps the saving of the lives of two or three, or more, birds during the year, but collectively, our efforts will soon be felt in the bird world.

How can we protect the birds? Nearly all states have fairly good game laws, which if they could be enforced, would properly protect our birds from man, but they can not be; if our boys and girls are educated to realize the economic value of the birds and are encouraged to study their habits, the desire to shoot them or to rob them of their eggs will be very materially lessened. It is a common practice for some farmers to burn their land over in the spring, usually about nesting time. Three years ago, and as far back of that as I can remember, a small ravine or valley was teeming with bird life; it was the most favoured spot that I know of, for the variety and numbers of its bird tenants. Last year, towards the end of May, this place was deliberately burned over by the owner. Twenty-seven nests that I know of, some with young, others with eggs, and still others in the process of construction, were destroyed, besides hundreds of others that I had never seen. This year the same thing was done earlier in the season, and not a bird nested here, and, late in summer, only a few clumps of ferns have found courage to appear above the blackened ground. Farmers also cut off a great many patches of underbrush that might just as well have been left, thus, for lack of suitable places for their homes, driving away some of their most valuable assistants. The cutting off of woods and forests is an important factor in the decrease of bird life, as well as upon the climate of the country.

Our winter birds have their hardships when snow covers the weed tops, and a coating of ice covers the trees, so that they can neither get seeds nor grubs. During the nesting season we often have long-continued rains which sometimes cause an enormous loss of life to insect-eating birds and their young. In 1903, after a few weeks' steady rain and damp weather, not a Purple Martin could be found in Worcester county, nor, so far as I know, in New England; they were wholly unable to get food for either themselves or their young, and the majority of them left this region. The Martin houses, when cleaned out, were found to contain young, eggs and some adults that had starved rather than desert their family. The Martins did not return in 1904 and 1905.

Birds are subject to a great many accidents, chiefly caused by flying into objects at night. Telephone and telegraph wires maim or kill thousands, while lighthouses and steeples often cause the ground to be strewn with bodies during migrations. Other accidents are caused by storms, fatigue while crossing large bodies of water, nests falling from trees because of an insecure support, and ground nests being trod upon by man, horses and cattle.

In the vicinity of cities, towns, villages or farms, one of the most fertile sources of danger to bird life is from cats. Even the most gentle household pet, if allowed its liberty out of doors, will get its full quota of birds during the year, while houseless cats, and many that are not, will average several hundred birds apiece during the season. After years of careful observation, Mr. E. H. Forbush, Massachusetts state ornithologist, has estimated that the average number of birds killed, per cat population, is about fifty. If a dog kills sheep or deer, he is shot, and the owner has to pay damages; if a man is caught killing a bird, he pays a fine; but cats are allowed to roam about, without restriction, leaving death and destruction in their wake. All homeless cats should be summarily dealt with, and all pets should be housed, at least from May until August, when the young birds are able to fly.

I consider this very valuable information. We have in the birds not only protectors

Hon. Mr. BOYER.

of our crops, but friends. I am sure there is not one in this House whose heart is not gladdened in the spring by the first note of our dear friend the robin, or of our dearest friend the nightingale. For myself, ever since I was a boy, I have always watched in the month of April for the first song of the robin and that first little chirp of the nightingale.

In opening my remarks I said that this was a wise measure, and I sincerely trust that its good effects will be felt all over the country for many years. It has taken Nature thousands of years to establish the equilibrium necessary for our earth to go round; and Nature has created birds for a purpose—to maintain the equilibrum between insect life and plant life. With the acute and intense culture that has been going on the world over, it has been noticed by all those who take a deep interest in and make a study of agriculture, that the more intense the culture the more numerous is the insect life. Therefore let us try by every means to increase and protect our bird life, and I am sure that before many years the value of bird life will be manifest all through the country. I sincerely trust that means will be taken to put this measure into operation, because no nation could benefit more than Canada by this enactment and its enforcement. You know how severe our climate is in winter. All our birds go south to the United States; and if we can induce our neighbours to protect our summer birds when they migrate in winter, they will return in the spring, and they should be a great help to our farmers and contribute largely to the saving of our crops. The Bureau of Statistics of the Department of Agriculture of the United States estimates that the damage caused to plants and crops by mice, rats and lice is over $500,000,000 a year, and they recognize that the birds which are looked upon as birds of prey have their place in nature as destroyers of those insect and animal pests.

For instance, the blackbird, which is considered a nuisance in certain parts of Canada, is one of the most useful birds in grazing countries. It follows a flock and picks out whatever lice may affect either sheep or cattle. It feeds on all the insects that are produced from the droppings of the cattle that graze. It is strictly protected in the Argentine, in Brazil, and wherever there is grazing to any extent In the interests of our neighbours to the south we should protect these birds, because they migrate in the winter, and if we protect them the people of the south will protect ours. Take, for example, our robin, which in the spring comes to us dressed up, as you might say, for Canada, with a red breast and a clean, bran-new suit of clothes. When that bird migrates to the south, it changes its plumage altogether; it is known in the southern states as the corn bird. It lives on whatever is left in the cornfield. It will be protected and taken care of by this law, as well as all our little birds, such as the chickadee, which cannot stand our climate.

I say that this is one of the most useful measures that have been brought to the notice of the Senate. I for one endorse it from beginning to end, and I see in it one of the great sources of the future prosperity of this country.

Hon. Mr. NICHOLLS: Honourable gentlemen, I quite agree with the honourable gentleman from Rigaud (Hon. Mr. Boyer), and I am just as much in sympathy with the prosposal as he is; but I think I should read a letter that I have just received from Mr. H. S. Osler, K. C., of Toronto, in regard to this matter, and I think that we should consider whether the point he raises is well taken or not, so that the law, when passed, will be in proper form. He writes:

Bill No. 92 Migratory Birds Convention Act. —It appears to me that this Act, as drawn, is open to question. I doubt whether the Dominion Government has any power to authorize the Governor in Council to make regulations for the protection of Migratory Game as provided by section 4.

I doubt also the desirability of the appointment of game officers by the Dominion Government as provided in section 5. The result would be a double set of petty officials with no proper provision for their remuneration and the result would certainly be an antagonism between the Dominion and provincial officials and a failure to enforce either law.

It appears to me that Dominion legislation on this subject should be confined to confirmation of the convention referred to and to such provisions as may be necessary to prevent provincial legislation on the subject, from atttack as interfering with Trade and Commerce or other powers of the Dominion.

Mr. H. S. Osler was, I believe, a member of the Ontario Game Commission. He is just as enthusiastic as the honourable gentleman from Rigaud in seeing that such an Act is enforced, but he draws attention to the duplication and it seems to me that that point should have consideration.

Hon. Sir JAMES LOUGHEED: I would say in answer to that, so that there may be no doubt upon the point, that in the first place it is manifest that the only

way in which a treaty of this kind can be carried out will be by an agreement between the states of the Union, in the United States, and the provinces of Canada, which exercise jurisdiction or authority in matters of game. Now, the treaty is one that has been entered into by the states of the Union and all the provinces of Canada—at least, I am taking the statement of the Minister of the Interior for that.

Hon. Mr. BOSTOCK: All the provinces have been consulted?

Hon. Sir JAMES LOUGHEED: Yes, and they are all parties to the agreement. It is quite obvious that, under such divergent conditions as would confront the authorities in enforcing the law, it would be utterly impossible to have machinery by which every state of the Union and every province of the Dominion of Canada could appoint officers; consequently they must come together in some central way, with a view to enforcing the Act. Then, again, it will be observed that the treaty is one between His Majesty the King and the United States—two absolutely sovereign powers—and it would appear to me, although I have not looked carefully into the matter, that those two sovereign powers, entirely irrespective of the powers which might be allocated to the provinces of Canada or even to the Dominion of Canada, would have authority to enter into a convention of this character. However, there is no dispute about it; the understanding is perfectly clear; and, as I have said, it is obviously the only way in which the arrangement can be carried out.

I am glad that my honourable friend from Rigaud (Hon. Mr. Boyer) was associated with this very important work, in view of the results which it will have. In its enforcement I am satisfied that it will be of very great assistance to agriculture, a subject in which my honourable friend has always taken a very deep interest, and in which he is one of the leading authorities in Canada.

Hon. Mr. BOYER: I consider that this law can be put on the statute book only by an arrangement between the King of England and the United States. It is not possible to negotiate a treaty with all the different states of the Union and another with all the provinces of the Dominion; it must be negotiated between the sovereigns of both nations, the King of England as represented by the House of Lords and the House of Commons, and the President of the United States, with the approval of the Senate of the United States. It is entirely an international law, and the provinces would have no right to interfere in it. How the machinery will be put into operation to protect our birds remains to be seen; but, in any case, having the law on the statute book is always helpful towards educating the people of the different countries to the value of the birds and the protection which they deserve.

Hon. Mr. BOSTOCK: I am sure we all agree that this is most proper legislation and appreciate the value of the birds to the country. The points that were raised by the honourable gentleman from Toronto (Hon. Mr. Nicholls) occurred to me in this connection. I would point out to the honourable leader of the Government that in article 3 of the convention, in the schedule to the Act, there seems to have been some special provision made with regard to British Columbia. I do not know why that particular provision was made, or whether this Bill will have any effect upon the laws at the present time in force in the provinces. I suppose that the Dominion Government, in making the regulations to carry out this convention, will ask the provinces to bring their present legislation regarding the protection of birds into line with it.

Hon. Sir JAMES LOUGHEED: I fancy that article 3, as far as it relates to British Columbia, reflects the opinion of that province, in reserving to itself the particular right which is set out in the article.

Hon. Mr. BOSTOCK: Yes.

The section was agreed to.

The Bill was reported.

SUPREME COURT AND EXCHEQUER COURT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 98, an Act to amend the Supreme Court Act and the Exchequer Court Act; Hon. Mr. Crosby in the chair.

Hon. Sir JAMES LOUGHEED: On the second reading of this Bill, I explained that there are two objects in it: one is to permit of the Crown being entitled to costs notwithstanding that the solicitor or counsel is a salaried officer of the Crown; and the other is practically to enlarge the jurisdiction of the court in reference to damages occurring in connection with a public work.

Hon. Mr. NICHOLLS: I beg to draw the attention of the House to the fact that there are only six or seven members present.

On section 2—exclusive original jurisdiction:

Hon. Mr. BOSTOCK: This, I understand, extends somewhat the liability of the Government, does it not?

Hon. Sir JAMES LOUGHEED: The honourable gentleman means as to cost?

Hon. Mr. BOSTOCK: Section 2, dealing with the Exchequer Court Act regarding injuries to persons working on Government work, makes the Government liable for damages to a man who is rather off the work, but who gets injured from some operation connected with the work.

Hon. Sir JAMES LOUGHEED: When the Act was passed the manifest intention was that if an injury happened on a public work, the person injured, provided he came within the statute, would be entitled to recover from the Crown; but the court has held that he had at the moment to be on the public work. For instance, if the cause of the accident injured a man while he was, say, two feet away from the public work, he could not recover damages, though the accident may have resulted from negligence of an officer or servant of the Crown. So it is to overcome the judgment to which I have referred that this provision is being enlarged so as to give the public more latitude in asserting its right to recover in the case of an injury sustained in connection with a public work.

The section was agreed to.

The Bill was reported.

BOARDS OF TRADE BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 115, an Act to amend the Boards of Trade Act.

He said: The object of this Bill is to give larger powers to boards of trade than they at present enjoy under the statute, so as to permit of an amalgamation of a group of boards of trade that may be near any particular centre, thus saving considerable expense and making them a very much more influential body than a number of scattered boards of trade acting independently of each other. That is to say, if there are a number of small boards of trade around a city, and there is a board of trade in that city, they may all unite and become practically one board of trade.

Hon. Mr. BOSTOCK: Then, do I understand that they have just one set of officers?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. NICHOLLS: I consider that this may be a very important and far-reaching Act; and, as a member of this House, I would protest against these Bills going through when there are very few members here to discuss their provisions. Members of this House who are supposed to understand trade questions are absent this afternoon. While I am not going to raise any vexatious opposition myself, I intend to withdraw from the House now rather than agree to seeing Bills like this put through without proper consideration.

Hon. Sir JAMES LOUGHEED: But my honourable friend has the opportunity of giving every consideration to the Bill himself. I should think that my honourable friend could probably be of greater assistance to us in discussing a clause like this than could anybody else. It would not be necessary for my hounourable friend to be surrounded by a number of members in order to discuss this intelligently. Let us have the advantage of his judgment upon it.

Hon. Mr. NICHOLLS: "In a multitude of counsellors there is wisdom." I imagine that if the Government of the day thought that one or two of us could deal with these questions individually, instead of dealing with them collectively as members of this honourable House, the Senate would be cut down accordingly. I am simply taking this means of bringing to the attention of the House the undesirability of dealing with important Bills like this when there is a very small attendance. So far as this particular Bill is concerned, I have no objection to make; I think the provisions will be beneficial; but at the same time we know that when there is a large attendance very important points are very often brought up unexpectedly. I cannot see through the minds of others, and they are not here in person to present their own views.

The motion was agreed to, and the Bill was read the second time.

SCIENTIFIC AND INDUSTRIAL RESEARCH COUNCIL BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 83, an Act relating to the Honorary Advisory Council for Scientific and Industrial Research.

He said: The object of this Bill is to furnish the Government with authority to constitute a council consisting of not more than eleven members, who shall be appointed by Order in Council to give their attention to the promotion of industrial and scientific research. I need not say that this is a branch of the public service which has received unusual attention of late years, particularly in continental countries. I suppose Germany has made more progress in this direction than any other nation. The progress of Germany in almost every branch of national effort has been largely due to the attention which it has given to the organization of scientific and industrial research. This question has been taken up by the British Government and latterly by the United States Government. The nations on this continent are giving very considerable attention to it to-day. I need not point out the absolute necessity of Canada giving particular attention to this question. Our natural resources are so varied and so extremely important, and the development of this Dominion depends to such a large extent upon those resources, that we have the greatest need of attention of this kind being given to their development. This will be true to an even greater extent after the cessation of the war. We shall be called upon to concentrate all our resources to the utmost limit of our ability in order to meet the competition of other countries.

I may say that, in anticipation of this Act, the council, consisting of ten representative men, has already been organized. The men represent all the important scientific institutions in Canada. It is the intention of the council to give their best attention to these matters, to report them to the Government of Canada, and to advise as to the best means to be adopted for the development of our natural resources where science is applied to industrial development.

Hon. Mr. BOSTOCK: I understand that the chairman is to be the only paid member of the council?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: On looking at the Bill I notice that the council is to meet

four times a year. The general idea may be good, but if any real serious work is to be done, it seems to me that the council should be a paid body and not a voluntary one. I do not know the gentlemen who are to compose the council, but I presume they will be men who have a large amount of work in other directions, and if it becomes necessary for them to give a great deal of time or attention to the work of this council, it is a question whether they will do the work of the council without remuneration or whether they will carry on their own regular work. At the present time we have a Conservation Commission, the members of which, I understand, are paid. It seems to me that by adding one or two scientific men to that commission, or by appointing them in connection with it, the work would probably be better accomplished than under the voluntary system. It is a new system, and it is questionable whether it will work satisfactorily. I recognize the necessity of carrying on all the research work we possibly can for the purpose of getting more scientific and industrial information to aid us in carrying on work after the war is over.

Hon. Mr. SPROULE: I heartily concur in all that has been said by the honourable the leader of this House with regard to the importance of this measure and of the council which is proposed. While we have been endowed by nature with wonderful resources of different kinds, for many years it has seemed to me that we have been using them extravagantly and without getting the returns that we would have got had we dealt with them properly. Take any department—our mines, our water-powers, or our agricultural pursuits—we get only the very smallest fraction in return that we might get, if some such commission—a live commission—were on the job, investigating and inquiring and finding out by scientific research how much more of the product than is now utilized could be turned to useful account. Going into the forests during the last forty or fifty years, we have seen the finest timber cut down and only a small fraction of it used. The refuse might be used successfully, and would bring a profit three times as large as we are at present getting. It has been the practice in the past to cut down a fine pine tree and take seven or eight sawlogs out of it, each 10 or 12 feet long. In this way only about half of the tree has been used, and the balance has been allowed to lie for a few years and has finally been burned or

wasted. If that waste were used millions of matches could be made. There has been a fearful waste of material, which by proper attention could be turned to useful account. Because of the great quantity of our natural products we do not seem to value them until they are destroyed and gone. It seems to me that we cannot commence a day too soon to conserve what we have. This Bill is on the right line. The people of Canada will be more than repaid if the researches are continued from year to year, not only with regard to the natural products of our country, but also in industrial pursuits, where our labour might be turned to some more useful account than it previously has been. I think that this kind of work should be promoted as far as possible, because in promoting it we are doing the greatest good that we can do to our country and people.

The motion was agreed to, and the Bill was read the second time.

THE SOLDIERS SETTLEMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 116, an Act to assist Returned Soldiers in settling upon the Land and to increase Agricultural Production.

He said: This Bill has in view the assistance of returned soldiers who desire to settle upon the public lands of the Dominion. It makes provision for the appointment of a Board to be know as the Soldiers Settlement Board, constituted of three Commissioners who shall be appointed for a period of years. It also provides that Dominion lands may be reserved for this particular class of settlement, and gives to the Commission fairly wide powers so that they may provide agricultured education for these men and help them to settle upon the land. The policy of the Government as embodied in this Bill is that loans up to $2,500 may be made to individual settlers who come within the categories provided for in the Act. The loans of course would be a first charge upon the lands, and no patent for these lands would issue until the loan was paid. It is not necessary to point out the desirability of meeting the wishes of the returned soldiers, especially those qualified to settle upon the land, with the view of getting our lands cultivated to the very utmost. The increase of agricultural production is very desirable indeed.

It is difficult to say to what extent returned soldiers may desire to take up land, and wide discretion is given to the Commissioners to determine whether men who seek to go on the land are qualified to do so or not. We know that many of the difficulties which have confronted the Government of Canada in the past have been owing to thousands of settlers going upon the land who did not possess the necessary qualifications either in the matter of knowledge or of money. Consequently to-day we find that very large sections of what were Dominion lands have been abandoned by settlers who had gone upon them and who did not succeed. This has impressed upon the Government the necessity of discriminating in some way and making a proper selection of those who will give some earnest of success in carrying out the undertaking upon which they have entered.

Hon. Mr. SPROULE: I have no doubt that the aim of this Bill is a most commendable and desirable one, but I am a little sceptical as to the beneficial results to the country where this settlement takes place. I speak from a remembrance of sections of Ontario that were settled by the old pensioners of 1812-1813, having lived in some of those localities. They got the land for nothing; but whether from the habits that they had acquired while roaming around the world, or from some other cause, they rarely cleared or cultivated much of the land. The experience of most people was that the land was wasted, like the land given to the Indians. That land could not be sold for a long time, possibly it might be rented and the country was dotted all over with farms that were neither cultivated nor used in any beneficial way. I fear that it is possible, even probable, that we shall have a somewhat similar experience in connection with these lands. There is no doubt that something should be done with these lands, but the question is, will they be cultivated? Will they be put under cultivation at an early date, and will buildings be put upon them, and will individuals who have been accustomed to industrial life become good residents of our forest or prairie lands? While I am somewhat sceptical in regard to this measure, I feel that it is our duty to provide, as far as possible, the necessary facilities for those of our soldiers who feel like taking up the problems of life on agricultural lands, for they have amply earned, by their service to the country, any reward they would get from the value of the lands. The great question, however, is whether this plan will inure to the benefit of the country and the various localities in which they settle. I have some doubt whether it

would be the best that could be done with the lands that we have to give away.

Hon. Mr. BOSTOCK: This is a somewhat important Bill, and, as we have a very thin House to-day, I would suggest to the leader of the Government that we defer further discussion till the committee stage.

Hon. Sir JAMES LOUGHEED: That is quite satisfactory.

The motion was agreed to and the Bill was read the second time.

RAILWAY ACT CONSOLIDATION BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 13, an Act to amend and consolidate the Railway Act.

He said: This Bill, it is needless to say, is a very lengthy one. It has commanded the attention of the House of Commons for some months. Some two sessions ago Parliament selected two committees, one from the Senate and one from the House of Commons, which sat jointly; but, owing to the early prorogation of that session, that joint committee was unable to complete its labours. The requirements of the Consolidated Railway Act are many, owing chiefly to the fact that the Act of 1906, which is at present on the statute book, has been amended by some fourteen statutes enacted since that time, hence the desire that there should be a consolidation of the Act. This is one of the most important Acts that we have upon the statute book. It affects almost unlimited capital invested in the various railway undertakings of the Dominion, and relates not only to railways, but to other public utilities. The committee of the Commons, during the present session, began consideration of this Act on April 24, 1917, and so close was that consideration given to it that only to-day has it come up in this House for the second reading; so that, if we give the Commons credit for having given very careful consideration to it it is obvious that it will be unnecessary for us to give the same attention to it as has been given by that House. Before the committee of the Commons there appeared from time to time representatives of the different railway companies, the Brotherhood of Locomotive Engineers, the Locomotive Firemen and Enginemen, the Order of Railway Conductors, the Brotherhood of Railway Trainmen, different boards of trade, telephone companies, the Canadian Manufacturers' Association, the Union of Canadian Municipalities, the Hydro-Electric Commission of Ontario, and, in fact, all persons or corporations or associations that one could naturally conclude would be interested in the consolidation of the Act. This has resulted in some 678 pages of evidence being taken, which evidence is now in print and accessible to the members of the Senate in our consideration of the Bill.

I need scarcely discuss the many features of the Railway Act, for we have dealt with it so frequently that honourable gentlemen are very familar with it. I may say, however, that the jurisdiction or powers vested in the Board of Railway Commissioners have been somewhat enlarged. That commission has been very largely an evolution in response to the public requirements of the people of Canada in relation to railways, and from session to session we have found it desirable to add to their duties or powers. Under this Act we have given additional powers to the Railway Commission. A number of changes have been introduced in the Act with reference to expropriation proceedings. We have enlarged the rights of municipalities in reference to the exercise of their authority or discretion in the matter of railway and other companies carrying on their undertakings within the limits of the municipality. We have also enlarged the powers of the Railway Board in regard to telephone companies, giving the Board additional powers to permit of connections being made by local companies with long distance companies, while at the same time giving further authority to the board in the matter of fixing rates. The very vexed question of cattle getting on the railway lines has also been dealt with. This has always been a fertile field for litigation between the railway companies and the agricultural communities. My honourable friend from Welland (Hon. Mr. Robertson) brought into this House some time ago an amendment to the Railway Act, providing for the payment of railway employees semi-monthly instead of monthly. This is embodied in the Act. It is unnecessary for me at this hour to enlarge upon the many other features of the Act, except to say that those which I have briefly mentioned are probably the essential features of the new legislation. Of course the Bill is a consolidation of all the railway legislation that has been passed from 1906 down to the present time.

It occurred to me that probabaly a more advantageous way of dealing with this Bill

would be to call the Railway Committee together, because, when it receives its second reading, I intend to move that it be referred to the Standing Committee on Railways, Telegraphs, and Harbours; and that committee, at its first meeting, should not deal with the Bill itself, but rather discuss the best method of procedure, so that from day to day, providing we sit as frequently as that, we may be able to bring systematically before that committee all the parties representing the various interests dealt with in the Bill. For instance, the railway companies of the Dominion will doubtless wish to appear before the committee; probably also the telephone companies, the municipalities, the power companies, and all the other interests that may be affected thereby. It is very undesirable that they should be brought here without our systematically dealing with those interests in which they are concerned, and it seems to me this can be best brought about by the standing committee on railways outlining a course of procedure by which we could bring those interests here at such time as we may be able to consider the questions with which each particular interest is concerned. I therefore move the second reading of the Bill.

Hon. Mr. NICHOLLS: I would like to ask the honourable leader of the Government whether he has any idea when the House is likely to prorogue. I have this Bill before me, and it is a tremendous document; and, if we are likely to prorogue in a reasonably short time, I can hardly conceive that this House or any Committee of this House is going to be able to consider this Bill with the amount of intelligence they generally give to matters of this kind.

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend that we are always hopeful of getting prorogation by an early date. At the same time, there has been an extension of this Parliament, and we seem to be fondly adhering to the idea of making use of all the time that has been given to us, so that we may possibly be here until some time late in the autumn. I hope that announcement will not have a depressing effect on my honourable friend. On the other hand, I may say that I have spoken to some honourable gentlemen in the Commons, and they are hopeful of proroguing in two or three weeks.

Hon. Mr. BOSTOCK: This Bill is a very important one, as has been said by the leader of the Government, and it is also a very heavy piece of work to get through. We are apparently reaching the period toward the end of the session, and if we are to go through the whole of these 475 clauses in this Bill and give them proper consideration, we certainly have an exceedingly heavy job before us between now and the end of the session. My honourable friend has stated that this Bill was before the joint committee of both Houses two sessions ago. I do not exactly understand why that procedure was not adopted in regard to this Bill at the beginning of this session, when we had very little work to do, and when the members of the Senate would have been able to give their time and attention to the heavy work of a Bill of this kind. We could have got through it then, when the weather was more conducive to hard work, and when we had not so many things to attend to. As my honourable friend has said it will be referred to the Railway Committee, we can further discuss the matter there, but I doubt very much whether we shall be able to get through this Bill this session.

The motion was agreed to, and the Bill was read the second time and referred to the Committee on Railways, Telegraphs, and Harbours.

PRIVATE BILL.

SECOND READING.

Bill 39, an Act respecting the Toronto, Hamilton and Buffalo Railway Company.—Hon. Mr. Milne.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

MILITARY SERVICE BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 75, an Act respecting Military Service, Hon. Mr. Blain in the chair.

On section 1, subsection 2—definitions:

Hon. Mr. LANDRY: I should like the word " clergy " to be defined so that it will have the meaning given to it by the laws of the different denominations and religions.

The section stands.

On section 2—persons liable for service:

Hon. Mr. BEIQUE: I should like to inquire as to the length of time for which the men now under service have enlisted. Is

it for a given number of years or for the duration of the war?

Hon. Sir JAMES LOUGHEED: It is for the duration of the war and six months afterwards.

Hon. Mr. POWER: Paragraph (b) puzzles me. It says that any one who has been at any time since the fourth day of August, 1914, resident in Canada shall be liable. That means that any one who has spent a week, or a month if you will, in Canada since the fourth day of August is liable, even though he has since gone out of Canada.

Hon. Sir JAMES LOUGHEED: He must be resident in Canada since the 4th day of August, 1914. The term " residence" has a very well-defined legal meaning. A man coming into Canada for a week and going out again is not a resident of Canada. This must be his residence or domicile.

Hon. Mr. BEIQUE: Are we keeping faith with those who have already enlisted, if they have enlisted for the duration of the war and six months thereafter? The clause here says that such service shall be for the duration of the present war and of demobilization. Demobilization may take a year or two years, therefore you are extending the term of the engagement of those who have enlisted.

Hon. Sir JAMES LOUGHEED: This section will apply only to those who are conscripted.

Hon. Mr. BEIQUE: It applies to every man.

Hon. Sir JAMES LOUGHEED: Every man who comes within one of the classes mentioned in section 3 of this Act is liable to be called out.

Hon. Mr. BEIQUE: Those who have enlisted are liable to be called out.

Hon. Sir JAMES LOUGHEED: No, they are already in service. They cannot be called out because they are under the voluntary system. There is nothing to prevent any man volunteering so long as voluntary enlistment is authorized.

Hon. Mr. BEIQUE: I call attention to the fact that it is general. This applies to every one who comes within the conditions mentioned in section 2 and within the classes mentioned in section 3. I have read the Bill very carefully, and I am sure it applies to those who have enlisted.

Hon. Sir JAMES LOUGHEED: Those who have enlisted are under an entirely different contract, a voluntary contract. They are now serving.

Hon. Mr. BEIQUE: Suppose they had enlisted for only one year; they would be covered by the Bill and would be liable to be called again. Supose they enlisted for two or three years; if the third year were to expire to-morrow, they would be called upon to enlist.

Hon. Sir JAMES LOUGHEED: They have all enlisted for the duration of the war, and six months afterwards; consequently there is no possibility of their being called up. The term used here is "demobilization."

Hon. Mr. BEIQUE: I would suggest substituting the words "six months after the war" for "demobilization."

Hon. Sir JAMES LOUGHEED: The word "demobilization" is used in the first place because demobilization cannot take place within six months after the war. It is desirable that those who are called out should serve until demobilization. The class referred to will be found in section 4 of the schedule on the last page of the Bill:

> Men serving in the Royal Navy or the Royal Marines, or in the Naval Service of Canada, and members of the Canadian Expeditionary Force.

Those men are exempted from the application of this Bill.

May I ask the indulgence of the House to permit Colonel McInnes to come on the floor of this House to give the necessary information?

Some Hon. SENATORS: Certainly.

Hon. Mr. BOSTOCK: I should like to know what is the use of these words in the second subsection of section 2:

> —so long as voluntary enlistment in such force is authorized.

Hon. Sir JAMES LOUGHEED: It is simply a declaration of what may be done to-day, or hereafter. If any man chooses to enlist voluntarily, the Act does not apply to him. He enlists for the duration of the war and six months afterwards.

Hon. Mr. BOSTOCK: Why is it necessary to say so?

Hon. Sir JAMES LOUGHEED: There is a distinction drawn between those serving in the Expeditionary Force and those who will be called out. This is to make that distinction clear.

Hon. Mr. BOSTOCK: There is no intention of preventing men from enlisting voluntarily?

Hon. Sir JAMES LOUGHEED: No. We would very much prefer that voluntary enlistment continue.

Section 2 was agreed to.

On section 3—division into classes:

Hon. Mr. BOYER: Subsection 2 of this section says:

For the purposes of this section, any man married after the sixth day of July, 1917, shall be deemed to be unmarried.

Would it not be better to say that this man shall be deemed to be liable for service? If he is married we cannot unmarry him.

Hon. Sir JAMES LOUGHEED: It is simply for the purpose of the Act. He is regarded as unmarried. It does not divorce him.

Hon. Mr. LANDRY: Have we any right to change his civil condition?

Hon. Mr. DANDURAND: It means that he will be treated as if he was unmarried.

Hon. Mr. LANDRY: We are changing his condition.

Hon. Sir JAMES LOUGHEED: Only for the purposes of the Act.

Hon. Mr. CASGRAIN: Is there any particular clause in the Bill in regard to exemptions? I would like to propose, in relation to that clause, that a father of six living children should be exempted.

Hon. Sir JAMES LOUGHEED: The exemptions are in a schedule on the last page of the Bill, and also in section 11.

Hon. Mr. DANDURAND: Has the Government considered the propriety of putting class 5 ahead of class 4, in order that the unmarried be first called? Class 5 is: Those who were born in the years 1872 to 1875, both inclusive, and are unmarried, or are widowers who have no child. The principle seems to be that the unmarried shall be called first; and yet I see that married men in class 4 come ahead of unmarried men born between 1872 and 1875.

Hon. Sir JAMES LOUGHEED: But if my honourable friend will look more closely he will find that we are dealing with those born between two fixed periods. The first class liable to be called out are the unmarried; then the married will follow the unmarried in that particular period. Class 5 and class 6 are those born during the same period—1872 to 1875. First, the unmarried man is subject to being called, then the married man. That is the explanation.

Hon. Mr. DANDURAND: But that is the question I put: Is it advisable to call class 4 ahead of class 5, when you take the father of a family and increase the charge on the country by taking one who may leave behind a wife and children?

Hon. Sir JAMES LOUGHEED: I think the answer to that would be, that the efficiency of men depends very largely upon their youth. The older they get the more inefficient they are for the purposes of the Bill. Still, we have to divide in that way

Hon. Mr. LANDRY: Is there much difference between a man at 41 and one at 42?

Hon. Sir JAMES LOUGHEED: We have to draw the line somewhere.

Hon. Mr. BEIQUE: What is the age of those in class 3?

Hon. Sir JAMES LOUGHEED: 35 to 41.

Hon. Mr. BEIQUE: Do you really think that a man of 36 years who is a widower or unmarried should not be called before those in class 2, for instance, who may have six or eight children?

Hon. Sir JAMES LOUGHEED: Well, they should not have that number at that age; that is unreasonable.

Hon. Mr. BEIQUE: But I ask that in all seriousness. I draw the attention of the leader of the Government to that; for I think there may be an oversight there. We on both sides of the House should try to arrange this matter equitably.

Hon. Sir JAMES LOUGHEED: The difficulty is in fixing the line. We have to fix it somewhere.

Hon. Mr. BEIQUE: I appreciate that the line may be fixed at an age beyond which a man is not supposed to have the same capacity as formerly; but so far we are dealing with men between the ages of 20 and 45. It seems to me that single men of that age should be called before married men who have children.

Hon. Sir JAMES LOUGHEED: I would point out to my honourable friend that while we make that classification there is not the slightest probability of that class being called.

Hon. Mr. McSWEENEY: The 4th class?

Hon. Sir JAMES LOUGHEED: No. It is expected that we shall not have to go beyond classes 1 and 2. I have in my hand the census returns of 1911, and I am informed that, as the population of Canada stands to-day, notwithstanding that say 400,000 men have gone overseas, yet these figures can be taken as approximately correct, and they show that we have in Canada 319,610 single men between the ages of 20 and 24; or in round figures, we have 320,000 in class 1.

Hon. Mr. THOMPSON: That does not include those who have enlisted?

Hon. Sir JAMES LOUGHEED: No. I am told by the officials of the Government that notwithstanding the men we have sent over, this statement is approximately correct.

Hon. Mr. DOMVILLE: Are they all physcially qualified?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. DOMVILLE: Then you haven't got them.

Hon. Sir JAMES LOUGHEED: But, taking the average as determined by our past experience, classes 1 and 2 could be secured from those set out in this statement, which shows that we have single men aged from 20 to 24 to the number of 300,000, and 66,247 married.

Hon. Mr. DANDURAND: Of course, the department knows the exact number of men who have enlisted from that class, and I understand from the honourable leader that that total is deducted from that number?

Hon. Sir JAMES LOUGHEED: No; this statement is not affected, generally speaking, by the men who have gone over.

Hon. Mr. DANDURAND: But if 100,000 men of that class have already enlisted, they are no longer available.

Hon. Sir JAMES LOUGHEED: But my honourable friend will see that a man who is 20 years of age to-day was only 14 in 1911; so that, from the competition made by those who have gone into the matter very carefully, we do not anticipate the classes outside of 1 and 2 being called up.

Hon. Mr. DANDURAND: Then the honourable gentleman says, "We are confident that we shall draw from those two first classes all that are required?"

Hon. Sir JAMES LOUGHEED: We have to draw upon these classes first.

Hon. Mr. DANDURAND: But the question asked by the honourable gentleman from De Salaberry (Hon. Mr. Beique) which I think applies to class 2, is why class 2 is called before class 3, which comprises men born between 1876 and 1882 who are unmarried or widowers without children. Is not the State interested in calling single men if they are as healthy and strong? The Bill seems to deviate from the propriety of following that line of action, by taking in class 2—married men who were born not earlier than the year 1883— and having them called ahead of unmarried men or widowers of the class from between 1876 and 1882.

Hon. Sir JAMES LOUGHEED: The probabilities are entirely in favour of the total 100,000 being secured from class 1 without touching the married class. Then, when we go into class 3, we get a class of men aged from 35 to 41 that are not comparable as soldiers to those of the 20-year class. The experience of the war has established beyond all question that the men who are in the twenties are decidedly superior to those who are beyond the twenties, in endurance and adaptability and in applying themselves with enthusiasm to the duties which they have to face.

Hon. Mr. DOMVILLE: I am told that there are a very large number of Canadian soldiers in England. Are they classified to go to the front, and are they going to the front, or are they there at the country's expense for nothing? Would this conscription deal with all those men in England who have not been to the front?

Hon. Sir JAMES LOUGHEED: Those men are in training, and are there as reserves to be called up as reinforcements from time to time.

Hon. Mr. DOMVILLE: What are they doing there now if they are there as reinforcements?

Hon. Sir JAMES LOUGHEED: They are to go the front as required.

Hon. Mr. DOMVILLE: Then, why are we asked for reinforcements?

Hon. Sir JAMES LOUGHEED: To take their place as they are moved to the front.

Hon. Mr. DOMVILLE: There are a lot of men doing nothing. We have a lot of men around St. John with their belts on.

Hon. Sir JAMES LOUGHEED: Oh, there always will be.

Hon. Mr. DOMVILLE: How many officers are there in England, lying around, not going to the front, who have been there two or three years? Perhaps you have the statistics as to that. What are they doing there?

Hon. Sir JAMES LOUGHEED: I cannot tell that to my honourable friend, I am sorry to say.

On subsection 2 of section 3:

For the purposes of this section, any man married after the 6th day of July, 1917, shall be deemed to be unmarried.

Hon. Mr. LANDRY: I think that is an immoral clause. Why should you put a finality on persons who want to marry? That clause should be the same for everybody. I think the Senate will not adopt such a clause as that. I am serious in my remark. That clause should go out. Why should you prevent a man from marrying if he wants to marry?

Hon. Mr. DANIEL: We do not.

Hon. Mr. LANDRY: Yes, you do, because he will not marry and leave a wife. You are preventing people from marrying. If you make a clause that married people will fall in such and such a class, let them fall in that class.

Hon. Sir JAMES LOUGHEED: The object of that clause is this: When it was proposed in the United States to pass conscription there was an overwhelming rush to get married before the Act went into operation, so as to escape its responsibilities. Now we go back to the 6th of July, 1917, when this Bill was introduced, and we say: "Notwithstanding the fact that you have married after you noticed that conscription was to be put in force, we shall not regard you as a married man." That is all. The presumption for the purposes of this Bill is that that man married to escape his responsibility.

Hon. Mr. LANDRY: But you have no right to impute motives. Suppose I am twenty years old and I want to marry after the 6th of July. Well, I would prefer not marrying if I had to leave a wife behind me. I might go and be killed; then, in what situation would she be?

Hon. Mr. DANDURAND: It is a very fine situation.

Hon. Mr. LANDRY: It is a very fine situation if I leave a wife behind. I really think the clause is immoral.

Hon. Mr. DANDURAND: I think the phrase is an unhappy one. It seems to me that the person who framed this subsection 2 could have found some other phrase to express the same idea.

Hon. Sir JAMES LOUGHEED: We follow pretty closely the English legislation regarding this matter. In their Act they say: "who on the second day of November, 1915, was unmarried or was a widower without any child dependent on him." If he was married after that he would still be deemed to be unmarried under the Act.

Hon. Mr. BOYER: Could not that be classed under this heading? When the first Highland regiment arrived in France, as they were going through a French village with their kilts on the whole population came to look on, but could not make out what they were; so one old French gentleman who had lived in England and thought he could speak English went up and inquired, and came back with the answer: "Ils disent qu'ils sont middlesex"—"they say they are middlesex."

Hon. Mr. CLORAN: This subsection is a most immoral expression to put into any civilized legislation—that a man who is married shall be deemed unmarried. Where in the name of common sense did the Government get such an expression?

Hon. Mr. CROSBY: For the purposes of the Act.

Hon. Mr. CLORAN: Well, if they knew anything at all, they would put it this way: that any person married since the 6th of July, 1917, shall be enlisted or liable to enlistment in spite of his marriage.

Hon. Mr. CROSBY: That would be the same thing.

Hon. Mr. CLORAN: But do not make this country immoral on account of the Confederation Act. Do not make tens of thousands of young men believe that they are unmarried when they go to the front, and take up with English girls, French girls or Belgian girls. I say this is a most immoral proposition, most immoral, and it shows the incompetence of the Government, against which I have been protesting during the past two weeks. Any man who drafted this is not a divinity student, I will tell you that, and does not know his religion; he does not know his moral code. The idea of putting on the statute book of a civilized, Christian country a law stating to a man, "You are married, it is true, but you shall be deemed unmarried for war purposes."

Lucifer himself could not invent a worse thing. So I would suggest to the Government to put in some language that will not offend the morals or the religious aspirations of the country. Let this be changed to read that all married men since the 6th of July, 1917, shall be liable to enlistment in spite of their marriage.

Hon. Mr. DANDURAND: As if unmarried.

Hon. Mr. CLORAN: I think the Government, for the sake of the country's morality, for the sake of the people who are well-thinking, should adopt this proposition. Now, another thing. If this carries, what will it mean? One honourable gentleman said it meant "unmarried for the purposes of this Act," but it does not say so. Then a young man—or an old man, like some of us in this House—

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN:—gets married after the 6th of July, and his marriage is to be deemed no marriage. What I want to get at is this: that any man, having married after the 6th of July, and being enlisted by the Government, should be deemed married for the purposes of the allowances to the bride he leaves behind him; that she should get the allowances and her share of the Patriotic Fund or whatever else is going. With things like that in the statute, you do not want opposition to enlistment. Some of you are going crazy. You tell a man to enlist and you say to him, "You must go; you are not married, and your wife, if she has a baby in nine months, will get no allowance."

Hon. Mr. DOMVILLE: Why not?

Hon. Mr. CLORAN: According to this law.

Hon. Mr. DOMVILLE: Because they are "unmarried."

Hon. Mr. CLORAN: Because they are "unmarried." I hope the Government will take this matter into consideration. I know my honourable friend who represents the Government here (Hon. Sir James Lougheed) cannot do anything. He must take representations from this House with seriousness and not try to scorn them or laugh them down, or say, "I have no information." That will not go very long. I for one will not stand it. I am just as good a man—not any better, but just as good as he is, as representing the people. When I stand up, it is for their rights. This law is not going to affect me personally. It is going to affect some of my boys who are getting married, and if they are enlisted I want them to have the same treatment as other persons. So I submit to the Government—to Sir Robert Borden if the honourable leader here will not listen to us, and to the Minister of Militia—that this clause should be changed so as to make it more moral and make sure that the bride of a soldier married since the 6th of July, and any progeny that comes afterwards, shall be entitled to the allowances and to fair treatment from the Patriotic Fund. How many among you there—I ask the men in khaki—object to that proposition? Is there one of you? Silence gives consent. Then tell your leader and tell your party in the other House that the law ought to be changed to protect the moral interests of the country and the justifiable needs of men fighting at the front, if they have young wives and babies left at home.

Hon. Mr. DANIEL: I do not see that the honourable member's objection would come in here at all. I do not think this Act has anything to do with allotting the separation allowances, or with pension matters, or anything of that kind whatsoever. All that this section does is to say that a man who marries after a certain date shall, for the purposes of this section, be considered as if he had not been married at all.

Hon. Mr. CLORAN: Then the bride gets nothing.

Hon. Mr. DANIEL: Wait a moment. That is, it puts him in a certain class.

Hon. Mr. CLORAN: Why does it not say so?

Hon. Mr. DANIEL: Whereas, if he were married before, he would go into another class. But this does not say he shall not receive any separation allowance. This has nothing to do with allowances or with pensions. This Act is a compulsory service Act and these sections are simply—

Hon. Mr. CLORAN: If you split hairs like that you will get mighty few soldiers.

Hon. Mr. DANIEL: The Bill calling men out for military service has nothing whatever to do with separation allowances or anything of that kind. That comes under an entirely different Act.

Some Hon. SENATORS: Carried, carried.

Hon. Mr. LANDRY: We will not go on with this section. We will go on when that is attended to. I have a right to speak here, and will speak as long as I desire.

Hon. Mr. CROSBY: I am prepared to sit here as long as the honourable gentleman likes.

Hon. Mr. LANDRY: Very well. I will keep the honourable gentleman here.

Hon. Mr. CROSBY: Go ahead.

Hon. Mr. LANDRY: The honourable the leader of the Government said a moment ago that that clause was intended to meet certain objections——

Hon. Mr. DANDURAND: Abuses.

Hon. Mr. LANDRY: Abuses that cropped up in the United States. Why should we pay for them?

Hon. Mr. FOWLER: We are not.

Hon. Mr. LANDRY: Yes, we are. Take the case of an honest man who wants to marry; if he marries after the 6th of July, he is punished. Why do you not put him in the class to which he belongs? You are going to punish him, because certain abuses have existed in the United States.

Hon. Mr. CLORAN: There is another point. How many young soldiers have married here and have afterwards gone to the front. How many have married across the ocean and have remained in the trenches. Young men have got married since the 6th of July. They have not got married with the intention of avoiding service. Not at all. But this clause makes every one of those who have married since the 6th of July last liable to be counted as unmarried—immoral men.

Some Hon. SENATORS: Oh, no.

Hon. Mr. CLORAN: Yes, it does. Well, now, if we are not going to agree here in making the law, how in the name of Heaven are the courts, composed, I supposed, of more competent men than we are, going to agree? You have no conception of how to draft a law in plain English so that the people will be able to understand it. "For the purposes of this section, any man married after the 6th day of July, 1917"—any man! That means everybody.

Hon. Sir MACKENZIE BOWELL: Does it?

Hon. Mr. CLORAN: Well, if we cannot agree, how are the members of the tribunals going to agree? I hold it means everybody —any man married since the 6th of July comes under this provision—"shall be deemed to be unmarried." I say it is the duty of the Government to change the clause. I want the law to be made so clear and plain that there will be no need of interpretation in the thousands of tribunals that will have to be established all over the country, and so that it will not be necessary to appeal from them. I will venture to say that any man who wants to do so could appeal from the ordinary small court in a village to a superior court, and so on, to the Privy Council, and the Privy Council would say, "those legislators over in Canada do not know much."

Hon. Mr. BEAUBIEN: If I understand this clause rightly, its purpose is to prevent people from marrying to avoid the law. That is right, is it not?

Hon. Mr. CLORAN: Yes, but why don't you say so?

Hon. Mr. LANDRY: How could you prove that?

Hon. Mr. BEAUBIEN: If my honourable friends would just wait until the end of my argument, I think they would perhaps agree with me. I contend that this clause was inserted for the purpose of preventing any man from going to the altar and getting married simply to avoid having to go to the trenches. If that is the purpose of the clause, I say that since the 6th of July the whole country has known of it; everybody has known that there was no use in trying to evade the law by marriage. Is that right or not?

Some hon. SENATORS: That is right.

Hon. Mr. BEAUBIEN: Therefore, since the 6th of July, every man who has got married has done so knowing that he was going to the trenches, just as if he were single. Is that right? Now, if that is the case, we must come to the conclusion that every man who has married since the 6th of July has done so without the slightest intention of escaping the law; therefore, that man is not the man at whom this section is aimed.

Hon. Mr. CLORAN: It strikes him all the same.

Hon. Mr. BEAUBIEN: My contention is that every man who has married knowing in his conscience that he was going to the trenches, like a single man, has been honest in his intention. I am pleading for that honest man; he is not the man against whom this section has been drafted. That man should be respected. Why not change the date and make it to-day? The date has already been changed, Mr. Chairman; I do not know for what reason, but I know it has been changed. I really and sincerely

believe that the reason I am giving now is a good, honest reason. The man who, knowing that he could not evade the law by marrying, has got married notwithstanding, must not have married to avoid the law and is not a slacker.

Hon. Mr. THOMPSON: As I understand it, the man who married after the 6th of July and who was included in the first class could, without this provision, by getting married, put himself into the next class and thus change the conditions from what they were on July 6th. This provision is intended to apply to the condition existing in the country at the time the Bill was passed in the House of Commons.

Hon. Mr. LANDRY: Will you answer this? Suppose I decide on the 2nd day of May to marry in the month of October. Suppose the law comes into force and says, "If you marry after the 6th of July, you are deemed to be unmarried," I will not marry at all, because I do not want to put my wife into such a position. If I had to leave her she might perhaps not have the means of livelihood. How would you meet such a case?

Hon. Mr. DANDURAND: You should have married before the 6th of July.

Hon. Mr. LANDRY: What if the parties have fixed the date, say, for the 3rd or 4th of October—in any case a date subsequent to that fixed by the Compulsory Service Bill, and the law is passed after they have fixed the date of the marriage?

Hon. Mr. DANDURAND: Could the honourable leader of the Government tell me why the date was altered from June 11 to July 6?

Hon. Sir JAMES LOUGHEED: July 6 is the date when all the provisions of the Bill were brought before Parliament and it became public property.

Hon. Mr. BEAUBIEN: I would say in reply to my honourable friend that his answer is no answer to my question. The reason is not the change of class. The change of class is quite legitimate. The law provides for the change of class, and when a man presents himself his obligations and responsibilities are weighed, and if he is married within the time fixed by the law he is supposed to be legitimately married and his objections are considered good. For instance, I am married; I married within the time prescribed by the law, and you have to consider me as a man who did not marry for the purpose of shirking his duty.

My obligations are weighed, and the law declares that I shall be in the second class and not in the first. What is this clause intended to meet? The case of the man who gets married only for the purpose of shirking his duty. If that is so, the intention of the man should be considered. If the man did not marry to avoid his duty, he ought to be treated as a perfectly honourable man, not as a man who did shirk his duty. And I say that since the date of July 6 has been put into the Bill as the limit after which a man could not be exempted from Class 1 on account of marriage, he married knowing perfectly well that he must go just the same. Is that true or not?

Hon. Sir MACKENZIE BOWELL: Quite true.

Hon. Mr. BEAUBIEN: It seems to me there is but one answer to that: It is quite true. If a man has got married since the 6th of July with perfectly honourable motives, I think those motives should be considered now.

Hon. Mr. CROSBY: How?

Hon. Mr. BEAUBIEN: I would simply fix the date as from to-day, or to-morrow if you like. All that is necessary is that people shall not be given notice beforehand that they have until a certain day to marry in order to avoid the law. If the date were fixed as from to-day, that would, it seems to me, meet all the requirements of the law.

Hon. Mr. SPROULE: If, according to the honourable gentleman's own argument, the motive is to be judged, and you fix the date as to-day, you abandon that motive and you give the man who had a bad motive—

Hon. Mr. BEAUBIEN: How could he have?

Hon. Mr. SPROULE: —all the advantages that the man gets who did it from a good motive.

Hon. Mr. BEAUBIEN: May I put a question to my honourable friend? When a man had this Act before his eyes, and knew that after July 6 it was impossible for him to escape going to the trenches by marrying, how could he do so with a bad motive? Will my honourable friend give me an answer? I am not discussing this just for the pleasure of talking, but because I am convinced I am right.

Hon. Mr. SPROULE: I would believe that he did it from an improper motive.

Hon. Mr. BEAUBIEN: Notwithstanding that the law says it is useless?

Hon. Mr. CLORAN: I agree with the honourable gentleman from Montarville (Hon. Mr. Beaubien). We are getting on common ground. Ninety-nine men out of every hundred who married after the 6th of July, 1917, did it not for the purpose of shirking service to the country, but out of love for the girls they wanted to make their own. Do you believe that Canadians are going to take the first girl that offers simply in order to get out of enlisting? That is a slur on the men and women of Canada. My proposition is the fairest one. You may set any date that you please, make it the 1st of May, make it when Sir Robert Borden got converted—somewhere about two months ago; make it date from the time some spirit worked on him and he became converted and never told his colleagues that he had been converted. How can I say that? Because ministers in the Cabinet resigned because they did not know the Bill was to be introduced. Date it from the time of Sir Robert's conversion from anti-conscription to conscription, and make it so plain that there will be no wrangling over it in the courts; make it so that there will be no reflection on the men; make it so that marriage after the 1st of May shall not be deemed to be an obstacle in the way of a man's enlistment. That makes it plain.

What are you going to do with the wives of the men who have married since the 6th day of July? They are declared by statute to be unmarried—divorced by Act of Parliament. Parliament is an immense divorce court, declaring divorce between two honest people, one a soldier and the other the bride of a soldier. What do you mean by that? Is the Canadian Parliament to be a high divorce court declaring that every marriage since the 6th of July is illegal? That is what it means. Why, gentlemen, cannot you weigh circumstances? Cannot you weigh the declaration in the statute as it reads? We are going to tell the country that every man, young or old, who got married after the 6th day of July is nothing but an entertainer of immoral women—he is deemed to be unmarried. Are you going to have that remain in a statute which is devised for the safeguarding, for the honour, for the protection of human life, when you wont protect it at home? You will not protect your own honour, the honour of your women, the honour of your soldiers. For the honour of the soldier, for the welfare of the bride, for the safety of society, I ask in all seriousness that a majority in Parliament, under the present Administration, should not declare these marriages to be practically null and void. It is a shame to present this legislation to an honest, moral Parliament. We are not moribund, as is the lower House, where they have no rights on questions of this kind. I hold that the Government ought to take this question into serious consideration. Mr. Chairman, you are lawyer enough to know that I am right. When you tell a man he is under the obligation of considering his bride as a woman to be cast aside and not to be looked after, you cannot expect to enlist men. I am speaking in the interests of the recruiting that has got to take place. I am not opposing the clause; I am pointing the way of light, truth and honour.

Hon. Mr. DAVID: Would the leader of the Government accept this amendment:

For the purposes of this legislation any man marrying after the 6th day of July shall be deemed to be unmarried unless he establishes that his marriage was decided upon previous to that time.

Hon. Mr. CASGRAIN: Should those who were engaged to be married break their engagement after the 6th of July if they could prove before any of the tribunals that they were really engaged? Is a man going to break faith with a girl?

Hon. Sir JAMES LOUGHEED: The tribunals will have a good deal of discretion.

Hon. Mr. LANDRY: The tribunals will have only the discretion given to them by the clause in the Bill.

Hon. Mr. CLORAN: I move an amendment, seconded by Colonel Domville, as follows:

For the purposes of this section, any man married after the 6th day of July, 1917, shall not have the right to invoke such marriage as an obstacle to his enlistment.

Hon. Mr. DOMVILLE: I think the Government would alter it without a resolution.

Hon. Mr. CLORAN: No. You can never depend on the present Government. I would not trust them two yards.

Hon. Sir JAMES LOUGHEED: We will deal with subsection 3.

Subsection 2 of section 3 stands.

On subsection 3 of section 3:

Any class, except class 1, shall include men who are transferred thereto from another class as hereinafter provided, and men who have come within class 1 since the previous class was called out.

Hon. Mr. LANDRY: What is the meaning of that?

Hon. Sir JAMES LOUGHEED: To continue that class as the men get older. If they are not called out they may get out of their class, and younger men will come into the class.

Subsection 3 of section 3 was agreed to.

On section 4, subsection 1—calling out by classes:

Hon. Mr. DAVID: Has the honourable the leader of the House any doubt about the constitutionality of this clause? Many eminent lawyers have expressed the opinion that under the Confederation Act Parliament has not the right to pass a law obliging citizens of this country to go and fight beyond Canada.

Hon. Sir JAMES LOUGHEED: Lawyers differ, and they will differ. My information is that the Chief Justice of my honourable friend's province holds a contrary opinion.

Subsection 1 of section 4 was agreed to.

On subsection 2 of section 3:

Hon. Mr. CLORAN: The amendment which I have to offer is a very simple one and should command the support of the Government. It is as follows:

For the purposes of this section any man married after the 6th day of July, 1917, shall not have the right to invoke marriage as a bar or obstacle to his enlistment.

What objection can any one have to that? It covers identically the same ground covered by this clause and does not offend any one's sentiments. It relieves the widows—for they are practically widows when their men go to the front—from the stigma cast upon them under the old clause. I think the Government ought to accept that. We leave a man's marriage entire and complete, and do not send him to the front dishonoured.

Hon. Mr. LANDRY: I would add the words: "unless he proves that such marriage has been arranged beforehand."

Hon. Mr. BEAUBIEN: Make it the 6th of August.

Hon. Mr. CLORAN: I do not want to antagonize the whole Conservative element.

Hon. Sir JAMES LOUGHEED: All I can say is that the language of the section as it stands is preferable to the amendment. If my honourable friend wants a division, we will take it and decide it at once.

Hon. Mr. CLORAN: We may decide it at once, but we will have a vote on it. I want to line up the honest men who are for the soldiers against those who pretend to be honest for them but who are not.

Hon. Mr. BEIQUE: I prefer the wording as printed.

Hon. Mr. CLORAN: My object in moving this amendment is to see that there will be no question as to the women left behind. I am not going to take any risk with a law that is not clear. I want the law as clear as it can be made, and I want no court to interpret my will and the will of the legislators of this country. That policy has been followed in this Senate and this Parliament as long as I can remember. The legislators here ought to be able to put their opinions in clear Anglo-Saxon, and especially in French, and we have enough French here to do so—probably better able to put it in French than in English. That is my intention right along; it is not to be obstructive or to oppose the measure. I want that there should be no trouble, and that properly married woman, living in her home while her husband is on the seas, shall not have her enemies or neighbours point the finger of scorn and say, "You are unmarried; the law says so; the Conscription Act says you are unmarried, and if you have any children they will not be legitimate according to the statute." That would be the effect under the section as proposed. Is that a fair proposition to put up to an honest woman? I ask that of you men who have any consideration for right, morality and honesty. As I say, the clause is clear enough for me; if I were a commissioner of the Patriotic Fund or any other fund I would say to such a woman: "The law says you are unmarried, and unmarried people cannot get allowances; you cannot get contributions from the Patriotic Fund, for the law says you are unmarried." Some lawyers in the House cannot see that; they want to leave it in doubt so that the courts will interpret it. I am against that policy. The learned senator for De Salaberry (Hon. Mr. Béique) says it is the same as my amendment. I say it is not. I am saving the honour of the soldier and the honour of the women of the country by my amendment; I do not want them put down as unmarried when their young husbands are fighting and dying in the trenches. What does the Government mean by imposing such an anomalous state of affairs on this country?

Hon. Mr. POIRIER: The clause in the Bill is much clearer than this amendment.

I fail to understand very clearly how a marriage can be a bar or obstacle to enlistment. It does not say what sort of obstacle it is. I have seen obstacles overcome. In my view the amendment is somewhat obscure and ambiguous. While the clause as it stands before us in the Bill might be more forcible—nay, brutal—there is no misunderstanding it as in the matter of obstacle.

Hon. Mr. CLORAN: Do you understand the English language well enough to know what a bar is, and what an obstacle is?

Hon. Mr. POIRIER: I do; I understand it to the extent that an obstacle may stop me absolutely from going over an object, or it may not. Now, you are an obstacle to some extent, I suppose, in this House.

Hon. Mr. CLORAN: I am; I don't deny it; and you need an obstacle sometimes.

Hon. Mr. POIRIER: But an obstacle can be overcome; it is not anything definite; but we want this section to be worded in such a way as to be absolutely clear and distinct and not subject to two interpretations. I understand perfectly well the object of my honourable friend's amendment, and to some extent I sympathize with it; but—perhaps owing to my lack of understanding the English language—I fail to realize that his amendment is as clear and distinct as the wording of the Bill before us.

Hon. Mr. CLORAN: I take issue with my honourable friend. I state here now that he does not understand the value of the phrase from the English point of view. What I say is that such a person shall not have the right to invoke such a marriage as a bar or obstacle to enlistment, or an excuse. He will come up before the tribunal and say: "Your honour, I am married, and that is a barrier against my enlistment." That is the way it will be argued. The point I am at is that my amendment does not leave your Canadian women under a slur, while the original section in the Act does so, if they were married since the 6th of July. Now, that should not be tolerated by this Parliament.

Some Hon. SENATORS: Question, question.

Hon. Mr. LAVERGNE: The amendment is clear.

Hon. Sir JAMES LOUGHEED: The Bill as it is is very much clearer. I would say to my honourable friend that we do not propose to make any amendment to it unless it is really necessary. If the House decides that an amendment is necessary we will make it.

Hon. Mr. CLORAN (translation): I do not expect my amendment to carry. The Senate has been packed during the last few days with new senators, who have come here for the purpose of putting through the conscription Bill in spite of all discussion. But if we have not a majority in this chamber, my leader and my party, we shall have one in the next election, which is coming soon—the sooner the better.

Hon. Mr. LAVERGNE (translation): I approve entirely of the amendment of the honourable senator for Victoria Division. This section of the bill is immoral and ought to be amended. In this country there are many people, in both nationalities, who do not know what is in this bill, and it should be clearly explained to them. The bill is bad enough; why make it incomprehensible? I urge that the amendment be adopted, and I hope the majority will consent to it. The honourable senator from Montarville (Hon. Mr. Beaubien) must think as I do. The bill should be made clear and comprehensible to everybody.

Hon. Mr. DANDURAND: I have stated that the form of this section is somewhat brutal in its terms, but I confess that I cannot see any improvement in the amendment which is proposed. The honourable gentleman wants to improve this section by saying that a man shall not have the right to invoke such marriage as a bar or obstacle to his enlistment. Well, he is bound to be enlisted as a married man or a single man, but this formula will not settle the question as to his ability or inability to pass from class 1 to class 2, and for that reason I will vote against the amendment.

Hon. Mr. CLORAN (translation): This clause is immoral. it is opposed to the morality of the country. It proposes to divide what God has united—to separate a man from his wife. The men who would be struck by this clause are not slackers, but those who have been pronounced by the medical corps to be fit to bear arms.

Hon. Mr. MURPHY: I rise to a point of order. I would like to know what the honourable gentleman is thinking and saying, because I have a certain amount of respect for the honourable gentleman, and I do not know what he is talking about.

Hon. Mr. CLORAN: I know right well that you don't.

Hon. Mr. MURPHY: I admit it; but talk in a language that I know. If you talk in that language, then I will probably be able to appreciate you and have a better opinion of you to-morrow.

Hon. Mr. CLORAN: (translation): I am not responsible for the ignorance of the honourable senator. So much the worse for him if he cannot follow the debate. I have done. I hope that the amendment which I have proposed will be adopted for the good reputation of the soldier and the honour of his wife.

Hon. Mr. LAVERGNE (translation): I repeat, Mr. Chairman, that this clause is immoral, and I insist that the amendment be adopted.

The amendment was negatived, and subsection 2 of section 3 was agreed to.

On section 5—tribunals:

Hon. Mr. CASGRAIN: How are those tribunals to be formed?

Hon. Sir JAMES LOUGHEED: My honourable friend will see that section 6 provides for the constitution of local tribunals.

Hon. Mr. LANDRY: By the Central Appeal Judge, I suppose you mean the judge of the Supreme Court here?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: The question of making the regulations uniform throughout the country will be a somewhat difficult one, as far as I can understand.

Hon. Sir JAMES LOUGHEED: The difficulty should not be very great, because it is done on the recommendation of the Central Appeal Judge, and he will practically lay down recommendations as to what the regulations should be on all the questions involved in the Act.

Hon. Mr. BOSTOCK: He will issue instructions to the local tribunals and guide them in the matter?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: But those instructions do not bear on the interpretation of the Act?

Hon. Sir JAMES LOUGHEED: He cannot depart from the principles of the Act.

On subsection 6 of section 5:

Hon. Mr. LANDRY: I suppose this clause is constitutional.

Hon. Mr. CLORAN.

Hon. Sir JAMES LOUGHEED: If it is unconstitutional we cannot make it constitutional.

Hon. Mr. LAVERGNE: Under this section a man will have no right to take out an injunction or a writ of habeas corpus. I would like this section to stand.

Hon. Sir JAMES LOUGHEED: We had better pass it. I am always willing to go back to a clause.

Hon. Mr. DANDURAND: We may test the opinion of the House on the suspension of habeas corpus. I will move that the words "habeas corpus" be struck out of subsection 6.

Hon. Mr. LANDRY: The words "or other process" would then cover the "habeas corpus."

Hon. Mr. DANDURAND: Strike out the words "habeas corpus or other process."

Hon. Mr. BEAUBIEN: May I ask whether a similar provision exists in the English Act?

Hon. Sir JAMES LOUGHEED: I cannot answer that question now. I will look into it.

Subsection 6 of section 5 stands.

Progress was reported.

The Senate adjourned until Three o'clock to-morrow afternoon.

THE SENATE.

Tuesday, August 7, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

PURCHASE OF OLIVER EQUIPMENT.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. How many sets of Oliver equipment have been purchased by the Government, and at what price each?
2. How much was paid to Hugh Carson Co. Ltd., harness makers, of Ottawa, to alter the Oliver equipment and for his good-will and patent?
3. What is the total amount paid by the Government to July 1, 1917, in connection with the Oliver equipment?
4. What proportion, if any, of the above amount was used at the front or in France?

Hon. Sir JAMES LOUGHEED:

1. Since the opening of the war 97,000 sets of Oliver equipment have been purchased at an average price of $8.98 per set.

2. (a) $7,328.48. (b) Nothing was paid to any individual whatever for good-will or patent.

3, $901,805.44.

4. This information has already been furnished in a memorandum laid on the Table of the House by the right honourable the Prime Minister on February 6 last, which reads as follows:

Memo for the Information of the Minister.

Re "Oliver" equipment.—The pattern of dismounted equipment authorized for use by the Canadian Militia up to the commencement of the war was known as the "Oliver" which was issued to all dismounted soldiers, and at the commencement of hostilities such of this equipment as was available was collected, issued to the 1st Division, C.E.F., and taken by it to France: it however was replaced subsequently (in 1915) by British "web" and without expense to Canada when it was returned here to be converted and was taken into further use. This was the same equipment as was issued to the Canadian troops who served in South Africa.

The mobilization of the 2nd Division and reinforcements for both the 1st and 2nd Divisions, up to a maximum of 108,000 men followed rapidly and for this number (108,000) ninety-seven thousand sets of "Oliver" equipment had been provided for in the fall of 1914, as follows:

1914.		
Aug.....	30,000	sets for 1st Division C.E.F.
Sept.....	2,000	" " additional units for 1st Division.
Sept.....	35,000	" " reinforcements.
Oct.....	30,000	" " 2nd Division, C.E.F.
Total....	97,000	

But as in January, 1915, the G.O.C. Canadians, England, reported that "Oliver" equipment was not as satisfactory as the War Office web equipment, steps were taken immediately to provide for the conversion of the "Oliver" equipment to a "valise" equipment, approximating as closely as possible the War Office pattern. At this time it was not possible to obtain the War Office Web equipment either in Canada or elsewhere, as the War Office was unable to meet its own necessities.

Some time in February, 1915, the honourable the minister (Sir Sam Hughes) conducted a demonstration for Militia Council, of four patterns of dismounted equipment, via.:

(1) "Oliver" equipment.
(2) "Oliver" equipment converted (as referred to above).
(3) War Office "Web."
(4) War Office leather.

at which it was decided to proceed with the conversion of such "Oliver" equipment as was possible.

Subsequently it was ascertained that the 2nd Division had had its converted "Oliver" equipment replaced by "web" when going to the front, and as more equipment was required for the C.E.F. on increase of establishment, a pattern of equipment, which it was considered would be acceptable to the War Office as suitable for service in the field and producible in Canada was given consideration.

A pattern known as "1916 dismounted equipment" was adopted late in the year 1915 and was issued to all C.E.F. in Canada; very many battalions trained with it in Canada and on the whole it proved satisfactory. When the 4th Division, C.E.F., left England for the front it was in possession of this equipment, but later War Office "Web" was issued to replace it, without expense to the Canadian public, the reason of the G.O.C. in Chief B.E.F., being as below:

"That though the Canadian equipment was made of excellent material it did not give the same measure of comfort on the march as the "web" and was less suitable for carrying ammunition in charger clips.

"That the "gas helmet" could not be tucked away under the soldier's jacket collar properly or rapidly owing to the wide strap which fits close on the shoulders."

In conclusion, it might be said that when the war commenced the department had no other equipment to issue the men and that as War Office could not meet its own necessities then, or during the following 18 months for the continually expanding British army, "web" could not be obtained for the C.E.F., as it has never been made in Canada. Further, that though the Canadian equipment has not had much use in the field for war purposes, the whole that has been purchased has had hard and constant use for training purposes, and at this moment is continued in use in England and Canada until the men are placed under orders as reinforcements for the front, when it is replaced by "web" to accustom the men to its use. That the Canadian equipment issued to the overseas units when leaving Canada had on their arrival in England been scrapped or otherwise destroyed is without foundation in fact.

(Sgd.) D. A. Macdonald,
Major-General, Quartermaster-General.

Then I asked Sir George Perley for a statement, and he has given me the following statement in a cable message under date of the 31st of January, 1917:

London, Jan. 31, 1917.

Your 29th. Statements that Canadian leather equipment has been burned on arrival in England are absurd and untrue. Oliver equipment with which First Division proceeded to France was subsequently replaced here without expense to Canadian public and it was returned to Canada early in 1915 for use there. Converted Oliver equipment with which Second Division was equipped was replaced before going to France and later returned to Canada for further service. 1916 Canadian leather equipment with which Fourth Division proceeded to France was eventually replaced by web equipment without expense to Canadian public. Large number of troops in training in England use Canadian leather equipment. Sufficient web equipment is now being supplied troops in training in England to enable reinforcements to proceed overseas with acceptable equipment properly adjusted.

PROCEEDINGS OF THE SENATE.

AUTHORITY OF THE SPEAKER.

Hon. Mr. CLORAN rose to move:

Resolved, That in the opinion of the Senate of Canada it is advisable that the Speaker of

the Senate, who is an appointee of the Government of the day, shall not have the right, power or authority to censor, suppress or prevent the entry on the Minutes and Proceedings of the Senate of any question or motion addressed to the Government on public matters, political issues or the administration of the affairs of the country, without the consent and approval of the Senate.

Hon. Sir JAMES LOUGHEED: I understand that my honourable friend puts this in the form of a motion. It must be quite apparent to the honourable gentleman that he will have to conform to the rules of the Senate if he wishes to change a standing rule of the Senate. The Senate will have to be summoned in the usual way to deal with the subject.

Hon. Mr. CLORAN: This is not a motion. It is a resolution asking this honourable House to express an opinion on a matter concerning the rules and regulations of the Senate; therefore it is perfectly in order, and is absolutely necessary under the circumstances.

Hon. Sir JAMES LOUGHEED: I raise the point of order that my honourable friend cannot change a standing rule by this method. This resolution is entirely ineffective. It simply asks that the rule be changed without stating what is to be done in that direction.

Hon. Mr. CLORAN: This is the beginning of an agitation. A committee could not take on itself the responsibility of changing the rules without the instigation of this body. This is not a motion to change the rules; it is a resolution asking the Senate to express the opinion that it is time for a change in the rules, that is all. If we in the Senate, as a deliberative body, are getting far away from the British tradition of free speech and the right of self-government. That is all I have to say. I am not going to tell the honourable the leader of the Government that he is planting the flag of Prussianism——

Hon. Sir JAMES LOUGHEED: I take exception to that, I call my honourable friend to order. In the first place, he has no right to ascribe motives to me; and, in the second place—and I ask the Speaker to rule upon the question—a reflection is cast upon the presiding officer of the Senate, which is something the honourable gentleman has not any right to do.

Hon. Mr. POWER: I totally disagree with the honourable gentleman from Victoria division (Hon. Mr. Cloran). Rule 16 of the Senate is as follows:

Hon. Mr. CLORAN.

The Speaker preserves order and decorum, and decides questions of order, subject to an appeal to the Senate. In explaining a point of order or practice he states the rule or authority applicable to the case.

When the rules of this House were revised in the session of 1906 the Speaker was given the power to preserve order and decorum. Up to that time the Speaker could not interfere and tell a member when he was out of order. That was a duty which rested upon the Senate, and it was not very well discharged. Then, at the close of our rules there is the provision that in matters not expressly provided for by the rules we shall be governed by the rules of the House of Lords. In the House of Lords, if a motion is presented or a notice given which he deems to be objectionable, the Speaker has the right to say that that motion shall not appear in the order of business; and I think it would be a very unfortunate thing of we were to undertake to strip the Speaker of all authority. Our Speaker, as every honourable gentleman must admit, is not given to interfering unduly with the business of the House; on the contrary, I think that he is rather disposed to be too lenient, and I cannot understand why the honourable gentleman from Victoria should have moved such a resolution as this.

Hon. Mr. LANDRY: The motion made by the honourable member for Victoria (Hon. Mr. Cloran), I think, comes in conflict with one of the rules of this House.

Hon. Mr. CLORAN: No doubt about that.

Hon. Mr. LANDRY: I am very pleased to hear that we are of the same opinion. As the honourable gentleman from Halifax (Hon. Mr. Power) has just said, by the rules of this House and the rules of Parliament the Speaker has practically to intervene to prevent the insertion in our Journals or on the Order Paper of any motion that he finds improper.

Hon. Mr. CLORAN: No doubt about that.

Hon. Mr. LANDRY: But what I want to point out is this: In such a case as the present, when it is brought to the attention of the Speaker, if he has a right he has also a duty to perform, and that duty is to communicate with the member who has given the notice so as to put him in a position to correct his notice. That is a matter of courtesy.

Hon. Mr. POWER: I understand the Speaker to say that he had done that.

Hon. Mr. LANDRY: No; I understand him to say that he could not do it, because the member was absent.

Hon. Mr. CLORAN: I was not.

Hon. Mr. DANDURAND: We are discussing a past case. Are we not discussing the question of principle irrespective of concrete cases?

Hon. Mr. LANDRY: I understand that perfectly well. Our rule 26 says:

> Any notice containing unbecoming expressions, or which offends against any rule or order of the Senate, if not amended by the senator giving the same, is not allowed by the speaker to appear on the notice paper.

Consequently the member who gave the notice ought to be communicated with. Coming now to the proposition made by my honourable friend from Victoria (Hon. Mr. Cloran), who wants to have the opinion of the Senate expressed, I suppose he wants an academic opinion. Does he intend moving for an alteration of our rules?

Hon. Mr. CLORAN: No; not till after I get an expression of opinion from this honourable House. Then I will make a motion, but not now. I am asking simply for an expression of opinion.

Hon. Mr. LANDRY: I should not take more than five minutes to look up whether this procedure is in order or not.

Hon. Mr. CLORAN: Well, I will not take one minute.

Hon. Sir JAMES LOUGHEED: I rise to a question of order.

Hon. Mr. CLORAN: I am entitled to my say on this after the adverse criticism. My object in putting this resolution on the order paper for consideration by this honourable body was not to disobey the rules, not to dispute the actual authority of the Speaker at all. My object was to reinstate the conditions which prevailed in the Senate in its good old days of democratic rule, when there was no interference with public debate either by the representatives of the government of the day or by their appointee in the Chair, except on special demand by one of the members of the House pointing out to the Speaker that the discussion was not in order, or that the honourable gentleman who was speaking was out of order. That was the privilege which existed in the good old days, up to about ten years ago. The Speaker could not intervene in any respect.

Hon. Sir JAMES LOUGHEED: I again rise to a question of order.

Hon. Mr. CLORAN: Am I not to be allowed to speak? Do not raise the Prussian flag every time I talk.

Hon. Sir JAMES LOUGHEED: I take this position. This honourable House has reached the point where it is best to determine whether the honourable gentleman from Victoria division (Hon. Mr. Cloran) is going to dominate this House by his irregularities in discussion, or whether this Senate is going to be conducted in an orderly way.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: Where is the point of order? I do not want to be dominated by anybody.

Hon. Sir JAMES LOUGHEED: I propose hereafter, whenever the honourable gentleman is out of order, to raise the question of order if nobody else does.

Hon. Mr. CLORAN: Then do not make a speech on it.

Hon. Sir JAMES LOUGHEED: I raise the question of order, and I ask the Speaker to pass upon it at once, under rule 16, which provides:

> The Speaker preserves order and decorum and decides questions of order, subject to an appeal to the Senate. In explaining a point of order or practice he states the rule or authority applicable to the case.

I therefore find that the honourable gentleman has moved:

> That in the opinion of the Senate of Canada it is advisable that the Speaker of the Senate, who is an appointee of the government of the day, shall not have the right—

to exercise the rules of the Senate—that is what it means—

> —shall not have the right, power or authority—

—to enforce rule 16. Now, if any honourable gentleman wants to have these rules repealed or changed, there is a proper method laid down in the rules for doing so; and, if the proper method is not taken, I propose to take exception to any other course being pursued. I would now ask the ruling of the Chair upon that resolution.

Hon. Mr. CLORAN: Well, I withdraw the motion in compliance with the dogmatic utterance of the leader of the Government.

The motion was withdrawn.

THE SENATE AND HON. THOMAS CHAPAIS.

MOTION DROPPED.

On the order:

Motion by the Hon. Mr. Cloran:

That an Order of the Senate do issue for the production of all correspondence exchanged between the Prime Minister or any member of the Government and Hon. Mr. Chapais, concerning an offer to the latter of a seat in the Senate.

Hon. Mr. CLORAN: I hope there will not be any dogmatism about this. It is simply a motion asking for public correspondence exchanged between the Prime Minister of this country and a very distinguished Conservative leader in the province of Quebec regarding a Senate appointment. I feel that the Government is in difficulty enough at the present without putting it into the embarrassment of producing this correspondence. The party of the second part has furnished all the information we require; so we do not need any information from the Government. We have the true side of the question from the Hon. Thomas Chapais himself. So I ask that the motion be allowed to drop.

The motion was dropped.

THE FRENCH PRESS.

QUESTION OF PRIVILEGE.

Before the Orders of the Day:

Hon. Mr. LANDRY: I would draw the attention of this honourable House to an article that was published yesterday in the Montreal Gazette, but which escaped my notice yesterday because I was on board a train and arrived here too late to take the matter up. It is dated Monday, August 6, 1917, and is entitled, "The French Press":

A good many French Canadians who were seen on Saturday and Sunday were satisfied that the Conscription Bill was surely to become law, that the majority in the Senate was so decisive, and that the adhesion of so many Liberals of mark went to show that the voice of Parliament is certainly the voice of the country. A few hours before the vote the well informed correspondent of Le Devoir sent the following mischievous despatch to his paper; "If a few more senators follow the example of Senator Beaubien the Government majority might be in danger, and this is what will probably happen. It is said in fact, that Catholic ministers and members have received a letter from the highest ecclesiastical authority tracing their duty regarding the sending of clerics to the barracks, and that none of these gentlemen will consent to have religion take a second place to politics."

This despatch—

You see it was a rumour, but with the Gazette it is no longer a rumour.

Hon. Mr. CLORAN.

Hon. Mr. MURPHY: That is not true.

Hon. Mr. LANDRY (reading):

This despatch created a great deal of interest in political and religious circles for the reason that people supposed the "highest ecclesiastical authority" was no other than Mgr. Stagni, the personal representative of the Holy Father at the capital. The readers of Le Devoir may have remembered that the first prelates in Rome and throughout Italy were appealing even to their priests to go to the front, consequently they could not understand why one of their confreres temporarily located on British soil would interfere in any way possible with a Canadian minister or senator in the discharge of his sacred duty to the state, and empire, the true champion of religious liberty throughout the world.

I may say, en passant, that there is not a word of truth in all that. Never has any senator received from the authorities of the Church any despatch telling him how to vote on the question. As a matter of fact, the delegate in Ottawa of His Holiness the Pope is not over the bishops at all. He is the representative of the Pope here and reports to His Holiness what is going on; that is all he can do. He cannot intervene in any diocese in this country. The Bishops are superior to him:

This uneasiness was however soon dissipated when it became known that the author of the extraordinary letter to the Catholic ministers and senators was not the Pope's representative in the Dominion, but Mgr. Begin, Cardinal Archbishop of Quebec, who had already placed the faithful in a very embarrassing position by heading the episcopal request to Sir Robert Borden to disallow the Ontario school law, although the three ablest bishops of the province squarely declined to follow the good Cardinal's lead. It was learned yesterday from a very high religious authority that no other prelate had joined His Eminence in the latest attempt to impose his will upon a British Parliament, and that Cardinal Begin had been absolutely alone in his action.

It is a pity that a journal like the Gazette should spread such news. There is not a word of truth in that or any foundation for it.

Hon. Mr. CASGRAIN: I do not wish to interrupt the honourable gentleman, but we saw also in the press that the present Minister of Justice had been in conference with Cardinal Bégin in Quebec. Perhaps that is what gave rise to the story.

Hon. Mr. LANDRY (reading):

When the unfortunate demand was made by Senator Landry upon the bishops to sign the request for disallowance—

I ask you to remark the words:

—when the unfortunate demand was made by Senator Landry upon the bishops to sign the request for disallowance, the senatorial agitator simply told them that the Cardinal had signed

and that they should do likewise, although he was brought up all standing when the Archbishop of Montreal, Mgr. Gauthier, and the Bishop of Valleyfield declined to be stampeded, and it became known soon after that several of the suffregans at once wrote their archbishop expressing regret that, in an unguarded moment, their good faith had been surprised, and that they had been induced to co-operate in a movement destined to do more harm than good to the cause they had at heart. The same thing happened on Friday evening at Ottawa, for it is an open secret that when several senators heard of the Cardinal's letter telling British parliamentarians how they should vote, they at once decided to support the ministerial measure, thus increasing the majority for conscription and accepting the Bill without modification.

Well, that goes to prove that we are not governed by our Church in political matters, and, that is an answer to all the cries that have been heard against us in the past.

In connection with these episcopal incidents—

I deny that statement also:

In connection with these episcopal incidents, it may be related that although His Lordship of Three Rivers, Mgr. Cloutier, affixed his name to the Landry disallowance document, he regretted his action so bitterly that after the vote had been taken in the House of Commons, His Lordship wrote to the Hon. Col. Blondin—

That is where the cat comes out.

—commending the minister's attitude in voting against the Lapointe motion, and adding that the minister from the Three Rivers district could not very well have done otherwise.

You see, the Gazette is confusing entirely the demand for disallowance with the motion of Mr. Lapointe. The man who wrote that did not go into the question.

Hon. Mr. TAYLOR: What paper is that quoted from?

Hon. Mr. LANDRY: From the Gazette of Montreal.

Hon. Mr. TAYLOR: It is copied from some other paper.

Hon. Mr. LANDRY: Not at all. When quotation is made from another paper the name of the paper is given. I regret this, because I consider the Gazette one of the best papers in the country.

Hon. Mr. CLORAN: It is.

Hon. Mr. LANDRY: It is one of the best papers, and I regret that it has opened its columns to such a piece of—I do not know what to call it. At all events, I deny the statements made in the article, and I protest against the attack upon the Cardinal at Quebec, Cardinal Begin, and against comparing his conduct with that of others in order to glorify the others in such a way as to condemn the head of the Church in Canada. That is my protest, and I wanted to make it here.

MIGRATORY BIRDS CONVENTION BILL.

THIRD READING.

Bill 92, An Act respecting a certain Convention between His Majesty and the United States of America for the protection of Migratory Birds in Canada and the United States.—Hon. Sir James Lougheed.

SUPREME COURT AND EXCHEQUER COURT BILL.

THIRD READING.

Bill 98, An Act to amend the Supreme Court Act and the Exchequer Court Act.—Hon. Sir James Lougheed.

PRIVATE BILL.

THIRD READING.

Bill 32, An Act to incorporate The Cascade Scenic Railway Company.—Hon. Mr. Watson.

MILITARY SERVICE BILL.

FURTHER CONSIDERED IN COMMITTEE.

On the order :

House again in Committee of the Whole on Bill 75, an Act respecting Military Service.—Hon. Sir James Lougheed.

Hon. Mr. POWER: Before His Honour leaves the Chair I wish to ask a question of the honourable leader of the Government and to make the necessary preliminary explanation. I find this language in the preamble of Bill 75 :

And whereas to maintain and support the Canadian Expeditionary Force now engaged in active service overseas for the defence and security of Canada, the preservation of the Empire and of human liberty, it is necessary to provide reinforcements for such Expeditionary Force;

And whereas enough men do not volunteer to provide such reinforcements;—

That is the statement upon which the whole Bill is based; and I had the honour the other day of showing, I think, that the Bill was not necessary for that purpose, because the number of recruits coming in was decidedly greater than the number of casualties. My attention has been called to the fact that in another place yesterday a question was asked about this matter, and the Minister of Militia made the statement that in the month of July there were 4,257 recruits and 3,637 casualties. It was stated further, in the course of the

day, that there were in England 124,399 Canadian troops. So it is quite clear that there is no necessity for passing this measure in order to furnish necessary reinforcements, and the question that I wish to ask the honourable leader of the Government is, whether in view of these circumstances he does not think it wise to drop this Bill.

The Senate then again went into Committee on the Bill.

On section 5—tribunals:

Hon. Mr. DANDURAND: I would like to ask the leader of the Government before what tribunal a man will be brought who has failed to report as provided in subsection 4 of section 4. Who will issue the warrant, and before what tribunal?

Hon. Sir JAMES LOUGHEED: The criminal machinery of the Dominion will be invoked for the prosecution of such an offence.

Hon. Mr. DANDURAND: Do I understand then that the man will be brought before the ordinary courts of the country—magistrates and justices of the peace?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: Then I see throughout the Bill provisions for other penalties—fine and imprisonment for parties who violate the provisions of this Act. For instance, in section 11, subsection 4, there is a penalty for false representation; in subsection 5 there is a penalty for applying to more than one local tribunal for a certificate; in subsection 6 there is a penalty for altering or a tampering with certificates, or false representation. Do I understand that, when a man shall be prosecuted for infringing the Act, and the penalty shall be applied, it will be through one of our ordinary criminal tribunals?

Hon. Sir JAMES LOUGHEED: I would refer my honourable friend to sections 6 and 7, in which the jurisdiction of the local tribunals and the appeal tribunals is defined. The fundamental duty of these tribunals will be to determine to what class the party called out belongs.

Hon. Mr. DANDURAND: And the exemptions?

Hon. Sir JAMES LOUGHEED: And the exemptions.

Hon. Mr. POWER.

Hon. Mr. BEIQUE: But all other infringements of the Act will be dealt with by the ordinary tribunals of each province?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURARD: Then does my honourable friend hold that subsection 6 of section 5, which refers to the decision of any tribunal, applies only to the tribunals described in section 5?

Hon. Sir JAMES LOUGHEED: Yes, it has relation to the tribunals to be established by this Act, and must necessarily apply to the exercise of the jurisdiction of those tribunals. We are anticipating what the jurisdiction is; we have not approached that yet. The authority of these tribunals is defined by sections 6, 7 and 8. The suspension of habeas corpus, certiorari, prohibition, mandamus, etc., applies only to the acts of these tribunals.

Hon. Mr. DANDURAND: Is the honourable gentleman able to point out a single case under those sections wherein the liberty of the subject is affected?

Hon. Sir JAMES LOUGHEED: If the liberty of the subject is not affected, my honourable friend has no ground of complaint.

Hon. Mr. DANDURAND: But if the decisions of those tribunals may be reviewed, or be sought to be reviewed —for example, as to the class in which a man who has been called will stand, or whether his demand for exemption shall be accepted or rejected—how can a demand for a writ of habeas corpus be made, since the liberty of the subject will not be affected by the decisions of that first tribunal or the tribunal deciding an appeal?

Hon. Sir JAMES LOUGHEED: The wisdom of this provision lies in the desirability of declaring what the law is and what the law shall be pertaining to these tribunals. In the first place, it is very undesirable that the authority of these tribunals should be obstructed or blocked unnecessarily. Machinery of the most elaborate kind is provided to give redress to anyone who may be called, and who may think that a wrong has been done him. In the first place, the case is decided by the local tribunal; then the party has an appeal under section 7 to the appeal tribunal; and from that he can go to the final tribunal. Now let us assume for a moment that habeas corpus would be applicable in such case—

Hon. Mr. DANDURAND: But how would it be? Will my learned friend show me how the writ of habeas corpus can be sought for when there is no restriction of the liberty of the subject?

Hon. Sir JAMES LOUGHEED: What I am trying to impress upon my honourable friend is that it is desirable that the law relating to these tribunals should be declared in the Act, and that is what is being done. Yet, in face of a clear provision against habeas corpus, some one, placing an entirely different interpretation upon the Act, might invoke the aid of a party in the issue of a habeas corpus.

Hon. Mr. DANDURAND: But no habeas corpus can be issued till the party's liberty has been restricted.

Hon. Sir JAMES LOUGHEED: Is that not what we have said?

Hon. Mr. DANDURAND: Yes, but I asked my hon. friend what is the object of speaking in subsection 6 of section 5 of a writ of habeas corpus and of suspending it when there is no action of those tribunals that can call for the use of the writ of habeas corpus?

Hon. Sir JAMES LOUGHEED: Let me illustrate. Suppose a difference arose as to whether the man called out was exempt or not. The local tribunal said no. The case went from the local tribunal to the appeal tribunal. But suppose the man so called out should say, "I shall not invoke the appeal tribunal, nor the final tribunal, but I will seek my remedy in the courts, and I will apply for a writ of habeas corpus?"

Hon. Mr. DANDURAND: He has not been arrested; he is not at that moment under arrest?

Hon. Sir JAMES LOUGHEED: We do not know that; we do not know what may be done.

Hon. Mr. DANDURAND: No, he cannot be.

Hon. Sir JAMES LOUGHEED: We had better discuss those clauses first, and then my honourable friend will know what they mean.

Hon. Mr. BEIQUE: If I understand the honourable gentleman, he says that subsection 6 is intended to apply only to the tribunals mentioned in the first portion of section 5.

Hon. Sir JAMES LOUGHEED: It is as stated.

Hon. Mr. BEIQUE: Then I suppose the honourable gentleman would have no objection to amending subsection 6 to read:

> No proceeding authorized or pending before any tribunal created in virtue of this Act and no decision of any such tribunal, shall, etc.

and leave the rest as it is.

Hon. Sir JAMES LOUGHEED: Will my honourable friend allow me to ask him a question, which seems to be the touchstone as to whether his amendment is at all necessary. The first line of subsection 6 reads:

> No proceeding authorized or pending before any tribunal, and no decision of any tribunal, shall, etc.

Now, I would ask my honourable friend what other tribunal can be invoked or set in motion for the purposes of this Bill other than the tribunals mentioned?

Hon. Mr. BEIQUE: The honourable gentleman himself gave the answer a few moments ago to my honourable friend for De Lorimier—that all infractions of the Act would come under the ordinary tribunals in the different provinces.

Hon. Mr. DANDURAND: The other tribunals.

Hon. Mr. BEIQUE: Therefore he has acknowledged that these tribunals referred to here will comprise not only the tribunals mentioned in the third, fourth and fifth lines of section 5, but also the ordinary tribunals of the provinces.

Hon. Sir JAMES LOUGHEED: Will my hon. friend point out what other tribunals can be set in motion in connection with the carrying out of this Act?

Hon. Mr. BEIQUE: All the criminal courts in the several provinces will have to deal with any arrest which is made of any persons who neglect to report.

Hon. Sir JAMES LOUGHEED: Why, no.

Hon. Mr. BEIQUE: Surely it is important. The honourable gentleman ackowledged a moment ago that subsection 6 is intended to apply only to the tribunals mentioned in paragraphs a, b, and c, in section 5. If so, there should be no objection to saying it, and if we do not say it the subsection would then apply to the criminal courts in every province.

Hon. Mr. POWER: Although I am not in favour of the Bill, my desire is that

when it passes it shall be as nearly perfect as possible, and I would suggest to the honourable leader of the Government that in the definition clause, as the Bill says "Minister" means the Minister of Justice, so if I were in the honourable leader's place I should insert after that the words, "'tribunal' means a tribunal constituted under this Act." As a magistrate's court is a tribunal, the Act should define the name "tribunal" as not applying to anything except the tribunal provided by this Act. It is a very simple amendment, but it would remove any possible doubt. The honourable gentleman may think it is not necessary, but when gentlemen with the acute legal minds of my honourable friends from De Lorimier and De Salaberry think it is susceptible of a different meaning, I should think that the people who will have to administer this Act will be liable to make mistakes. I therefore respectfully urge that suggestion on the attention of the honourable leader.

Hon. Mr. DANDURAND: I would correct my honourable friend as to the double meaning which this section is susceptible of. It seems to me quite clear that subsection 6 of section 5 would apply and be held to apply to the tribunals mentioned in section 5; but I say that if none of those tribunals has anything to do with restricting the liberty of the subject, the words should not be inserted in reference to the suspending of a habeas corpus.

Hon. Mr. BELCOURT: I think the difficulty arises from the fact that subsection 6 uses a very general term—"any tribunal." As I understand the scheme of this Act, there are two sets of jurisdictions created by it or provided for, which will be resorted to under this Act. One set of jurisdictions is constituted by the three tribunals—local tribunals, appeal tribunals, and the central appeal judge. What is the jurisdiction of this set—the local tribunal, the appeal tribunal and the central appeal judge? It is to decide questions of exemption throughout the country, that of the Act itself. What is the other jurisdiction to which the Act may be applied? The other jurisdiction is the ordinary jurisdiction throughout the country, that of the criminal courts. A resort may be had to those criminal courts for the imposition of fines and penalties provided by this Act. The first set of jurisdictions I mentioned are given one specific power to decide exemptions and the other questions which will arise in the operation of the Act. The other set of jurisdiction is that of the criminal courts, to which resort will be had if imprisonment is demanded or a fine is sought to be imposed.

Now, when you come to subsection 6 you make no distinction. You say that neither shall there be any proceeding ordered by habeas corpus, and so on. Therefore the general power of the ordinary criminal courts to entertain a writ of habeas corpus is taken away. You are taking it away not only from the three tribunals established under the Act, but from all the other jurisdictions as well. That is what my honourable friends object to. Why not define the word "tribunal" and remove the difficulty?

Hon. Sir JAMES LOUGHEED: Allow me to illustrate how the habeas corpus might be invoked in order to obstruct the carrying out of the Act, and also why this applies and must apply only to the local tribunals. I shall point out how the courts might be invoked for the issuance of habeas corpus.

Hon. Mr. BEIQUE: The honourable gentleman has used the expression, "local tribunals."

Hon Sir JAMES LOUGHEED: I will use the word "tribunal."

Hon Mr. DANDURAND: Under this Act?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: Created by this Act?

Hon Sir JAMES LOUGHEED: In the first place, when a man is called, if he does not get an exemption he is called upon to report to the military authorities and is placed upon active service. In the next place, he is held as a soldier, and then, if my honourable friend likes to use the expression, he is "deprived of his liberty" because he is held as a soldier under the Act.

Hon. Mr. BELCOURT: Does my honourable friend consider that a ground for not applying the habeas corpus?

Hon. Sir JAMES LOUGHEED: No; he is held as a soldier. Now, I think my honourable friends will see the application of the section to the entire Bill. If a man is held as a soldier, he may get it into his head, or some legal adviser may counsel him, that he cannot be held, that he is entitled to habeas corpus, and he at once proceeds to invoke the courts.

Hon. Mr. DANDURAND: When my honourable friend speaks of a man being held, does he mean physically held?

Hon. Sir JAMES LOUGHEED: Physically held.

Hon. Mr. DANDURAND: That is to say, that he is enrolled and in barracks.

Hon. Sir JAMES LOUGHEED: He is held, yes. There is a very well-known case in Quebec—the Fournier case—which came before the Chief Justice of the Superior Court on October 10, 1916. With the permission of honourable gentlemen I shall read a short extract from the judgment. The honourable the Chief Justice said:

As a matter of fact, is the soldier deprived of his liberty owing to the circumstance that he is submitted to military discipline? In other words, is discipline a restraint upon the liberty of the soldier?

It would, forsooth, sound anomalous to be told that the soldier, officer or private, over or under 18 years of age, who secures peace and security to his country, is not a free man because, by virtue of his enlistment and of military regulations, he is bound to a certain discipline which the very interest of efficient military service demands.

Without a doubt, the soldier's goings and comings, whether in time of war or of peace, in military camps or elsewhere are, to some extent, curtailed for motives of public and moral order, and to the great advantage of the Army, either through the necessities of discipline or through formalities of a technical nature; but such formalities or discipline do not amount to what in law is termed a detention or restraint upon liberty. These are mere consequences of a contract entered into for the public good. Such is the case for the diverse callings of life, purporting, all of them, duties and obligations which may be likened to so many hindrances to individual liberty. Any one who hires his services surrenders more or less of his liberty; he is, while the contract lasts, the liegeman of his employer.

Though liberty be of supreme importance, however, many are the circumstances when it must make way to public interest. For instance, it is generally considered an imposition to be subpœnaed as a witness and detained before the courts or to be called upon to sit on a jury for days, but such responsibilities cannot be evaded for the reason that they are prescribed in furtherance of public weal.

Without further comment, we are inclined to believe that Private Fournier is not illegally detained or deprived of his liberty because he must comply with military discipline.

Let us deal with the first question: What is the object of the writ of habeas corpus?

Enlistment is a contract of the subject with his King for the defence of the country. The said contract is not void for the simple reason that it is entered into by a minor; at the most, would it be, according to our code, as hereinafter established, annullable through the ordinary course.

It is a well settled canon of law that the writ of habeas corpus is not granted to try the validity of contracts. The object of the habeas corpus is to see that no person is deprived of his liberty illegally or against his will, and not to determine the respective rights of parties one over another.

Now, the only question to be determined is the right respectively of the State and of the man who is called out. A habeas corpus case does not lie, but that does not prevent legal gentlemen from advising their clients that habeas corpus would lie, and the probability is that the courts of the Dominion would be blocked by being invoked for injunction prohibitions and writs of mandamus, certiorari, habeas corpus, or whatever might be sought. We have furnished most ample appellate machinery and every man can get redress by going to the Supreme Court. None of the other courts can give greater redress than these courts.

Hon. Mr. BEIQUE: The honourable gentleman should have no objection to accepting the amendment of the honourable member from Halifax (Hon. Mr. Power). We ask the honourable gentleman to state clearly what he admits to be the intention of the Act. We ask him to have it clearly stated that it applies only to the tribunals constituted by the Act.

Hon. Sir JAMES LOUGHEED: Will my honourable friend show me where the word "tribunal" is used in any of our statutes? If it is used, I am unaware of it. I think the word used is "court."

Hon. Mr. BEIQUE: The honourable gentleman has just demonstrated most clearly that what he is afraid of—as in the very case which he has cited—is the action of the ordinary tribunal. It was not a tribunal created under this Act. It was the court of the King's Bench, to which the application had been made; and which was acting under the local jurisdiction, in carrying out the laws of the province and administering justice in the province. It seems to me that it is perfectly clear that if subsection 6 were to remain as it is, and "tribunal," as was very properly said by the honourable member for Ottawa (Hon. Mr. Belcourt), were not defined. "any tribunal" would cover not only the tribunals mentioned in subsections a, b and c of this Act, but all that the words could cover.

Hon. Sir JAMES LOUGHEED: I attach great value to the expressions of opinion of my honourable friend on subjects like these. If my honourable friends, before we finally pass the Bill, think it necessary to make some declaration of this character, I am quite willing that we should

further consider the matter. Honourable gentlemen might look into this question.

Hon. Mr. BEIQUE: I may say that I have already looked into it very carefully, and I do not see how there can be two opinions.

Hon. Sir JAMES LOUGHEED: Oh, yes, there can be.

Hon. W. B. ROSS: Subsection 6 itself shows the meaning of the word "tribunal", because the distinction is drawn between the tribunals and the courts. It begins in this way:

No proceeding authorized or pending before any tribunal—

and so forth. Then, at line 4, it says:

—whether of the like kind or otherwise issuing out of any court.

This word "tribunal" is new, and peculiar only to this Act.

Hon. Mr. DANDURAND: The honourable gentleman holds to the view that subsection 6 applies exclusively to tribunals defined or mentioned in the other part of section 5?

Hon. W. B. ROSS: Defined in this Act —the three tribunals. They are distinct from the other courts in the provinces.

Hon. Mr. DANDURAND: Then, what objection is there, since the word "tribunal" is peculiar to this Act, to saying "tribunal means a tribunal constituted under this Act"?

Hon. W. B. ROSS: Why do you want to paint the rose?

Hon. Mr. DANDURAND: It seems to me that if you insert a definition we shall all be satisfied, as we are agreed as to what the word "tribunal" means. It is very easy to add the definition.

Hon. Mr. MURPHY: Will my honourable friend from Halifax (Hon. Mr. Power), who seldom makes factious opposition, say whether it would do any good to the Act?

Hon. Mr. POWER: Yes.

Hon. Mr. DANDURAND: Certainly it will. We are making an Act which will come into operation in every nook and corner of the country and which is liable to be tested by all the jurisdictions and all the judges. It will go before the humblest justice of the peace, and when we say that this last subsection of clause 5 is very wide in its construction and ask, does it clearly mean the tribunals under this Act, the Government says, "Yes." I see around me gentlemen of the legal fraternity who are afraid that judges or courts may think otherwise,—that they may think this provision applies to all tribunals of the land, all those tribunals that will be charged with applying a sanction to an infringement of this Act. We are simply losing time, when by a simple stroke of the pen we could declare what it means.

Hon. Sir JAMES LOUGHEED: Will my honourable friend lay his amendment on the Table so that I may take it up with the Minister of Justice?

Hon. Mr. BELCOURT: Is it possible that we are not at one? I am going to give a concrete case. Let us say that the three tribunals constituted by the Act have all pronounced against a case of exemption, and a final decision has been given: a man is held recalcitrant. Proceedings are taken before the Court of King's Bench, say in Montreal, for imprisonment because the man is not willing to abide by the decision given by the last tribunal constituted under the Act. Is it intended, when such proceedings are taken and the man is in jail, that habeas corpus or certiorari shall not be available?

Hon. Sir JAMES LOUGHEED: As to the findings of these tribunals.

Hon. Mr. BELCOURT: That is just it. We have been working on the supposition that that was not the intention of the Bill.

Hon. Sir JAMES LOUGHEED: These tribunals simply set the law in motion. It is not they who try a man and fine him or punish him.

Hon. Mr. BELCOURT: I understand that. I believe that we are not at one. We are discussing this question on the supposition that the Bill meant a certain thing, because my honourable friend said that subsection 6 did not apply to any tribunal except the tribunals constituted under this Act.

Hon. Sir JAMES LOUGHEED: Subclause 6 refers only to the tribunals mentioned in this Act.

Hon. Mr. BELCOURT: My honourable friends and myself have supposed that it was not intended that a writ of habeas corpus should be refused in the courts of ordinary jurisdiction throughout the land. We have been led astray unwittingly, by the explanation of the honourable the leader of the Government. I understand that my honourable friend wants to leave that section as it is.

Some Hon. SENATORS: Question.

Hon. Mr. DANDURAND: I must confess that I am getting confused, and I want to be set right by the leader of the Government. The honourable gentleman declares that subsection 6 of clause 5 applies only to an attempt to stop an action in process, or the action of the tribunals mentioned in clause 5.

Hon. Sir JAMES LOUGHEED: That is what it says.

Hon. Mr. DANDURAND: After one of these tribunals has, on a question of exemption, rejected the claims of a person and in consequence that person falls under the law, and must answer the call, if he refuses to answer the call, is he not summoned before another tribunal than those mentioned in clause 5? Is he not summoned before a police magistrate or a justice of the peace?

Hon. Sir JAMES LOUGHEED: That is not a tribunal.

Hon. Mr. DANDURAND: He is summoned before a police magistrate or a justice of the peace. For the first time his liberty is restrained; for the first time he is arrested. Now, is the Habeas Corpus Act suspended in that case?

Hon. Sir JAMES LOUGHEED: Will my honourable friend allow me to make a suggestion to him? We are anticipating certain sections without having considered them. Honourable gentlemen perhaps have not the accurate knowledge they should have as to what jurisdiction is of the three tribunals which we are establishing.

Hon. Mr. DANDURAND: The honourable gentleman has given us the clauses.

Hon. Sir JAMES LOUGHEED: And it is entirely improper for honourable gentlemen to anticipate those clauses. My idea is that we should pass this section and then go on to sections 6, 7 and 8, and we shall give every consideration to my honourable friend's amendment.

Hon. Mr. BELCOURT: Is it the intention of the Bill that, when the appeal court has dealt with the matter that precludes any other court from going into the question on any point?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BELCOURT: That is what it means?

Hon. Sir JAMES LOUGHEED: That is what it is for. That is a final tribunal.

Hon. Mr BELCOURT: Then the result would be that after these three courts, including the final appeal court, have pronounced, if the Crown should institute proceedings of some kind or other before a court of ordinary jurisdiction, there is no defence to be made on any ground whatever.

Hon. Sir JAMES LOUGHEED: Not as to the proceedings of the tribunal. There may be something wrong in the conviction by the magistrate. The habeas corpus would apply in that case.

Hon. Mr. BELCOURT: No matter what my honourable friend says, the Act says no.

Hon. Sir JAMES LOUGHEED: The only matter at issue is the decision of the tribunal

Hon. Mr. BELCOURT: Yes, I know. Will my honourable friend permit me? I hope he does not think I am talking for the sake of talking.

Hon. Sir JAMES LOUGHEED: Certainly not. I did not say anything to infer that, I hope.

Hon. Mr. BELCOURT: Then, let us look at the wording of this section I must read the whole of it:

> No proceedings authorized or pending before any tribunal and no decision of any tribunal shall by means of an injunction, prohibition, mandamus, certiorari, habeas corpus, or any other process, whether of the like kind or otherwise issuing out of any court—

Hon. Mr. BEIQUE: Out of any court whatever.

Hon. Sir JAMES LOUGHEED: That is a writ issuing out of any court.

Hon. Mr. BELCOURT (reading):

> —be enjoined, restrained, stayed, removed or subjected to review or consideration, upon any ground whether arising out of alleged absence of jurisdiction in the tribunal, nullity, defect or irregularity of the proceedings or any other cause whatsoever nor shall any such proceeding or decision be questioned, reviewed or considered collaterally in any action or proceeding civil or criminal.

If that does not prevent any kind of defence whatever before the ordinary criminal courts of the land, I should like to know what kind of language would do it. So that we must understand one another. If that is the intention of the Bill, that, once the final appeal court has decided upon the

question, there can be no review, then, perhaps the language is all right.

Hon. Sir JAMES LOUGHEED: So long as it is the proceedings of the tribunal that are involved.

Hon. Mr. BELCOURT: No. Take the case I have put. The local courts have finished their work and pronounced finally upon, say, a case of exemption, of a man refusing to obey. He is taken to jail. The Crown institutes proceedings itself before some criminal court to impose a penalty. That man has no defence, his mouth is closed, he cannot say anything before this court. That is according to the wording of this section. If not, I do not know what it does mean. It allows no defence of any kind, either as to the facts, or the irregularity of the proceedings, or in law. The man is absolutely without defence.

Hon. Sir JAMES LOUGHEED: I presume that what would be before the court would be the record of the tribunal as to that particular individual, and that would speak for itself.

Hon. Mr. BELCOURT: Yes, the section says that the judge cannot review it.

Hon. Sir JAMES LOUGHEED: Certainly, he can, before it goes before the final court of appeal. It goes before the Supreme Court of Canada, and that is final.

Hon. Mr. BELCOURT: For the moment I am not arguing one way or the other; I am trying to get at what the meaning of this section is. I want to know, in two words, whether the section does not intend that, when once the final appeal court created under this Act has pronounced, no other court in the land can have one word to say about the matter.

Hon. Sir JAMES LOUGHEED: I can answer that question in one word: Yes.

Hon. Mr. CLORAN: Honourable gentlemen, I think it is about time for me to say a word.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. CLORAN: I have listened to the very able discussion with regard to the habeas corpus, the most valuable adjunct in the Magna Charta of Great Britain.

Hon. Mr. DANDURAND: The Magna Charta was the adjunct.

Hon. Mr. CLORAN: The habeas corpus is the brightest flower in that document. It overrides the will of the King of England. The King himself cannot keep a man in jail until after habeas corpus proceedings are determined. Neither the King himself nor all Parliament can, on any consideration, military or otherwise, deny any British subject the right of a writ of habeas corpus, and here in Canada, this petty people of 7,000,000 undertake to uproot and override this great privilege which was fought for some nine hundred years ago, and has been maintained as the palladium of liberty for the British people, and here in this Parliament, under a decrepit dying Government, this Act is forced upon us. The Government is not content with suppressing the rights of marriage, as they have done in a previous section of the Bill, they now attempt to suppress the liberties of the subject. What more could the Kaiser do if he were to be head of the Government here in Canada? I ask that in all solemnity of purpose. What more could the Kaiser do here in Canada than is being done now under a so-called British, free Government? I hold that this Act is not in conformity with the traditions of British liberty. It is not in conformity with the desires or the needs of the Canadian people. I hold, and have felt throughout all this debate, that the sweep will be semi-continental. The great Liberal party of the West have declared last night, and are declaring today, that this kind of legislation must not be tolerated, and that if passed, it must be set aside. I fail to see why the Government insists on this odious measure. The honourable leader of the Government says, "There can be no appeal because it is a military matter." I beg to differ with him. It is very strange that my friends on this side of the House do not see the difference. He quoted military law and decisions of judges that in military matters civil authority had no right to interfere. That is the sum and substance of his statement. Well, now, we have a British subject who is called before the first tribunal and the third, and there is a final decision by the appeal court against his demand for exemption. That man is not a military man; that man is still a civilian. He does not come under military law; he is before that court as a plain British subject in civilian clothes, subject to no military authority, command, or control. And we tell that man, a civilian, a plain British subject, that he has no more right, before he has taken the oath of allegiance, before he is attested, before he is enlisted. That is absurd. Once the appeal court has decided that his demand for exemption is

not well founded, what is going to happen? The appeal court judge says, "Your request for exemption is refused." Well, is there any provision in this Act to say who is going to order his arrest? I admit that the three courts would be justified in refusing his demand for exemption—the first tribunal and the second and the appeal court. But, when they have rendered the decision, what judge of any tribunal or court undertakes the task of the high constable, of the high executioner, or the warden of the penitentiary? All the judge on the bench does is to render his decision. When the appeal court has rendered its final decision in regard to the claim of a man to be exempted, is there any provision in this Act which can take away his liberty? I fail to see that there is. Therefore, if he is arrested after the final decision of the appeal court, why take away from him his right to demand a writ of habeas corpus? He has a right to question the authority of any officer or other person who may put him in prison or restrain his liberty—or treat him as a criminal. The arguments which I am presenting are arguments of common sense, arguments based on traditional British liberty, as protected by laws which have stood for the nine hundred or a thousand years on the statute books of England, and which are going to be ignored by a majority vote in this House and in the other House. It is discreditable to this country to have such things perpetrated in the name of conscription. I hold with the honourable gentlemen who, very ably and profoundly, spoke on this subject from another point of view; I agree with them in principle, and I hold that the views I am putting forth now are those based on common sense, good judgment, and the common right of the British subject. I hope that my honourable friends on this side will insist on their demand that this Bill be amended to safeguard the rights of the British subject to a writ of habeas corpus, which the King himself cannot trespass upon.

Hon. Mr. LANDRY: I would ask the honourable the leader of the Government in this House this question. I am cited before the courts according to clause 11, subsection 4, and condemned—

> Any person who makes any false statement or representation shall be guilty of an offence and liable on summary conviction to imprisonment for any term not exceeding twelve months with or without hard labour.

In case I am condemned to twelve months' imprisonment, under this clause, have I any right of appeal?

Hon. Sir JAMES LOUGHEED: I would say yes, because that does not involve the proceedings of the tribunal. If a habeas corpus lay in that case, you would be entitled to it.

Hon. Mr. DANDURAND: Do I understand that subsection 6 of section 5 is to stand?

Hon. Sir JAMES LOUGHEED: No. My honourable friend will not, apparently, accept what I have said. What I did say to my honourable friend was that if he wants to amend 2, I want to carry 6, and that I would discuss his amendment with the Minister of Justice and go back to the clause.

Hon. Mr. DANDURAND: I will press my amendment, or I will not, according to the stand which my honourable friend takes. That is why I want to know what my honourable friend has decided.

Hon. Mr. BEIQUE: The honourable gentleman said he would consent to suspending subsection 6.

Hon. Sir JAMES LOUGHEED: My honourable friend from Halifax (Hon. Mr. Power) has an amendment. I am willing that the section should stand, but I want only the one amendment, that moved by the honourable gentleman from Halifax. I am not allowing this to stand in order that several other amendments may be moved. My honourable friend will have to withdraw his amendment.

Hon. Mr. DANDURAND: My honourable friend (Hon. Sir James Lougheed) can easily dispose of my amendment.

Hon. Mr. BEIQUE: If it occurs to us to make other amendments, we should be free to do so. At first sight I thought the amendment moved by the honourable gentleman from Halifax would fully cover the case; but there may be some doubt, and I should like to look into the matter more closely.

Hon. Mr. DANDURAND: I may tell my honourable friend that I had not examined very closely the last phrase of subsection 6 of section 5 and its effect upon any further proceedings. My honourable friend from Ottawa has drawn my attention to the wording: "nor shall any such proceeding or decision be question, reviewed or considered collaterally in any action or proceeding, civil or crim-

inal." This is very broad, and, since my honourable friend will allow subsection 6 to stand, I am sure he will allow the members of the Senate to apply their faculties to what they understand to be the proper interpretation of this subsection, and consider it until it comes up this evening.

Hon. Sir JAMES LOUGHEED: My honourable friend goes far beyond the amendment of the honourable gentleman from Halifax. The doubt that arose in my honourable friend's mind was whether these tribunals should not be specifically defined as relating to the tribunals mentioned in section 5; but my honourable friend now proceeds to attack the suspension of the habeas corpus entirely—the very fundamental principle which runs through this clause.

Hon. Mr. DANDURAND: Yes, but my honourable friend will admit that there was cause for me to ask that the habeas corpus Act suspension, which is sought or established by this Act, be not decreed. It applied to all tribunals, whether of criminal jurisdiction or not. If it applied to all tribunals then I intended to maintain my demand that the word "habeas corpus" be struck out. If it applied only to these tribunals, inasmuch as they do not restrict the liberty of the subject, I intended to ask as well that the words be struck out.

Hon. Sir JAMES LOUGHEED: I will make this proposal to my honourable friend, that we go on and consider the clauses relating to local tribunals. Then, having knowledge as to what their constitution is, we can go back to subsection 6 of section 5 and dispose of it.

Subsection 6 of section 5 stands.

On subsection 2 of section 6—removal of local tribunal:

Hon. Mr. DANDURAND: What would be the object of the removal of the seat of a local tribunal?

Hon. Sir JAMES LOUGHEED: To make it peripatetic, so to speak; to suit the convenience of the classes that may be called in different places

Hon. Mr. BOSTOCK: But it is proposed to establish several local tribunals in each province.

Hon. Sir JAMES LOUGHEED: Oh, yes.

Hon. Mr. BOSTOCK: The local tribunal would not be established just in one place.

Hon Sir JAMES LOUGHEED: Oh, no.

Hon. Mr. DANDURAND: Is it by judicial districts that the Government intends to proceed, or by county?

Hon. Sir JAMES LOUGHEED: It rather contemplates making use of each judicial district as a territory for the work of a tribunal.

Hon. Mr. BELCOURT: The local tribunal is called upon merely to hear and decide applications for exemptions, and that is the extent of its jurisdiction?

Hon. Sir JAMES LOUGHEED: Yes, that is right.

Subsection 2 of section 6 was agreed to.

On subsection 3 of section 6—membership of local tribunal:

Hon. Mr. LANDRY (reading): "One member shall be appointed by a Board of Selection to be established by joint resolution of the Senate and House of Commons." What is that Board of Selection?

Hon. Sir JAMES LOUGHEED: Parliament will select this committee before prorogation.

Hon. Mr. DANDURAND: Out of its members?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: Or outside? Not necessarily members only?

Hon. Sir JAMES LOUGHEED: Not necessarily of its members, and yet there is nothing to preclude members being appointed. I should think that the Board of Selection would in all probability be from outside the House.

Hon. Mr. BEIQUE: I suppose the deputy judge would act only in the absence of the county court judge?

Hon. Sir JAMES LOUGHEED: The deputy judge is performing at the time the duties of the county court judge, as will be seen from the language of the section, and therefore to all intents and purposes he is acting as the judge of the county.

Hon. Mr. BEIQUE: I do not take objection to the principle. I think it is quite proper to say that the deputy judge may act, but I would call the attention of the honourable gentleman to this, that I am afraid the Bill is creating two different functionaries who will have equal status if you do not provide that the deputy judge shall act in the absence of the judge.

Hon. Sir JAMES LOUGHEED: He acts in his capacity as judge. It is clear that he can only act while he is authorized by law to act for the county judge for the time being.

Hon. Mr. BEIQUE: Those two different persons, the county court judge and the deputy judge, are persona designata; therefore, as you are designating the persons who may act, you should state that one shall act only in the absence of the other.

Subsection 3 of section 6 was agreed to.

On subsection 6 of section 6—penalty for not acting:

Hon. Mr. LANDRY: What about the habeas corpus in that case?

Hon. Sir JAMES LOUGHEED: He might be entitled to it, because that is not the final tribunal.

Hon. Mr. POWER: The summary conviction is not made and the penalty for not acting is not inflicted by the tribunal itself?

Hon. Sir JAMES LOUGHEED: No, the tribunal would not act in such a case.

Subsection 6 of section 6 was agreed to.

On subsection 7 of section 6—local tribunal to decide on exemptions:

Hon. Mr. BEIQUE: I would draw attention to an omission. Under the subsections which we have just adopted, it might fall to a judge, as a member of the tribunal, to decide in the case of a son, a brother or other near relative. I do not think it fair to impose that duty, yet it is compulsory under this Act. I would suggest that the honourable gentleman should insert a provision for cases of that kind, so that the case might be dealt with by the acting judge or some one else. The honourable gentleman would appreciate the position in which it would put the judge, who, because of the relationship, might be suspected of undue favour to the applicant.

Hon. Sir JAMES LOUGHEED: I should be very glad to take that up before we conclude our consideration of the Bill.

Subsection 7 of section 6 was agreed to.

On section 7—appeal tribunal established:

Hon. Sir JAMES LOUGHEED: I wish to amend that by a subsection reading as follows:

The judge of the Territorial Court, or the person appointed in the place of the said judge, under the provisions of the Yukon Act, shall constitute the Appeal Tribunal for the Yukon Territory.

That is to meet the peculiar local conditions in the Yukon Territory.

Hon. Mr. DANDURAND: Do I understand this section 7 as constituting an appeal court composed of only one judge?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: So that you have an appeal court constituted with one judge to decide questions that have been passed upon by two judges?

Hon. Sir JAMES LOUGHEED: Yes, by two judges of an inferior court, or two members of it.

Hon. Mr. DANDURAND: Speaking for my province, you may have a judge of the Superior Court and another legal gentleman of such standing as to be equal in legal ability and acumen to his brother judge on that tribunal, and you have their decision reviewed by only one judge.

Hon. Sir JAMES LOUGHEED: Yes, but a judge of the higher court.

Hon. Mr. DANDURAND: In Montreal, for instance, the judges of the Superior Court do not deem themselves inferior to the judges sitting in appeal, but they recognize the superiority of the judgment of five judges in appeal over their individual judgment; and very often the judges of the Superior Court, in turn, sit in the Court of Appeal to complete the quota of the Bench on account of illness or absence of a judge. These Superior Court judges feel that they are equal in standing in all senses to the judges in appeal. Here you are having two parties to give judgment, subject to be reviewed by a single judge.

Hon. Sir JAMES LOUGHEED: But does my honourable friend think that there will be many appeals in these cases, where regulations are laid down with uniformity and are applied by, say, two county court judges, simply on the question of exemption? The question to be decided is simply whether the man who is called out comes within the exemption. It is not a complicated case, and the question involved, does not require a great deal of legal talent to elucidate or solve it, and so long has the appellate judge occupies a higher position than that of the judges from whom

the appeal comes, it seems to me there should be every confidence in his judgment. Furthermore, one judge would be as good as if not better than two, because two judges might disagree. If we provided for two judges, we would have to have three.

Hon. Mr. DANDURAND: Why don't you have two below and three above?

Hon. Mr. LANDRY: May I ask how the Board of Selection will be established?

Hon. Sir JAMES LOUGHEED: A resolution will be brought down to Parliament.

Section 7 as amended was agreed to.

On sections 8 and 10—Central Appeal Judge:

Hon. Mr. LANDRY: One local tribunal will decide one way and another one will decide another way, and the question will be settled by the final tribunal. I should like to have two judges on the final tribunal.

Hon. Mr. DANDURAND: I was going to make the same suggestion. Why not make the Supreme Court the final tribunal? There will be decisions coming in from all over the country, and they will have to be dealt with by one judge.

Hon. Sir JAMES LOUGHEED: Section 8 deals with the central appeal judge. My honourable friends will observe that subsection 4 of section 10 says:

> The Central Appeal Judge shall be the tribunal of last resort, and the Governor in Council may, on his recommendation, appoint one or more other judges of any superior court to assist the said Central Appeal Judge in the discharge of his duties, and define their powers.

In answer to what my honourable friend has suggested about the Supreme Court, I may say that it would possibly tie up the Supreme Court completely.

Hon. Mr. LANDRY: If two judges are appointed, I want our constitution respected by the appointment of one who understands both languages.

Hon. Mr. BELCOURT: Will my honourable friend tell me just exactly what is meant by subsection 1:

> Any person aggrieved by the decision of a local tribunal, and any person authorized by the Minister of Militia and Defence, may appeal against any such decision .

Can the two things occur?

Hon. Sir JAMES LOUGHEED: This subsection provides that the person called out may appeal; on the other hand, the Department of Militia may consider it in the public interest to prosecute an appeal where there would not otherwise be an appeal. For instance, a manifest injustice might be done which would involve either the appeal tribunal or the central tribunal being put in motion.

Hon. Mr. DANDURAND: "Any person aggrieved"—that is the person interested. Would "person authorized by the Minister of Militia and Defence" be the representative of the Minister of Militia?

Hon. Sir JAMES LOUGHEED: They would be representing the Crown.

Sections 8 and 10 were agreed to.

On section 1—definitions:

Hon. Sir JAMES LOUGHEED: I may say that we are prepared to accept the suggestion of the honourable member for Halifax (Hon. Mr. Power), or subsection 6 of section 5 can be amended to read as follows:

> No proceeding authorised or pending before any tribunal constituted by this Act—

Hon. Mr. BELCOURT: Why not say, "any of the tribunals mentioned in this section"?

Hon. Mr. POWER: I think the proper place for a definition is in the definition clause?

Hon. Mr. DANDURAND: I suggest that the word "created" should be used instead of the word "constituted."

Hon. Sir JAMES LOUGHEED: I think "constituted" is the better term to use.

Hon. Mr. LAVERGNE: Will the leader of the Government tell me if a man in jail will have the right to go out?

Hon. Sir JAMES LOUGHEED: This does not take away the right of habeas corpus outside of the findings of these particular tribunals.

Hon. Mr. POWER: I move that section 1 be amended by adding a further definition, as follows:

> "Tribunal" means a tribunal constituted under this Act.

The amendment was agreed to.

Hon. Mr. LANDRY: I want another definition in that section. Yesterday, with the consent of the House, clause 1 was allowed to stand over for a definition of the word "clergy." I am willing to hold my amendment until the third reading, if it is not accepted now.

Section 1 as amended was agreed to.

On subsection 1 of section 11—application for and grounds of exemption:

Paragraph a was agreed to.

On paragraph b:

Hon. Mr. POWER: Will not that open the door to a good deal of abuse?

Hon. Sir JAMES LOUGHEED: A man might be a very experienced mechanic on munitions, or something of that kind.

Paragraph b was agreed to.

Paragraphs c, d, and e were agreed to.

On paragraph f:

Hon. Mr. POWER: I have an amendment to be inserted at the end of paragraph f, after the word "belongs" in line 7. My amendment is as follows:

That a brother of such man is a member of the Canadian Expeditionary Force—

or, "on active service" if you prefer it——

—or has been killed, or has died while a member of such force.

It will be remembered that I brought this question up at an earlier stage of the session, but my resolution was ruled out of order. I think it is manifestly unfair that, if one or two sons in a family have volunteered and have gone to the other side, are still at the front, or have been killed in action or died from wounds, another member of the family should be taken away by compulsion. I think we should treat fairly people who have shown a patriotic and soldierly spirit. It is really a postponement to other men who have been designated by the honourable the leader of the Government as shirkers and slackers. I do not propose to argue this question, because it seems to me that it is a thing which must be perfectly obvious to every honourable gentleman. I have received a number of communications in regard to this matter, and there is one which I should like to read to the House. It is a letter I received from a lady in Montreal, and I ask the attention of the honourable leader of the Government to it, as it illustrates the case that I am trying to make. The letter is dated Montreal, June 13, and is as follows:

In the Montreal Gazette, May 22, I read that Senator Power gave notice of a resolution declaring, "that in any measure intended to introduce conscription into Canada provision should be made that no man whose father, brother or son has gone to the seat of war as a member of the Canadian Expeditionary Force, or is being trained in England preparatory to going to the front, shall be selected for compulsory service."

As I have watched the papers ever since the above article appeared, to see if there would be some assurance of the above; not having seen anything so far, I take the liberty of writing you personally, in hope of getting some relief that your humane suggestion would be acted upon.

My heart is filled with grief and anguish over the loss of a dear, brave son killed in action on April 9th. He was but 23 when he made the supreme sacrifice. Another son, my eldest, not yet 25, is fighting in France. I have another boy with me, 20 years old. Can you do anything to relieve my overburdened heart by sending me some assurance that he shall not be forced from me?

You have already shown by your utterances that you have a kind heart for those bereaved heartbroken mothers who have already given so much.

The suspense is almost unbearable. Will you write me some words of assurance that the above terrible injustice shall not be put into force?

I read the Conscription Bill, but no mention has been made with regard to those who have already given. I know you will give me your attention in this matter.

My health is broken and my heart wrung with sorrow. I know not whom to appeal to, so trust that you will be able to do something for me in this sad hour.

I do not say anything more on it, honourable gentlemen.

Hon. Mr. DAVID: I should like to ask the honourable member what his amendment means. Suppose there are six members in a family: if one has served, would the five others be exempt?

Hon. Mr. POWER: Yes.

Hon. Mr. DAVID: What would you do, then, in the case of a father who has five or six or ten children? Perhaps there may be two, or three, or four, or five conscripted, and there may be two or three who will be killed. What would you do in that case?

Hon. Sir JAMES LOUGHEED: May I point out to my honourable friend paragraph d in the same section, giving authority to local tribunals to grant exemption in certain cases:

That serious hardship would ensue, if the man were placed on active service, owing to his exceptional financial or business obligations or domestic position.

It seems to me that you cannot lay down a hard-and-fast rule saying that because one member of a family may belong to the Expeditionary Force, therefore that family will be exempt in regard to all its other sons. There may be some families with many sons, who would not even care about invoking the exemption, and this makes it entirely discretionary with the local

tribunal, and if the local tribunal should find adversely, there are the other two tribunals to whom an appeal can be made. It would seriously embarrass the Act it seems to me, if an arbitrary provision of the kind proposed were to be embodied in the Bill and thus make it more difficult in being carried out.

The amendment moved by Hon. Mr. Power was negatived.

Hon. Mr. CASGRAIN: I move:

That section eleven be amended by adding: "those who are married or are widowers, or are fathers of six living children, are exempt from military service.

I do not suppose that I shall meet with very much encouragement. However, I have promised that I would propose this amendment. It refers to fathers of six or more living children. I may remind the committee that even in France, where conscription is more intensive than in any other country, where, as we have been told, 17 per cent, or one out of six of the population, including the old men, women and children, are on active service—in that country it has been found advisable to exempt from military service the man who has six or more living children.

Hon. Mr. DANIEL: How old are the children?

Hon. Mr. CASGRAIN: If the children were old, the father himself would be exempted by age. It does not prevent the children from going if they are old enough. Surely our Conscription Bill is not intended to go further than such legislation has gone in that country of conscription par excellence. If the father is not too old to go to war and is included in one of these classes, surely his six children ought not to be abandoned, or deprived of protection. There were in France in 1870, as you know, 38,000,000 people; but, owing to the fact that they did not have large families, the population after 44 years, when the war broke out, was only 40,000,000. There had been in France an increase of only 2,000,000 in the 44 years, whereas Germany, which had 40,000,000 in 1870, had 66,000,000 when this war broke out, an increase of 26,000,000, living in the Fatherland besides all who had emigrated. That shows that the most essential thing, after all, is to have children to make soldiers for the King, to defend the Empire. I do not see that this would be an unfair exception, but it would leave those tribunals that are being formed free to exempt, or the law would itself exempt, those who are married or who are widowers or who are fathers of six or more living children. I understand that the Government is very anxious to pass this Bill without amendment—

Hon. Mr. DANDURAND: Amendments have been accepted.

Hon. Mr. CASGRAIN: I do not need to take up any further time. I think I have made myself clear. The cases to which I refer would be rather rare, but there may be men of military age who are fathers of six children or more, and to whom it would be a hardship to be compelled to leave his wife and children.

Hon. Sir JAMES LOUGHEED: There is not the slightest probability of that class of men being drawn upon. In the first place, those of 20 years and upwards will be called upon, the unmarried; next, those who are married and between 20 and 35 years of age. Then there may be subclasses. If the classes are more numerous than may be required, subclasses are formed, and men shall be called out in order of age, beginning with the youngest. Then, again, under paragraph d, if serious hardship would ensue if a man were placed on active service owing to his exceptional financial or business obligations or domestic position, he is to be exempted. It seems to me that that class of men is protected by the special provisions.

Hon. Mr. DANDURAND: What objection would there be to having the statement go out from the Parliament of Canada to our population?

Hon. Sir JAMES LOUGHEED: Then the man with five children might say, "Why not exempt me?"

Hon. Mr. DANDURAND: It would show the consideration we have for fathers of families of six children or more. The question is being asked to-day, "How shall we solve the problem of an increase of population after the war, the problem of re-establishing the country in a strong position through an increased birth-rate?" Why should not my honourable friend, after consulting the Prime Minister, agree to the principle that a father with six children shall not be called out? I may say that last week I received in Montreal a visit from a man who had been two years in the trenches, and who was going back, leaving seven or eight children behind. He was only thirty-four or thirty-five years of age. I thought it a very great hardship,

and I was under the impression that that man should have been refused, because those children had been to a considerable extent dependent upon the Patriotic Fund and public charities.

Hon. Mr. BOSTOCK: This amendment, it seems to me, might be considered by the honourable the leader of the Government. Of course, as he has pointed out, the case is not liable to occur frequently, but it seems to me it would be well that the Government should state that it is prepared to consider a situation of that kind. It certainly would be a great hardship on a man who has a family of six children to leave them, especially if they are small, and they are almost certain to be young children unable to protect themselves, and would be all practically dependent on their mother.

Hon. Sir JAMES LOUGHEED: Oh, there is no probability of a case of that kind occurring.

The amendment of Hon. Mr. Casgrain was negatived.

Hon. Mr. DANDURAND: Has the Government thought of exempting a class that is most necessary for the welfare of the country—the teachers? Since we are giving different classes of people exemption, should it not be stated in the Act that the teachers will not be disturbed? There are numbers of men engaged by contract to teach in different grades, and their contracts close at the end of every school year, which runs from September to June. Would not the normal and healthy conditions in the country be disturbed if these men were called and the school boards were obliged to search for people to replace them?

Hon. Sir JAMES LOUGHEED: If such a case as is mentioned by my honourable friend were made out, it would come under paragraph a. We can only generalize in making exemptions. Immediately we begin to specify particular classes who may be engaged in a particular occupation, we get entirely beyond our ability to administer the Act. My honourable friend must not overlook the fact that we are at war. My honourable friend cannot expect everything to go on properly and systematically at a time when the world is plunged into the greatest war it has ever seen. I need not repeat what Sherman so well said in his day, that war is hell. And my honourable friend must expect some disorganization. It seems to me that the exemptions which we have made here should be ample to meet the national situation, whatever it may be and, as we are relying on our judges to administer this Act impartially and in the national interest, I think we can very well rely upon them to see that justice is done in the premises.

Hon. Mr. CASGRAIN: The honourable leader of the Government knows this Bill very well. I do not see in it any provision to the effect that any one exempted should be obliged to report every few months. If that is in the Bill, well and good. If not, I would suggest that it should be, because a man may be entitled to exemption for a certain period but afterwards fit for military duty.

Hon. Sir JAMES LOUGHEED: That is in the Bill.

Hon. Mr. DAVID: I move that the following be inserted after subsection 4:

All professors in schools, colleges, universities, and other educational establishments duly incorporated or recognized by the Department of Education in any province.

I had intended moving this amendment on the third reading, but perhaps I may as will submit it now. I should like to call the attention of the honourable leader of the House to a fact which cannot be denied, namely, that if the professors or teachers in our schools, colleges, and universities are not exempted, all our systems of education will be dislocated and disorganized. There are a great number of schools where the professors are not priests. There are even a number of schools where the teachers are laymen. If you take away those professors from our educational institutions, what will become of all the children, and at a time when it is necessary to improve their condition? I think that there is a great danger in leaving the law as it stands and not exempting those professors to whom I have just referred. I know there are thousands of children attending schools where the teachers are Christian Brothers. If they are conscripted, what will become of those schools? There are colleges and other education institutions where all the teachers are not priests—not until after two or three years of teaching. Those teachers also would be taken away. I think the honourable leader of the House ought to exempt such men.

Hon. Sir JAMES LOUGHEED: I am very sorry to say to my honourable friend that I cannot accept that amendment. If such a condition exists as that which he has pointed out, and if it is in the national in-

terest at such a time, the case comes within paragraph b of subsection 1, and the tribunals can consider it under that subsection.

Hon. Mr. LAVERGNE (translation): The Government should realize that many of our schools in the province of Quebec are directed by Christian brothers. If these brothers are sent to the front our system of education will be disorganized. All those employed in the education of children should be exempt. It seems to me that the honourable the leader of the Government should accept the amendment proposed by the honourable senator from Mille Iles (Hon. Mr. David). I believe it is the duty of the Government to do something for education, not only in the province of Quebec but in all the other provinces. I am absolutely opposed to this provision of the Bill for conscripting our educators for military service. We need them all for the education of our children.

Hon. Mr. L'ESPERANCE (translation): If my honourable friend will read the schedule of exemptions he will see that clause 6 reads as follows:

Clergy, including members of any recognized order of an exclusively religious character, and ministers of all religious denominations existing in Canada at the date of the passing of this Act.

Hon. Mr. LANDRY (translation): That exemption is of no value unless the word "including" is omitted.

Hon. Mr. L'ESPERANCE (translation): In the French version of the Bill that clause is translated "y compris," not "comprenant." The Minister of Justice in the other Chamber explained this clause clearly and satisfactorily, and his explanation was accepted by all the Catholic members.

Hon. Mr. DAVID: I did not intend that my amendement should apply only to members of the clergy. There are some who are entitled to consideration besides the clergy. My amendment applies to laymen teaching in educational institutions, and it does not apply only to the province of Quebec.

The amendment of Hon Mr. David was negatived.

On subsection 5 of section 11, paragraph b—proceedings without leave of minister null and void:

Hon. Mr. LANDRY: It would take me two or three days to understand this subclause. Am I to understand that an applicant cannot change the tribunal without leave of the minister—that a man who has applied to one tribunal cannot go to another without leave?

Hon. Sir JAMES LOUGHEED: If he wants to go outside his own district he will have to get leave of the minister to do so; otherwise we could not properly administer the Act.

Subsection 5 of section 11 was agreed to.

On subsection 6 of section 11—altering or tampering with certificates, or false representation:

Hon. Mr. DANIEL: I would like to ask the honourable minister how the prosecution of offending parties is to be carried on?

Hon. Sir JAMES LOUGHEED: In the ordinary courts.

Hon. Mr. DANIEL: Who will prosecute? Is it left to any individual citizen?

Hon. Sir JAMES LOUGHEED: No, the Minister of Justice will prosecute. I am introducing an amendment, which we will come to later.

On subsection 2 of section 12—publication of proclamations and regulations:

Hon. Mr. LANDRY: What is the "other manner" which the Governor in Council may think necessary to ensure knowledge of proclamations and regulations?

Hon. Mr. BELCOURT: That means additional notices.

Hon. Sir JAMES LOUGHEED: Yes, we might have to put up posters. We have, in addition to publication in the Canada Gazette, provided for publication "in such other manner, if any, as the Governor in Council may think necessary."

Hon. Sir MACKENZIE BOWELL: It is as broad as you can make it.

Hon. Sir JAMES LOUGHEED: We cannot exclude the Gazette, because proclamations and regulations are to appear in the Gazette, and—not or—in such other manner as may be thought necessary.

Subsection 2 of section 12 was agreed to.

On subsection 2 of section 12—construction of regulations:

Hon. Mr. LANDRY: In how many days after publication in the Canada Gazette would those regulations come into effect? I would provide for a delay. If a regulation were made on Friday, published in the Gazette on Sunday, and came into force on Monday no body would have seen it.

Hon. Sir JAMES LOUGHEED: We are not going to antagonize the whole community in that way.

Subsection 3 of section 12 was agreed to.

On subsection 1 of section 13—application of Militia and Army Acts:

Hon. Mr. LANDRY: Will the Militia and Army Acts and the King's Regulations and Orders be published with this Bill?

Hon. Sir JAMES LOUGHEED: They are in force now under the Militia Act.

Hon. Mr. LANDRY: Yes, but who knows about them?

Hon. Sir JAMES LOUGHEED: You and I know about them, since we have discussed them.

Hon. Mr. DANIEL: How do you know about any Act or statute that is published? There is not a copy sent to every individual.

Hon. Mr. LANDRY: I know, but the first man caught violating the Army Act would be punishable under this section.

Hon. Mr. DOMVILLE: The Army Act and the King's Regulations are part and parcel of the Militia Act to-day. This clause makes an amendment to the conscription part, but where are those things to come in? Men who have been as long at the bellows as I have been know about these things, but where are the Tycoon and the Mikado to come in?

Hon. Mr. DANDURAND: Here are two of the most esteemed colonels in this Chamber, who indicate to us the very great danger of incorporating into this Act three formidable documents called the Militia Act, the Army Act, and the King's Regulations and Orders, to form part and parcel of this Act. Well, we have been going it blind. There are a number of clauses which may land the members of this body in jail for violation of this Act, and yet we are incorporating into it and bringing under the stringent provisions of this Act all those three bulky documents without knowing exactly where they will lead us. What is the purpose of incorporating those documents into this Act? If I knew that I might be satisfied.

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend, for the purpose of giving him some degree of comfort, that for a generation we have been going merrily on in Canada with the King's Regulations and the Army Act and all those other laws in force without suffering any disadvantage or even inconvenience.

Hon. Mr. DANDURAND: But my honourable friend must not forget that we have not, up to this date, suspended the habeas corpus process.

Hon. Mr. LANDRY: Also, all who were under that Act were under it voluntarily, but now you are forcing them to act.

Hon. Mr. DOMVILLE: As I understand it, it is only enforced as to getting the men out—a new way of getting them out.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DOMVILLE: My friend Colonel Bowell can tell you that the Army Act and the King's Regulations are part and parcel of the Militia Act to-day. I am not as good a lawyer as some of my friends, and I was wondering how this habeas corpus proceeding was going to come in unless the rights and privileges under the Militia Act and the Army Act were brought in also.

Hon. Mr. BEIQUE: I would suggest that the honourable leader of the Government should lay on the Table the Militia Act, the Army Act, and the King's Regulations.

Hon. Sir JAMES LOUGHEED: I have done so. My honourable friend the leader of the Opposition asked for them days ago, and they are on the Table, and any honourable gentleman who feels inclined to indulge in some popular reading will find it in those three books.

Hon. Sir MACKENZIE BOWELL: I venture the assertion that they will not spend ten minutes in looking at them.

At six o'clock the committee took recess.

The committee resumed at eight o'clock.

On subsection 2 of section 13—exceptions:

Hon. Mr. DANDURAND: What are these?

Hon. Mr. LANDRY: Have we come to any decision on the first clause?

Hon. Sir JAMES LOUGHEED: May I be permitted to make a further explanation? Honourable gentlemen will observe that in section 4 of the Bill it is provided:

> —any class or subclass of men described in section 3 and all men within the class or subclass so called out shall, from the date of such proclamation, be deemed to be soldiers enlisted in the military forces of Canada and subject to military law for the duration of the present war.

Military law has a well defined meaning. Under the Militia Act the military law is made up not only of the Militia Act

but of "the Army Act for the time being in force in the United Kingdom, the King's regulations, and all other laws applicable to His Majesty's troops in Canada, and not inconsistent with this Act or the regulations made thereunder." Honourable gentlemen will readily perceive that we have to incorporate the Militia Act into this Act. That is to say, under this Act, without the Militia Act being incorporated into it we would have no machinery for the carrying out or for the establishment of military organization, and, as men called out by proclamation are under military law, we have to incorporate into this Bill the military law of the Dominion, which is made up as I have stated.

Hon. Mr. LANDRY: But we have all the work to do—we must find out all the things that are consistent or inconsistent with this Act. If it were said that such and such a paragraph were to apply to this Act, I would understand it.

Hon. Mr. DOMVILLE: You are perfectly right. Of course, I have not had the honour of being made a general—I do not think they made a general of a man who knew anything, except Sam Hughes. How is a commanding officer who is going into camp going to handle his men? There are always a lot of sea lawyers in a volunteer regiment. The Army and Navy Act says that you cannot do this, you cannot do that, you cannot do the other thing, but there is a small paragraph which says that you can do anything if you will take the responsibility. If you come all right, you are right; if you do not, you are wrong. You take your chance.

Hon. Mr. LANDRY: What is consistent and what is inconsistent?

Hon. Sir JAMES LOUGHEED: That is what the courts are for to decide.

Hon. Mr. BOSTOCK: I have a copy of the Militia Act of 1904 and it does not seem to apply to this section.

Hon. Sir JAMES LOUGHEED: It is chapter 41 of 1906, and section 12 reads as follows:

> Half-pay and retired officers of the regular forces shall not be required to serve in the militia in a lower grade than that of their rank in such forces.
>
> No persons shall be entitled to exemption unless he has, at least one month before he claims such exemption, filed with the commanding officer within the limits whereof he resides, his affidavit, made before some justice of the peace, of the facts on which he rests his claim.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. LANDRY: That means that up to to-day an officer could retain his rank; now he cannot.

Hon. Mr. DOMVILLE: In the House of Commons I took the ground that a Canadian should not be barred from command in Canada. It was my view that we should educate a class that would be fit to command—not the class of dead beats that are seen around. In that Bill, if I remember rightly, are the words: "that they may be given the rank of Major General on retiring."

Hon. Mr. LANDRY: The highest rank is now Lieutenant Colonel.

Hon. Mr. DOMVILLE: I want to know where they get their Brigadier Generals. Where is the law authorising that? Here is a man who commands three regiments, and has the rank of a Brigadier General. Will my honourable friend take a note of that, and let me know with regard to it?

Hon. Mr. DANDURAND: That is not what troubles me so much as to find out that they may have to serve as captains.

Hon. Mr. DOMVILLE: They would not be much good anyway. They are too old. But what I want to know is, who had the power to give them their rank?

Hon. Sir JAMES LOUGHEED: I shall look into that. May I read subsection 2 of section 40 of the Militia Act?

> No officer shall be bound to serve in the militia in a lower grade than that of the rank with which he has been retired.

That is done away with.

Hon. Mr. DOMVILLE: That is part of the King's Regulations.

Hon. Sir JAMES LOUGHEED: The proviso of section 45 reads as follows:

> Provided that command shall not be given to any person over a person superior in rank to himself.

These amendments are really of a democratic character.

Hon. Mr. DOMVILLE: If he is retired, how can you promote any one over him? He is out of everything except walking around in uniform.

Hon. Mr. LANDRY: I understand that this section will conflict with the Militia Act, because the Militia Act is an Act of our own, but the Army Act is a British law.

Hon. Mr. DOMVILLE: There is a question of honours and rewards in the King's

Regulations. How far is that to be interfered with?

Hon. Sir JAMES LOUGHEED: If we are compelled to call out men under this Bill, then we give no recognition to the Militia Act.

Hon. Mr DOMVILLE: Can you call them out at all if they have been retired?

Hon. Sir JAMES LOUGHEED: Yes, if they are in the class called.

Hon. Mr. DOMVILLE: If these officers have been retired, how do they stand, if, as you say, there is an emergency?

Hon. Sir JAMES LOUGHEED: If they are called we give no recognition to their rank.

Hon. Mr. DOMVILLE: Then you degrade the whole service. It is pretty hard on these people

Hon. Mr. CLORAN: Why not degrade the service as well as married life and the liberty of the subject?

Hon. Mr. DOMVILLE: I think that requires some explanation.

Subsection 2 of section 13 was agreed to.

On subsection 3 of section 13—transfer to Naval Service:

Hon. Mr. LANDRY: Why should men be transferred to the Naval Service?

Hon. Mr CLORAN: We want to make horse marines out of them.

Hon Mr. LANDRY: If a man is liable to be seasick all the time, why put him there?

Hon. Mr. CLORAN: I gave you the reason.

Hon. Sir JAMES LOUGHEED: Of course, this is a matter which is discretionary with the Minister of Militia; but we must assume that he is going to exercise reasonable discretion in transferring men to the Naval Service. He would hardly transfer a man who was not qualified or had no knowledge of that particular branch of the service

Hon. Mr. BEIQUE: Would a man be transferred whether he were willing or not?

Hon. Sir JAMES LOUGHEED: We have to assume that the Minister of Militia will under such circumstances exercise common sense.

Hon. Mr. DANIEL: There might be cases where artillery men might be transferred from land service to do the same kind of work on board ship—to act as gunners, and that sort of thing.

Hon. Mr. LANDRY: Marines.

Hon. Mr. DANIEL: Yes, marine infantry and marine artillery.

Hon. Mr. DOMVILLE: That has nothing at all to do with the navy. The marines are trained on board men-of-war, and if any trouble comes they stand between the men and the officers; they are kept there as a guard. Some of them are marine artillery and some infantry, who may land and take the guns and other pieces on shore.

Hon. Mr. LAVERGNE: Will the honourable leader of the Government answer this question. This clause provides that the Minister of Militia and Defence may transfer any man to the Naval Service. Perhaps the minister may have friends who would prefer to go to the Naval Service rather than into the trenches. I am afraid there would be some trouble in that connection, because more men than necessary might be sent to the Naval Service and not enough kept for the trenches. An injustice might be done there.

Hon. Mr. GORDON: The honourable gentleman is too suspicious.

Hon. Mr. LAVERGNE: I do not see that there is any reciprocity in this amendment at all. Parliament is going to give to one man in the Dominion, the Minister of Militia, the power of transferring men from land to sea service. Of course, I do not believe in this at all, but I would simply put the question, why does not this Parliament give the Minister of Marine the right to transfer men from the Naval Service to the Land Service? Reciprocity is fair play. You are giving the Minister of Militia the absolute power to transfer any man whom he designates, or pleases to designate.

Hon. Mr. LANDRY: Yes, but this Government is against reciprocity.

Hon. Mr. CLORAN: It is pretty well accepted to-day that the Government were wrong when they refused reciprocity. Now they are on their knees to the United States. When anything has come before this Parliament since this debate began, we are told, "Oh, the United States is doing it." Several times that remark has dropped from the lips of the leader of the Government. We are putting this clause and that clause in the Bill because the

United States have done it. Notwithstanding that, the honourable gentleman from Bedford (Hon. Mr. Pope) the other night, in his superbly eloquent speech, denounced the leader of the Liberal Opposition in this country for having stated that the interests of Canada and of the United States were identical. When I asked the honourable gentleman if the interests of Canada and those of the United States were not identical to-day, what did he answer? He answered nothing. He was paralyzed.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. CLORAN: Naturally. What could he answer? If he answered, "No, they are not identical," he would be giving the lie direct to his own leader in this House, because the leader of the Government in this House is appealing to Parliament to pass this clause and that clause because the United States have done likewise. That is the situation. The country will know all about it. We cannot hide our light under a bushel here in the Senate. Our light must spread, and the true light. We are going to have an open Bible all through the Dominion of Canada, not only in Ontario. Now, I think that this clause gives an autocratic power to one man in authorizing him to send a man from the land force to the sea force. It is autocratic in every way. We have in this Canada of ours men who have gone to fight the common enemy on the battlefields in Europe, in Asia, in Africa and on the sea. Is the man who believes it to be his duty to go and fight the Huns in the trenches to be deprived of his liberty of judgment and his rights and forced to go on a battleship? I think the thing is absurd. A man may be prepared to fight on land and not want to go to sea. His constitution may be fit for a land fight, but his constitution, his imagination, his mind, his education, are opposed to his going on sea and getting seasick. On land he would not be sick, and would be able to down the enemy. I hold that this clause is not a proper one, and I do not know why the Government is sustained by such a lot of intelligent men on the other side in matters of this kind. We are not fighting this Conscription Bill now; we are trying to improve it, and the slightest suggestion of improvement is voted down as if there were no sense in any suggestion coming from this side of the House. That is a travesty of the parliamentary right of free discussion and voting power, and the honourable gentlemen have been doing that now for the past three days. No matter what suggestion is made from His Majesty's loyal Opposition, in whose care the interests of Canada and the Empire are vested, just as much as they are in His Majesty's Government, honourable gentlemen on the other side will not condescend for one moment to take it into consideration. What will the country think of this state of affairs in the Parliament of Canada, and especially in this Senate, which is supposed to represent the people —a supposition that is as well grounded as a star in the earth. But honourable gentlemen are all stars, and cannot come down to the common earth.

An Hon. SENATOR: Question.

Hon. Mr. CLORAN: There is one. He is a star. He is a polar star, probably Mars.

Hon. Mr. DOMVILLE: He is a senator, anyway.

Hon. Mr. CLORAN: Being a senator is not like charity; it does not cover a multitude of sins. When this clause comes before the country the people will recognize it as one which should not be included in this Bill, because it gives the minister absolute power and authority to send a man, without his consent, probably without his knowledge, from the land force to the sea force. Any man can be sent. I think that is not fair play to the soldier in the trenches. I think it is not fair play to the father of that soldier. It is unfair to the whole army of men in the trenches fighting to-day for our protection, for the safety of the Empire, and for the liberty of the peoples of Europe. It is not a proper position in which to place any man in the army, to subject him to removal from where he belongs to a place which he does not desire, or is not fit to fill. I hold that this Government is putting so many immoral and oppressive clauses in the Bill that they ought to withdraw it and allow the people of Canada to decide on the whole question. And I cannot understand how a man, especially a representative of the people, having voted that this Bill should be submitted to the people before enforcement, or before being passed, could in the next breath vote for the measure to be forced down the throats of the people without consultation with them or reference to their desires, their wants, or their needs. That has been done on the Conservative, and, I regret to say, on our side. That course is one of

self-stultification, it is one of flagrant contradiction.

Hon. Mr. CROSBY: Mr. Chairman, have we to stay here all night listening to the discussion of a question that is not before us?

Hon. Mr. CLORAN: The honourable gentleman may stay here until the 7th of October.

Hon Mr. CROSBY: I ask you, Mr. Chairman, if the honourable gentleman is in order.

Hon. Mr. CLORAN: I have a right to speak here without interruptions by the honourable gentleman. Anyhow I notify him that his interruptions will be taken for what they are worth.

Hon. Mr. CROSBY: I am asking for the ruling of the Chair.

Hon. Mr. CLORAN: I was just finishing. Mr. Chairman, I have every respect for your judgment and for your sincerity as a Canadian.

Hon. Mr. POWER: The honourable gentleman should not flatter the Chairman.

Hon. Mr. CLORAN: I am not flattering the Chairman. I know he will rule against me if I am wrong. My proposition as I have put it before the House will, I know, meet the approval of the population in this country. What I would like, Mr. Chairman, is to meet with your own approval. It is not fair to the man in the trenches to give the minister or any other man the right to take him from the trenches and put him where he does not want to fight.

Hon. Mr. DANDURAND: The clause under review is subsection 3, which gives the Minister of Militia the right to transfer a man who has offered for service to the Naval Service. I see that subsection 4 limits the reinforcements under this Act to 100,000. I suppose that the inference is quite clear, that whatever number is taken from the reinforcements for the navy will count in that total of 100,000?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: Could the honourable gentleman tell us what are the present or prospective requirements of the Canadian Naval Service? We have not heard very much of this branch of the service lately, and, since the Act speaks of the necessity of raising a certain number of men for the navy, I think the honourable leader of the Government might give us some details as to that.

Hon. Sir JAMES LOUGHEED: I cannot give my honourable friend such details as those for which he asks, but this makes provision so that in a case of emergency there may be a transfer of men from the land to the naval forces. We know very well that in every continental army and in the British army there are provisions of that kind—

Hon. Mr. DOMVILLE: No, no.

Hon. Sir JAMES LOUGHEED: —by which the artillery and marine infantry, in connection with the naval forces, may be transferred. It can very readily be understood that an emergency might arise at some of our ports, and it would become necessary to make a transfer, either temporary or permanent.

Hon. Mr. DOMVILLE: My honourable friend must see that the enlistment system is all wrong. A man is enlisted to do something, and he can be taken from that and transferred to anything else, just as was done in the old days of the press gang. I should like to know, if I may ask with propriety, who drew up this Bill? The Hon. Mr. Kemp did not draft it.

Hon. Sir JAMES LOUGHEED: It is the product of the House of Commons.

Hon. Mr. DOMVILLE: Certainly, but who drew it up for the House of Commons?

Hon. Mr. TESSIER: The Solicitor General.

Hon. Mr. DOMVILLE: We have a right to know. We are here representing the people.

Hon. Sir JAMES LOUGHEED: I cannot tell my honourable friend.

Hon. Mr. DOMVILLE: To arrive at it in another way, on what lines was this Bill constructed, and what technical military experience or knowledge was brought to bear in the preparation of it? I do not think the Minister of Militia prepared it, or that he can be blamed for anything wrong in it, but I should like to know what the counsel who drafted it had in view in this clause respecting the transfer of men from one service to the other. It is not sound. It will not work out.

Hon. Mr. BELCOURT: "Naval Service" means Canadian service?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. LAVERGNE: How many men have we in the Naval Service?

Hon. Sir JAMES LOUGHEED: I think we have four or five thousand.

Hon. Mr. LAVERGNE: How many ships?

Hon. Sir JAMES LOUGHEED: I could not tell you; we have quite a fleet.

Hon. Mr. LAVERGNE: You have the Naval ships of the old Government, and you have seized some from alien Governments. I would like to know how many ships we have in the Naval Service. The honourable leader ought to know. Will you transfer those men to the Naval Service? That is a question you do not want to answer.

Hon. Mr. DOMVILLE: There is no provision in this Bill for admirals. We make colonels and generals, but where are our admirals? We should add a clause for them.

Hon. Sir MACKENZIE BOWELL: Borrow one.

Subsection 3 of section 13 was agreed to on division.

On subsection 1 of section 15—production of certificate, and penalty for failing to comply:

Hon. Mr. LANDRY: Who gives authority to the peace officer or other person to demand the production of a certificate by men who are required to report for active service?

Hon. Sir JAMES LOUGHEED: That authority is provided under Section 12. By regulations the Governor in Council can authorize officers, or they can make use of the officers under the criminal law machinery.

Subsection 1 of section 15 was agreed to.

On subsection 2 of section 15—penalty on summary conviction for refusal to produce certificate:

Hon. Mr. CLORAN: Will that summary conviction be before a special tribunal or an ordinary court?

Hon. Sir JAMES LOUGHEED: Any ordinary court of the province. These tribunals are not courts for adjudicating upon any infraction of the law.

Hon. Mr. CLORAN: In that case he escapes the military law?

Hon. Sir JAMES LOUGHEED: He is not tried by military law for this offence.

Hon. Mr. CLORAN: Suppose a man has violated one of the military regulations under this Act, and is not before the criminal court, but in the meantime he steals or burglarizes or kills, will the military authority have precedence before the criminal court?

Hon. Sir JAMES LOUGHEED: The law as it stands to-day would be in effect.

Hon. Mr. CLORAN: Suppose he has offended a military regulation which carries a penalty of imprisonment, but meantime he commits an offence against the civil criminal code, which authority would have precedence?

Hon. Sir JAMES LOUGHEED: All that I can say is that once he enters on active service under this Act he becomes subject to military law.

Subsection 2 of section 15 was agreed to.

On subsection 1 of section 16—contraventions of Act:

Hon. Mr. CLORAN: The penalty provided under this section has too wide a range—from $10 up to $500. That would embarrass the judge who has to try the offence. Judges much prefer legislation which definitely fixes the amount of the penalty. I know that my remarks will not have any effect on the Government, for they are going to pass every clause, but from this side of the House we want to throw some light on the subject, so that people may be able to weigh this measure, and even men who are in favour of conscription will see that we were justified in making the amendments and suggestions which were voted down, as the papers say, by a packed House. I do not withdraw that word; this House was packed for the purpose of putting through this legislation.

Hon. Mr. POWER: Really, Mr. Chairman——

Hon. Mr. CLORAN: I am done.

Hon. Mr. POWER: It is certainly a great relief to the House.

Hon. Mr. LAVERGNE (translation): I protest against the refusal to give explanations asked for by Opposition senators. The Government avoids giving explanations because it knows that this Bill is unpopular and that the more it is explained the more evident its unpopularity becomes.

Subsection 1 of section 16 was agreed to.

On subsection 2 of section 16—written or oral advice to contravene the Act or regulations:

Hon. Mr. BEIQUE: This subsection seems to me altogether unnecessary, especially subclause c, which makes it an offence

to induce any man called out to refrain from making application for a certificate of exemption or submitting evidence in respect thereof. If men do not ask for exemption, so much the better; they are enlisted and enter the service.

Hon. Sir JAMES LOUGHEED: Let us assume for a moment that a journalist should incite his readers not to give recognition to the law; it is proposed that he be brought under this section.

Hon. Mr. BEIQUE: But that is not subclause c to which I refer.

Hon. Sir JAMES LOUGHEED: But my honourable friend must read that subclause in connection with subsection 2: any person is guilty and liable to imprisonment who, by means of any written or printed or oral communication, publication, or article, impedes the operation of the Act.

Hon. Mr. BEIQUE: But he cannot impede the operation of the Act by advising a man to apply for a certificate of exemption.

Hon. Sir JAMES LOUGHEED: He might incite the whole of a class that may be called out by a proclamation not to give any recognition to it.

Hon. Mr. BELCOURT: Persons called out will either serve or apply for certificates of exemption. If they do not so apply, they admit the validity of the call. Suppose I have been called, and somebody induces me not to apply for an exemption, that person is doing a very good thing to help to carry out the law.

Hon. Sir JAMES LOUGHEED: But there may be an abuse of service by inciting men not to make use of their rejection. If, after men are forced into a class, it is found that they should have come within the exemption, a public wrong has been done, for those men, though entitled to exemption, may have become a very serious charge upon the public service. They might incite public opinion, either by sympathy or otherwise, by reason of the wrong that is being done them if they do not invoke the exemption to which they would be entitled. In order to successfully carry out the Act, all those who come within the class owe it to the state to perform the duties cast upon them; that is to say, if they come within the exemptions they should claim their exemption of course, if they do not, they should not raise the question.

Hon. Mr. POWER: I must say that I do not feel quite clear, even after the lucid explanation made by the honourable leader of the Government. For instance, a man may not know at first whether he is entitled to claim exemption or not, and even if he is entitled to claim exemption he may refrain from doing so. He may feel that he would rather go to the front than be exempted, and, as I take it, under paragraph c, any friend would be liable to punishment who said to him: "Now, look here, Jim, you may be exempt, but if you feel like going and fighting you can go and not claim the exemption." Why should there be such a severe penalty imposed on a man who did that?

Hon. Sir JAMES LOUGHEED: The penalty is directed against those who, for the purpose of resisting or impeding the enforcement and operation of this Act, do something to persuade men to refrain from making application for certificates of exemption. For instance, a man may be tuberculous. It is his duty to give the local tribunal a knowledge of his condition, otherwise he becomes a charge upon the state for the balance of his life. That is one of the heaviest charges that we have on our hands to-day in connection with the voluntary system. There are thousands of men who will have to be supported by pensions and otherwise as long as they live.

Hon. Mr. POWER: It does not strike me that the offence is a very serious one, and the person who is guilty of the offence is not to be fined, but is to be imprisoned for not less than one year and not more than five years. It seems to me that the punishment is out of proportion to the offence.

Hon. Sir JAMES LOUGHEED: Not if it is done for the purpose of impeding the operation of the Act.

Hon. Mr. POWER: If the honourable gentleman will turn to a previous clause he will find that the presumption is against the man who is accused, and that he has to establish his innocence.

Hon. Sir JAMES LOUGHEED: No, that is a different regulation. That is under section 14.

Hon. Mr. BEIQUE: Is there any machinery whereby the Government will be enabled to protect the country against any person coming within the section with regard to illness or infirmity?

Hon. Sir JAMES LOUGHEED: My honourable friend will doubtless recall the fact that this afternoon we discussed a clause with regard to a representative of

the Minister of Militia setting in motion certain proceedings for the purpose of guarding the interests of the state.

Hon. Mr. BEIQUE: Is not that section only for purposes of appeal?

Hon. Sir JAMES LOUGHEED: It would be remedied on appeal. It would not come into operation until the local tribunal judged of the matter.

Hon. Mr. BEIQUE: I think it is very important that the Government should be able to prevent a person of that kind from enlisting at the outset. If a man does not object, there will be no appeal.

Hon. Sir JAMES LOUGHEED: I presume that, even without any specific authority, there is nothing to prevent a representative of the Crown being present at any of those tribunals, but it has been thought desirable to make provision as already referred to in section 10.

Hon. Mr. LAVERGNE (translation): I ask the honourable senator from Montarville if in an election the conscriptionist candidate praises this Bill, while his opponent, being anti-conscriptionist, opposes and speaks against it, would the anti-conscriptionist candidate be liable to imprisonment for from one year to five years, according to subsection 2 of section 16? This would be a very arbitrary proceeding, as the anti-conscriptionist candidate might find himself in prison and perhaps lose his election.

Hon. Mr. BEAUBIEN (translation): The object of the section is to prevent anyone advocating disobedience to this law. Those only are guilty who advise others not to claim exemption, with the object of resisting the law. Those who in good faith, with the object of helping the war, recommend anyone not to claim exemption, are not guilty. Consequently, the essential condition of guilt is the intention to provoke a violation of the law.

Hon. Mr. DANDURAND (translation): My honourable friend from Kennebec (Hon. Mr. Lavergne) asked a question which the honourable senator from Montarville has not answered. He asked: If in the coming election a conscriptionist candidate could defend the principle of conscription, could not an anti-conscriptionist candidate condemn that principle and this law? I will answer the question, and I believe the honourable member for Montarville will share my opinion. A conscriptionist candidate may freely defend this law and an anti-conscriptionist candidate may freely attack it and denounce the principle of conscription, and call on the electors to condemn the law. He may discuss every provision of this Act; but there is a distinction between condemning the law or attacking its provisions and counselling disobedience to the law.

Hon. Mr. CLORAN (translation): That is hair-splitting.

Hon. Mr. BELCOURT: This provision would cover the case of a man who was unfit for service.

Hon. Sir JAMES LOUGHEED: That would be one of the results.

Hon. Mr. BELCOURT: My honourable friend has mentioned the case of a man who has tuberculosis. A man who is in an advanced stage knows it, though perhaps others do not. He might choose to say nothing about it, in that way to draw pay for one or two or three months, or even six months. This section is framed to get at that kind of a man?

Hon. Sir JAMES LOUGHEED: That is one of the cases.

Hon. Mr. BELCOURT: Are there any cases other than those of men who know themselves to be unfit but who remain in the service and draw pay? If not, why not provide that an application for exemption will have to be made within a certain time? Why not provide that those who are called and who feel that they are fit for service shall be obliged to make application for a certificate of exemption within a certain time? The question may not be decided for months, but the man will not be to blame; he will have done the right thing in applying for a certificate of exemption. He will not be drawing pay when he knows he is unfit for service. We might be saved the expenditure of a large sum of money. It seems to me that the object sought would be attained by a provision of that sort.

Hon. Sir JAMES LOUGHEED: Even after his class is called, if a man does not avail himself of the exemption to which he is entitled, he must undergo a rigorous medical examination; but in the meantime he may have given a passive resistance to the provisions of the Act. I know some journals have deliberately advocated passive resistance to the Act which would create such a storm of public indignation against the enforcement of the Act, by reason of men having been impressed into duty who should have been

exempted, that it would eventually defeat the Act. What harm will it do to place such a provision upon the statute-book?

Hon. Mr. BELCOURT: I am not finding fault with that at all.

Hon. Sir JAMES LOUGHEED: Of course, many conditions will arise that we cannot foresee at the present moment. I cannot fully develop the possibilities of the abuses which may arise under the Act; but I think my honourable friend will readily grant that in a general way a channel may be opened for the defeat of the Act, through the acts provided against in subsection c.

Hon. Mr. BELCOURT: I am not so sure of that. I only ventured the suggestion in the hope of improving the section.

Hon. Mr. POWER: I think the case referred to by the honourable gentleman from Ottawa (Hon. Mr. Belcourt) is provided for by the first subsection of clause 11.

Hon. Mr. CLORAN: I am not the official translator of this honourable body, but under the voluntary system I am acting in that capacity. The honourable senator from Kennebec (Hon. Mr. Lavergne) asked if the clause under consideration covered the action and addresses of candidates in elections. He asked the honourable senator from Montarville (Hon. Mr. Beaubien) —and I am glad that that honourable gentleman had the courage to speak in his own language—I wish all the French Canadians in the House would have the courage to do the same—if this clause would prevent a candidate of the people from denouncing the law as we are denouncing it now. In an election there would be a Conservative candidate demanding conscription without reference to the people; on the other hand, there would be a Liberal candidate demanding that this Conscription Bill should not be enforced until the people had been consulted. Now, the Tory candidates in all the provinces would have the right, the power, and the privilege of boosting this Bill for all they were worth, and under this clause their opponents would have to remain dumb. Does the Government propose to throttle free speech in the coming election? That is what the effect of this clause will be. If any Liberal candidate in the Dominion of Canada gets on a platform and discusses this Bill adversely as to its principle, its application, its undemocratic basis, the Tory Government will jump on him, disqualify him, and put him in prison for a term of from one to five years. That is going to be the result of the Bill, there is no doubt about it. Now, Mr. Chairman, if you were the Conservative candidiate and I were the candidate against you, and you grew eloquent over this conscription Bill, under the Tory law of this country I would have to remain dumb or go to jail. We shall not be able to criticise the Bill in an adverse sense as we are doing it now. Why do you not put us in jail to-day? The people will have no right to talk, as we are doing at the present time. The thing is a farce. If it were only a farce we could afford to laugh at it; but it is an outrage on the rights of the people. I am in touch with the pulse of the country, and know how it is beating. A man who advises a friend of his not to look for a certificate of exemption is liable to anything from one to five years' imprisonment. Who condemns him? Suppose it is the criminal court, will he have a right to a writ of habeas corpus under this Bill? There is no provision for that. If an honest Canadian, knowing his friend to be physically or mentally disabled or unfit to go to the front, advises him to seek for a certificate of exemption, he is liable for that simple advise to imprisonment for from one to five years without option. If that is not Kaiserism, Prussianism, I would like to know. Once in jail he will have no right to demand a writ of habeas corpus. The reign of the Kaiser could not produce worse legislation than that. Notwithstanding that Parliament passes this law, all Liberal candidates on the hustings at the general election throughout Canada shall have the same rights as the people in Parliament to discuss it, criticise it, denounce it in every form possible. I am against the law. That is an advice to the people of the country, but I am advising four-fifths of the people of Canada to-day who are not in favour of this law. Yet we are going to put it in the hands of a small minority in the country, and a discredited majority in Parliament, to throttle the people of this country at the general election. What are we thinking of? This is an odious, unfair, unpopular law, and you cannot get three-fifths of the population to endorse your attitude in passing it.

Subsection 2 of section 16 was agreed to.

On section 17—expenses:

Hon. Sir JAMES LOUGHEED: Before we deal with section 17, I desire to amend section 16 by adding subsection 4 as follows:

No conviction in a court of criminal jurisdiction for an offence against this Act or the regulations made thereunder shall be had unless the prosecution has been consented to or approved by the Attorney General of Canada.

That gives a fair assurance that no needless prosecution will be carried on.

Hon. Mr. CLORAN: That shows that I have obtained something.

Hon. Mr. LAVERGNE: Would not the Attorney General of a province be better than the Attorney General of Canada?

Hon. Sir JAMES LOUGHEED: No, the administration of the Act must necessarily rest with the federal Government.

Hon. Mr. CLORAN: Under our constitution there is no Attorney General of Canada to-day, and has not been since the old Union. We have the Minister of Justice and the Solicitor General. If that subsection passes, it will avail nothing. Who is the Attorney General of Canada?

Hon. Sir JAMES LOUGHEED: Look in the statute book.

Hon. Mr. CLORAN: Regular parliamentary words should be used, so that everybody would know what is meant. The Minister of Justice is the proper term to use, and I do not see why we should cloud his authority under a name that he does not assume .

Hon. Mr. DANDURAND: Why does the honourable leader of the Government use the word "conviction" first and not "prosecution"?

Hon Sir JAMES LOUGHEED: The reason is that a prosecution might be taken and a conviction made without the knowledge of the Attorney General but they would be useless unless the prosecution had been consented to or approved by him .

Hon. Mr. DANDURAND: That implies that the magistrate before whom a party would be summoned for infringement of this Act would have to communicate with the Attorney General and obtain his consent in writing so that it might go on record?

Hon. Sir JAMES LOUGHEED: Yes, before the conviction could be had.

Hon. Mr. CLORAN: Under the criminal law there can be no conviction without a trial. The leader of the Government is taking the question by the tail instead of by the head. He should say: "No prosecution shall be started against any individual without the consent or approval of the Minister of Justice".

Hon. Sir JAMES LOUGHEED: Honourable gentlemen will understand that the Minister of Justice is charged with the administration of this Act, and as he is responsible for setting in motion the Criminal Code, the proceeding should receive his approval.

Hon. Mr. DANIEL: Will the consent of the Attorney General be necessary in order to proceed against a peace officer who neglects his duty, as provided for in Section 12, 1 g?

Hon. Sir JAMES LOUGHEED: Inasmuch as the Minister of Justice is charged with the administration of the Act, of course he must give his consent to any proceedings that are taken.

The new subsection of section 16 was agreed to.

Section 16 as amended was agreed to.

Hon. Sir JAMES LOUGHEED: Before dealing with the schedule of exceptions I would like to go back to subsection 6 of section 5. At the request of my honourable friend from De Lorimier (Hon Mr. Dandurand) we have left that open. I move the adoption of that subsection.

Hon. Mr. DANDURAND: I cannot allow this section to pass without again calling attention to the fact that it suspends the Habeas Corpus Act, and suspends it uselessly. It has been admitted, as we have gone through this Bill, that the tribunals being organized under this Act will have the sole mandate to receive demands for exemptions, and will pass upon those demands. When they have done so their jurisdiction is at an end, and I cannot understand why we should go the length of suspending the Habeas Corpus Act when there is so little need for doing so. If there is one privilege held sacred by the Britisher and every one who has enjoyed the advantages and protection of the Habeas Corpus Act, it is that guaranted by that Act, which preceded the Magna Charta. It is a common-law right. It ensures the freedom of the citizen. It absolutely controls the action of our inferior tribunals. The writ issues as of right; one must simply show probable cause under oath. It has been held to be such a safeguard for people who have enjoyed the privilege of citing before the courts the party who restrained their liberty, that I have found only two instances in the last one hundred and fifty years in which England has adjudged it proper to suspend that Act. It suspended

the Act between 1794 and 1801, and again in 1817.

Hon. Mr. MURPHY: Is the Habeas Corpus Act not always suspended under martial law?

Hon. Mr. DANDURAND: It is suspended when martial law is proclaimed, but when such law was not proclaimed Great Britain suspended the Habeas Corpus Act, but, by annual enactments, never to run more than twelve months and from 1794 to 1801 the Habeas Corpus Act was suspended every year. In 1817, it was suspended for a given time, from the month of March to the first of July. It was again suspended, not for Great Britain, but for Ireland, in 1866. It seems to me that there is no absolute necessity, for the safety of the State, to suspend the Habeas Corpus Act, and that we should be very slow to do so. Somebody on the other side of the House asked the honourable leader of the Government if Great Britain, during the war, had judged it proper to suspend the Habeas Corpus Act. I understood that the answer was in the negative. Why should the Habeas Corpus Act be suspended by this Act when, I repeat, it is declared to be inoperative simply against proceedings and decisions of the tribunals created by this Act? The decisions of those tribunals will simply state that the person who applies for exemption is entitled to it or otherwise, and then their jurisdiction ends. There may be an appeal, but it will always be on the question of whether a person is entitled to exemption or not, whether that person applies for exemption or not, and if the exemption is refused in either case that person can be summoned before a magistrate if he does not report. A writ can be sued for because it is not attacking the action of tribunals created by this Act. It seems to me that we should hold the Act sacred, and when it is apparent that there is no necessity for applying it we should not lightly suspend it. For these reasons I move that the words "habeas corpus or other process" be struck from line 28.

Hon. Mr. BEAUBIEN: I ask the honourable the leader of the Government if there is any doubt as to whether the habeas corpus will apply.

Hon. Sir JAMES LOUGHEED: Will my honourable friend state his proposition?

Hon. Mr. BEAUBIEN: I think it is quite clear that there are new tribunals created outside of the common law tribunals. Now, as I read the section, it seems to me that the habeas corpus will apply to no tribunals, either common law tribunals or other. I may be mistaken.

Hon. Sir JAMES LOUGHEED: It will only affect the application of injunction, prohibition, mandamus, certiorari, habeas corpus or other processes. The only application of those writs would be to the findings of the tribunals constituted by this Act. It will in no way affect the application of those writs to the courts as are applied to-day, and consequently does not disturb the law in any way. Under this Bill for specific purpose, the Government of Canada have called into existence three tribunals with a clearly defined and limited jurisdiction, not of a criminal character, but simply for the purpose of determining whether the men who will come within the classes called out by proclamation are entitled to the exemptions enumerated in the Act. Why should habeas corpus or prohibition or injunction or any other writ of common law apply to these tribunals, which were constituted for a particular purpose In England the appeal lies to the Treasury Board, and the decision of the Treasury Board is final for all the purposes of the Act. In the United States the decision of the district boards shall be final so long as they are in accordance with such rules and regulations as the President may prescribe. He may confirm, modify or reverse any such decision He is the court of last resort. It is provided that all laws and parts of laws that conflict with this Act are hereby suspended during the existence of this emergency, so the powers which we have embodied in paragraph 6 are analogous to the law as it is in England and the United States. Why we should attempt to obstruct or block or impede the carrying out of this Act by permitting the exercise of rights which the subject has under common law in respect of setting the courts in motion, I cannot understand.

Hon. Mr. DANDURAND: What use can be made of the Habeas Corpus Act to impede the action of these tribunals? If the honourable gentleman will answer that question to my satisfaction—and I have an open mind—he will have begun to make a case in favour of suspending the habeas corpus. These tribunals are created for a specific purpose. There is nothing, from the beginning until judgment is rendered by those courts, which has anything to do with the subject. It will not be affected.

The liberty of the subject will not be restrained.

He has made a demand for exemption; it has been denied. He has appealed; the appeal has been decided against him; the action of the court is over. During that process how could a man think of asking for a writ of habeas corpus? He is simply asking for an exemption; and when judgment has been given against him, if some one lays his hand on him, it is by virtue of a process of another court and then he can appeal for redress. Why ask that the writ of habeas corpus be suspended by this Act when it does not benefit the State?

Hon. Sir JAMES LOUGHEED: Simply because the Government considers it in the interest of the administration of the Act that there should be a plain declaration upon the statute as to what the result will be if the courts have been invoked to issue a writ of habeas corpus. It is so that they shall not have jurisdiction to interfere with the findings of these tribunals. I read this afternoon the judgment of the Chief Justice of the province of my humble friend showing that the legal profession of Quebec—and I have no doubt this is true of the other provinces of Canada—would be quite willing to cast the die upon the question as to whether habeas corpus would lie in the case of a matter of discipline of one who had enlisted in the military forces of Canada.

Hon. Mr. DANDURAND: That would not arise from the decision of one of these tribunals.

Hon. Sir JAMES LOUGHEED: The decision was that habeas corpus would not lie, and it is proposed to say plainly that so far as the tribunals are concerned it shall not lie.

Hon. Mr. BEIQUE: I quite agree with the honourable member for De Lorimier (Hon. Mr. Dandurand) that it is useless, especially with the amendment which was assented to by the Government that "tribunals" means the tribunals created by this Act. Apart from the fact that it is useless I desire to draw the attention of this House to a more important fact, that it is outside of the jurisdiction of this Parliament. The Habeas Corpus Act is an Imperial Act which extends its effect over the whole of the British Empire, and it is not within the power of this Parliament to suspend it. I refer now to Blackstone's Commentaries, 3rd volume, page 127, dealing with the character of the Habeas Corpus Act, which is well known by all legal men. It says:

> The oppression of an obscure individual gave birth to the famous Habeas Corpus Act, 31 Car. II, c. 2, which is frequently considered as another Magna Charta of the kingdom; and by consequence and analogy has also in subsequent times reduced the general method of proceeding on these writs, though not within the reach of that statute, but issuing merely at the common law, to the true standard of law and liberty.

What is that Act? I shall only refer to the first section of the Act, because the other sections merely have reference to procedure. Chapter 2 of Charles II says:

> That on complaint and request in writing by or on behalf of any person committed and charged with any crime, unless committed for treason or felony expressed in the warrant; or as accessory, or on suspicion of being accessory, before the fact, to any petit-treason or felony, or upon suspicion of such petit-treason or felony, plainly expressed in the warrant; or unless he is convicted or charged in execution by legal process, the lord chancellor or any of the judges, in vacation, upon viewing a copy of the warrant, or affidavit that a copy is denied, shall, unless the party has neglected for two terms to apply to any court for his enlargement, award a habeas corpus for such prisoner returnable immediately before himself or any other of the judges; and upon the return made shall discharge the party, if bailable, upon giving security to appear and answer to the accusation in the proper court of judicature.

This Act, so to speak, is part of the Constitution of the British people. Now, I will refer honourable gentlemen to a very important Imperial statute, 28 and 29 Victoria, which was passed in 1865. It is entitled, "An Act to remove Doubts as to the Validity of Colonial Laws." It provides:

> An Act of Parliament, or any provision thereof, shall, in construing this Act, be said to extend to any colony when it is made applicable to such colony by the express words or necessary intendment of any Act of Parliament.

That is the first definition.

> Any colonial law which is or shall be in any respect repugnant to the provisions of any Act of Parliament extending to the colony to which such law may relate, or repugnant to any order or regulation made under authority of such Act of Parliament, or having in the colony the force and effect of such Act, shall be read subject to such Act, order or regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely void and inoperative.

And section 5 reads:

> Every colonial legislature shall have, and be deemed at all times to have had, full power within its jurisdiction to establish courts of judicature, and to abolish and reconstitute the same, and to alter the constitution thereof, and to make provision for the administration of justice therein; and every representative—

And so on. These two sections, 28 and 29 Victoria, cap. 63, declare that any colonial

law, and therefore this Act that we are passing, which is a colonial Act, will remain absolutely null and void and inoperative if it is in any way repugnant to any Imperial Act which extends over the whole Empire. For that reason I claim, and respectfully submit, that it is not within the power of this Parliament to enact such a law as this, suspending the Habeas Corpus Act. Honourable gentlemen will remember that in 1837, at the time of the rebellion in Canada, the Habeas Corpus Act was not suspended by the Legislature of Canada, but was suspended by the Imperial Parliament, or rather the Canadian constitution was suspended. It was perfectly well known that the Legislature of Canada had no right to suspend the Habeas Corpus Act. That is the first point to which I would direct the attention of this honourable House.

Hon. Mr. BOSTOCK: Would not that statute apply to the Crown colonies only? Would it apply to a Dominion like Canada?

Hon. Mr. BELCOURT: It applies to all the British Empire.

Hon. Mr. BEIQUE: To all the Dominions. That is not denied, but is recognized. It has been applied in several instances. It is well established in fact that the Act to which I have referred, 28 and 29 Victoria, Cap. 63, applies to Canada as well as to all other British possessions. Now I desire to call attention to another point. For another reason this Parliament has no right to enact any law of this kind, any law which would tend to deprive any Canadian citizen of the right to apply by habeas corpus for the protection of his rights: because it would be in violation of the Quebec Act of 1774. I am referring now to Clement's Canadian Constitution, second edition, page 286:

It is to be observed that the same words 'civil rights' are employed in the Act of 14 Geo. III. c. 83,—

That is the Quebec Act of 1774—

—which made provision for the government of the province of Quebec. Section 8 of that Act enacted 'that His Majesty's Canadian subjects within the province of Quebec should enjoy their property, usages, and other civil rights as they had before done, and that in all matters of controversy relative to property and civil rights resort should be had to the laws of Canada, and be determined agreeably to the said laws.' In this statute, the words 'property and civil rights' are plainly used in their largest sense; and there is no reason for holding that in the statute under discussion they are used in a different or narrower one.

Now, it will not be contended that the principle safeguarded by the Quebec Act of 1774 was repealed or in any way abridged by the British North America Act. It was in no way interfered with. On the contrary, under the B.N.A. Act, when the division of power was made by sections 91 and 92, while it is true that by paragraph 7 of section 91 all subjects pertaining to militia, military and naval service and defence were assigned to the federal Parliament, yet, under paragraph 13 of section 92 "property and civil rights in the province," and under paragraph 14 "the administration of justice in the province, including the constitution, maintenance and organization of provincial courts both of civil and criminal jurisdiction and including procedure in civil matters in those courts," were left exclusively to the provinces, and from that fact alone—from the British North America Act of 1867, alone, it follows, I claim, that this Parliament would have no right to deny any Canadian prosecuted in any of the courts, whether in Ontario or in Quebec, from seeking, by way of habeas corpus, certiorari, or any other process of that kind, the protection of his most sacred civil rights, with which this Parliament has no right to interfere. Therefore, I submit that subsection 6 of section 5 is unnecessary, because there is no occasion to exercise the power which is sought to be given, and not only is it unnecessary, but, moreover, this Parliament has no right to grant any power of that kind.

Hon. Mr. BELCOURT: Before my honourable friend (Hon. Sir James Lougheed) replies to the honourable gentleman who has just sat down (Hon. Mr. Béique) I desire to add a word in support of the honourable gentleman's argument, with which I thoroughly agree. I think it has been clearly and conclusively demonstrated that under the British North America Act this Parliament cannot in any way pass legislation which would repeal or affect the Habeas Corpus Act. It is well known—every lawyer and student of constitutional law knows—that habeas corpus, which is now in force in Canada, was one of the Imperial Acts introduced into Canada and never repealed by the Imperial Government. The habeas corpus to-day is dependent upon Imperial statute. Now let us see what

section 129 of the British North America Act of 1867 says on the subject:

Continuance of existing laws.

That is the marginal note.

Except as otherwise provided by this Act, all laws in force in Canada, Nova Scotia or New Brunswick at the Union, and all legal commissions, powers and authorities, and all officers, judicial, administrative, and ministerial, existing therein at the Union, shall continue in Ontario, Quebec, Nova Scotia and New Brunswick respectively, as if the Union had not been made,—

This is the part of the section to which I want to draw my honourable friend's particular attention:

—subject nevertheless (except with respect to such as are enacted by or exist under Acts of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland), to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the respective province, according to the authority of the Parliament or of the Legislature under this Act.

Subject, nevertheless, to be repealed, but always excepting Acts of the Parliament of the United Kingdom of Great Britain and Ireland. If it is correct, and I submit it cannot be denied, that the habeas corpus exists in Canada by virtue of an Imperial Act, section 129 makes it absolutely impossible for us to pass any legislation which would repeal or even in any way affect this Imperial legislation. If there is habeas corpus in Canada—and we know that there is—it exists not by virtue of Canadian law, either Federal or provincial, but by virtue of an Imperial statute. Section 129 of the British North America Act makes it absolutely clear to me, and to any lawyer, that this Parliament cannot pass any legislation which would in any way affect that right.

Hon. Sir JAMES LOUGHEED: Does my honourable friend place certiorari in the same position?

Hon. Mr. BELCOURT: I said habeas corpus; I did not say certiorari. The other argument, as to certiorari, was advanced by the honourable gentleman from De Salaberry (Hon. Mr. Béique). He based that on other provisions altogether, on sections 91 and 92, which distribute the powers between the provincial legislatures and the Dominion Parliament.

Hon. Mr. BEIQUE: And under the Quebec Act.

Hon. Mr. BELCOURT: Under the Quebec Act, he says, you cannot affect certiorari because you are affecting the civil rights of the people in the provinces. But for the moment I am not addressing myself to certiorari, I am speaking of habeas corpus. My honourable friend (Hon. Mr. Dandurand) reminds that his amendment is purely and exclusively on habeas corpus. I may be wrong, but I am quite clear in my own mind that any legislation of this Parliament which is going to affect the right of habeas corpus is absolutely no good—is an utter waste of time.

The amendment moved by the Hon. Mr. Dandurand was negatived.

Subsection 6 of section 5 was agreed to.

On the schedule, paragraph 5—exemption of men discharged from Military or Naval Forces of Great Britain and her Allies:

Hon. Mr. BELCOURT: May I draw my honourable friend's attention to this clause? Would that include, for instance, the Naval Air Service and the Royal Flying Corps?

Hon. Sir JAMES LOUGHEED: Yes, it would.

Hon. Mr. BELCOURT: It can hardly be said that the Royal Flying Corps is part of Naval Forces of Great Britain.

Hon. Sir JAMES LOUGHEED: Yes, there are two arms of the flying corps, one belonging to the military forces of Great Britain and the other to the naval forces.

Paragraph 5 of the schedule was agreed to.

Hon. Mr. BEAUBIEN: Do I understand that the discussion on the divinity students clause is not to take place now?

Hon. Sir JAMES LOUGHEED: I understand my honourable friend from Stadacona (Hon. Mr. Landry), whom I do not see present, is going to move that on the third reading.

Hon. Mr. BEAUBIEN: And all the discussion will take place then?

Hon. Sir JAMES LOUGHEED: Yes.

The Bill was reported with amendments.

On motion of Hon. Sir James Lougheed, the amendments were concurred in.

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

THE SENATE.

Wednesday, August 8, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE OLIVER AND WEBB EQUIPMENTS.

MOTION FOR RETURN.

Hon. Mr. CASGRAIN moved:

That an humble Address be presented to His Excellency the Governor General to have laid on the Table of the Senate all the correspondence between the Department of Militia and Defence and Clarence J. McCuaig; also, between the same and the first Purchasing Committee appointed by Sir Robert Borden, of which the Honourable Robert Rogers was Chairman, and between the said Clarence J. McCuaig and the Committee of which the Honourable Sir Edward Kemp is or was Chairman, or with any of the members of the said Committee.

He said: I was agreeably disappointed, when I received the answers given yesterday, at finding that this matter of the Oliver equipment is not so serious, and that the Government has not been remiss in its duty, as I had been led to believe. For instance, I asked: "How many sets of Oliver equipment have been purchased by the Government, and at what price each?" The answer was that since the opening of the war 97,000 sets of Oliver equipment have been purchased at an average price of $8.98 per set. Well, I should have thought, and I had been informed, that a set had been purchased for every soldier. I find, on the contrary, that there has been about only one set purchased for every four soldiers. So the situation is not nearly so bad as I thought it was. If useless equipment had been supplied to every soldier, the situation would have been four times as bad. The equipment has not been absolutely useless if it has been used for training purposes. I am asking for the papers in order to see whether they agree exactly with the answers which have been given. I find from the answers that the total cost of the equipment has been $901,805.94. This was a great deal of money to spend for the Oliver equipment, which happens to be of no use at the front. I have been informed by a man from the front, who, I may say, is very close to myself, that some of the soldiers went to the front with this Oliver equipment. It consists, as I have already explained, of two small pouches tied to the belt. The pouches are stiff, and when in action, the men naturally cannot open and close these boxes every time they want to get a set of cartridges; the consequence is that the boxes are left open, and when the soldiers move about, as they are bound to do in action, the cartridges drop out of the belt. Some of our men equipped with the Oliver equipment had got pretty well in front and were under the fire of the enemy and, when they looked for cartridges in the pouches, they found that they had all dropped out. Thus the men were very near the front line without ammunition and exposed to fire. The faulty equipment may have cost the lives of some of our men. On the other hand, the Webb equipment is made of a sort of cotton. The other day I said that it had been substituted for the Oliver equipment, and I find corroboration of that statement in the answer brought down by the leader of the House. The Oliver equipment was taken to France. I will read a portion of the answer:

It, however, was replaced subsequently (in 1915) by "British Webb" and without expense to Canada, when it was returned here to be converted and was taken into further use.

Further down, the answer goes on to say:

At this time it was not possible to obtain the War Office Webb equipment either in Canada or elsewhere, as the War Office was unable to meet its own necessities.

It is in reference to this point that I should like to see the papers, because I have been informed that representatives of the Webb Company were from day to day interviewing the ministers and writing letters soliciting orders for Webb equipment. I refer again to the answer to my inquiries:

Subsequently it was ascertained that the second division had had its Oliver equipment replaced by Webb when going to the front.

Further down the document says:

When the 4th Division, C.E.F., left England for the front it was in possession of this equipment, but later War Office Webb was issued to replace it, without expense to the Canadian public.

The words "without expense to the Canadian public," are repeated in other instances, and the Government seems to take a lot of satisfaction out of them. This must have been at the expense of somebody, and those loyal people who talk about the overburdened British taxpayer did not hesitate to make somebody pay for the equipment. If we did not pay for it, nobody else but the British taxpayer had to

pay for it—that is evident. I understand—and I stand to be corrected if I am wrong—that the Government of Canada has to pay for the ammunition and everything else used by our men, and, I ask, if we are going to pay for everything, why should we not pay for the Webb equipment? There is no reason for taking the Webb equipment as a gift and at the same time saying that we will pay for ammunition, wagons, harness, boots, and everything else. That is the answer I received—that we would not have to pay for it, which is corroborated further down:

—until the men are placed under orders as reinforcements for the front, when it is replaced by Webb to accustom the men to its use.

Later on there is a cablegram from a gentleman who was talked about a great deal yesterday. He says this was all without expense to Canada. Even the converted Oliver equipment was replaced by the Webb equipment. The converted Oliver equipment dated from 1916, and it is there that I think the Government was at fault. If the Oliver equipment was no good, even in 1916, the Government kept changing it and sending the leather pouches which are said to be no good. It seems to me very strange that the Webb equipment should be given to us. Why did not the Government supply our soldiers with the Webb equipment as well as everything else?

Hon. Mr. DOMVILLE: I do not see anything on the Order Paper relating to Oliver belts. The Oliver equipment was no good thirty years ago. When I was in the House of Commons it was condemned. A relative of a certain minister of the Crown wanted us to buy it, and he was very angry when I opposed doing so. This gentleman was a half pay officer. The Oliver equipment has cropped up in a new way. It may be thought that this is a new thing, but it was condemned thirty years ago.

The motion was agreed to.

MILITARY SERVICE BILL.

THIRD READING.

On motion of Hon. Sir James Lougheed, the amendments made in Committee of the Whole House to Bill 75, An Act respecting Military Service, were concurred in.

Hon. Sir JAMES LOUGHEED moved the third reading of the Bill.

Hon. Mr. LANDRY: Honourable gentlemen, I move that this Bill be not now read a third time, but that it be referred back to the Committee of the Whole, with instructions to amend clause 1 by adding after the word "tribunal":

"Clergy" means clergy as defined by the laws of each denomination.

I think this amendment will do justice to everybody. What is the proper authority to define the meaning of the word "clergy?" From reading the debate that took place in the other House, I find that members brought dictionaries into the House to arrive at a definition of the word. I think there is a better authority than a dictionary; I think that each church may define the word as the church understands it. I am not asking a favour for any particular denomination; I am simply asking justice for everybody. I think that the churches should decide such questions. The meaning of the word should not be defined in the last days of the session by parties who know nothing about it. It was defined centuries ago, and if we accept this amendment we shall get the best definition that can be obtained and apply it to this Bill.

I have heard it said that our friends of one particular religion have been met by a great authority on theology—one of the ministers of this Government—and have been asked to oppose my motion. That may be the case. I did not hear the explanation, but I was told that one of the reasons given for opposing the motion was this: "If you touch that question the Bill will go back to the House of Commons and they will strike out the exceptions altogether." I am not proposing to amend the schedule. I am proposing to amend section 1. All that the House of Commons will need to do will be to accept my amendment or refuse it. What I am asking is that the honourable gentlemen of this House will vote for the reference of the Bill to the Committee of the Whole, with instructions to perfect it by inserting this definition.

Hon. Mr. DOMVILLE: I do not understand this amendment. Perhaps my honourable friend will explain it more fully. I do not know what a denomination is. I know what a religious sect is. They cannot make any laws for me.

Hon. Mr. LANDRY: I mean the different churches.

Hon. Mr. DOMVILLE: There is only one church in the world.

Hon. Mr. LANDRY: The honourable gentleman may have his own church.

Hon. Mr. DOMVILLE: I have no church. I do not own the church, and the church does not own me; but I know we all belong to the Christian religion.

Hon. Mr. LANDRY: Does the honourable gentleman know that there is a body called "clergy?"

Hon. Mr. DOMVILLE: No. They are clerks in holy orders.

Hon. Mr. LANDRY: The House will decide whether the amendment is proper or not. If the honourable gentleman wants to perfect it, he may suggest his own definition when we go into committee.

Hon. Mr. DOMVILLE: I do not like to sit here as if I were a numbskull and knew nothing about religion. I have not raised any objection, but I think the clergy should get out and fight like anybody else, especially those in the church that I belong to, where they raise families and get fat.

Hon. Mr. LANDRY: We are asking the House to define the word.

Hon. Mr. DOMVILLE: I have said all that I am going to say on the matter. I object to the clergy of any church being exempted in any way. Not that I care more about one church than another, because I think there is a good deal of objection to one and a great deal of objection to another, and there is a good deal of good in one and a great deal of good in another.

Hon. Mr. POIRIER: I desire to have some enlightenment upon this question. I should like to know if each denomination in the Dominion has laws defining the word "clergy." If they have, it may be all right, but if they have not, this amendment would simply lead to confusion. I am told that some religious denominations —and I respect them all—have no such thing as clergy. I wish all religions to be treated equally; and if this amendment, which is no doubt bona fide, is likely to create unnecessary complications and throw the whole thing into chaos, it may not be desirable in the interest of any clergy, either Catholic or Protestant, if I may use the word with all due respect. I speak with an open mind. I am asking a question, and I am going to listen to the explanations which will be given. But if this amendment is likely to make things worse than they are, and raise irritating questions which I think we should all strive to avoid, even in private discussion, if no principle is involved, I may vote against it. On the other hand, if it is shown to me that the amendment is going to improve the law and promote harmony between the different religious communities, then I may vote for it.

Hon. Mr. CHOQUETTE: It seems to me that the amendment is very plain. We all know that in the other House two ministers of the Crown differed as to the meaning of the word "clergy." If I remember correctly, the Minister of Justice said that the word meant so and so, while the Minister of Inland Revenue said that it meant something different. It seems to me that there will be no difficulty if the amendment is accepted, because it leaves the definition to the clergy, and it will be easy for the judges administering the law to declare who belongs to the clergy and who does not. If there are some religious institutions which have no laws this amendment will not apply to them. All that the amendment means is that religious denominations have their rules and regulations and laws. I am sorry that the honourable member for Rothesay (Hon. Mr. Poirier) is to vote against this amendment, but he will no doubt in his old age be very glad to find the church.

Hon. Mr. LAVERGNE: I will support the amendment moved by the honourable member from Stadacona. There is no harm in it. It defines absolutely the clergy of every denomination, and this will make it more easy for the judges to decide.

Hon. Mr. BEAUBIEN: The amendment affords a mode of obtaining the interpretation that any judge must follow. It seems quite clear that in order to ascertain what is a priest in the Roman Catholic church, the laws of that church must be consulted, so as to know when a layman ceases to be a layman and becomes a clergyman. In the same way, to know when a rabbi ceases to be a layman and becomes a rabbi, his religious laws must be consulted. In other words a definition as to each denomination must be derived from the rules of that denomination; and the proposed amendment will be a clear direction to the judge to find that definition only where it can surely be found. For that reason I will vote for the amendment.

Hon. Mr. CLORAN: I have only one regret in regard to this section, and that is that the Right Hon. Robert Borden did

not have the courage and backbone to stick to his convictions, but allowed himself in this most important matter to be dictated to by an adverse influence, and struck out the clause exempting divinity students. I believe the Prime Minister to be as honest as some who have gone before, though probably not as capable, and it is with profound regret that I observe that he abandoned his position. I will vote for this amendment, or any other that will enable us to bring back the original clause governing the exemptions of clergy, for the protection of religion in Canada. Sir Robert Borden did not seek by that so-called "divinity student clause" to perpetuate the Methodist, Episcopal, Catholic, or any church as against another; he covered all churches with the supreme authority of the law, and did not attempt to strike at the foundations of those churches. No church can exist without specially-called ministers of religion to maintain it, any more than an army can exist without officers to command. If you are going to stop recruiting or enlistment for the church you will do the very same thing for which you blame us—stopping recruiting and enlistment for the army. You refuse to allow the church to fill up the gaps caused by death, old age, and other causes, by the recruiting and enlistment of divinity students, or, as we call them, theological students. What does this Parliament and the Government mean by taking away the right of all churches to enlist and recruit men to fill up gaps in their ministry? Nine-tenths of the people of this country have a religious sentiment expressed in one way or another, and when such religious sentiment is dictated by conscience, one sentiment is just as good as any other. I appeal to Sir Robert Borden, through his representative in this House, to return to his former determination and put a clause in this Act containing the words "divinity student" or "theological student." We all know what divinity students are—that they are absolutely necessary for the maintenance of the church, which means the maintenance of religion. Surely this Government and Parliament are not going to introduce into Canada a system of atheism. Surely they are not going to deny to Christ the right to have disciples; they are not going to have the work of the Saviour fail for the want of recruits—and it will fail in this country if He gets no recruits. Let me give you a historical fact. When I was a student in Paris in 1875 and 1877 the French Chamber of Deputies came under the influence of what were called the oriental lodges, or black lodges, whose members believed in no Divinity, no God. Those lodges started their agitation against all churches. They became powerful under Gambetta, the greatest orator since the days of Mirabeau or Lacordaire, who controlled the French Chamber with his eloquence, and who for ten or fifteen years refused to accept any office in the Government of France. Gambetta was an anti-Christian. I remember, as if I were there now how he made the celebrated declaration on the floor of the Chamber of Deputies in Paris in 1876, "Le Cléricalisme, voilà l'ennemi," and when he ordered Marshal McMahon, an Irishman, who was President of the French Republic, to sign the measure and support it, giving him the alternative, "Il faut se soumettre ou démettre"—"You must submit or resign." Gambetta's word was so powerful that Marshal McMahon was obliged to resign, because he would not submit. The Chamber of Deputies dissolved, but 355 of its members came back and voted for that anti-religious measure of Gambetta's, which was passed, conscripting the seminarians—which is the name used in France, not divinity students, for very few can attain the degree of Doctor of Divinity. This measure is aimed at seminarians, that is, the recruits of Christ's religion on earth. Gambetta drove his axe into the roots of the church and of religion. That is why there had been, up to three years ago, the most intense conflict between the Roman Catholic Church and atheistic Freemasons—not the ordinary Free Masons. King Edward, as Grand Master of the Free Mason Order in Great Britain, cut off relations with the Oriental Masons; for the Free Masons in England and other civilized countries recognize a Supreme Being, One who deals out justice to all, and who demands service in His name. The French Masons believe in no Divinity, no Supreme Ruler, and the result was a conflict which existed up to the time of this war. I was on the benches in the University of Paris for three years, and know the facts. The law passed by the Deputies took the seminarians, theological students, and put them into barracks. We all know that a barrack is not a holy of holies, nor does it contain the ark of the covenant; there are a good many things in a barrack that are loose, and which cannot be helped; but it is not a proper school for a disciple or recruit of Christ to maintain his doctrines in. The result was that the

"clericalisme," as Gambetta called it, began to go down, and the Free Masons and atheists of France got the upper hand and held it. I often wonder if the present war is the work of man alone. I often ask myself whether Providence, the Supreme Power and overruling Master of human destinies, has not had a word to say during the progress of this war. France fell into such a condition that religion was not only ignored but despised. The moral law of the Old and New Testaments was set aside and trampled on. I am speaking not of the French people, but of their leaders of thought, their romanticists, their magazine writers, their picture shows. Everything was an abomination, a violation of the most fundamental rules of morality, and that condition has existed for forty years. But what do we find to-day? We find that the French soldier, who probably never went to church, either while he was in barracks or before, has had a change of heart. I base my statement on a most eloquent speech delivered in this honourable House by the Hon. Senator Girroir, probably the most eloquent declaration in favour of this Bill, during which he quoted the letter of a French soldier, who wrote to a friend: "Take care of my mother; for I may not be alive to-morrow; tell her that her son attended Holy Communion this morning, and that he is prepared to die for his country and to meet his Maker." There is an evidence of the change of heart in France; and Providence has brought that about by this war. I have seen churches in Paris and throughout France empty during divine service on Sunday; at any time you would not find three people in beautiful basilicas; but to-day the churches in France are filled morning, noon, and night; and those that are empty are so because of Hun bombs and cannon shot. Every other religious institution is flourishing. The heart of France has gone back to the mother church, and to-day France is the eldest daughter of Christ on earth. Those are the results already from this war. I hold that Providence is working His way through this conflict, and that this war is a scourge on people who have been backward in obeying divine law. Now, let us not disobey divine law in this measure; let us not tell Christ that he cannot get any recruits because of the war.

Honourable gentlemen, I appeal to you, from the inmost recesses of my heart, from the deepest convictions of my conscience and mind, not to place Canada in 1917 in the position in which the French Free Masons placed France in 1875 and 1877. France has now, by the blood of her gallant sons, by the work and the sweat of her women in the fields and the factories, redeemed its name and its love for religion, which had been suppressed for some forty years. Let us not do anything which would cause our children twenty or thirty or forty years from now to come before Parliament and bemoan the action which the Canadian Government and Parliament of 1917 had taken in striking at the root of religion and the maintenance of all churches. Let them not have the occasion to say, "Our fathers did wrong to our country in striking at religion, in striking at the law of the divine Saviour who came here to save us all."

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I have been requested to point out to the House what the provisions of the Act are in regard to the clergy. I would draw the attention of honourable gentlemen to paragraph 6 of the schedule, under the head of "exceptions" reading as follows:

> Clergy, including members of any recognized order of an exclusively religious character, and ministers of all religious denominations existing in Canada at the date of the passing of this Act.

Very much more elaborate in its explanation than the amendment of my honourable friend from Stadacona.

Now, without entering upon a discussion as to what the word "clergy" means, may I read to the House what was said upon that subject by the Minister of Justice—and there is probably no more distinguished Roman Catholic in the Dominion of Canada:

> Furthermore, as has already been said, and as the hon. member for Bonaventure (Mr. Marcil) has pointed out, the word "clergy" has a perfectly clear and perfectly defined meaning, and I have no hesitation in saying, after satisfying myself on the subject, that the word "clergy" covers anybody who has holy orders of any kind, including the minor orders, as the hon. member for Bonaventure says. The right hon. leader of the Opposition (Sir Wilfrid Laurier) will recognize that the theological student, from the moment he gets his tonsure, or minor orders, which he does at the end of his first year—or, at all events, that is the general practice—enters and forms part of the clergy. . . I am not making that statement without having verified it on the very best authority. I have satisfied myself beyond peradventure on that subject.

Furthermore, the Minister of Justice has informed me that, in relation to theological students, a bishop has the right and power to tonsure a student at any time. He need not wait until the expiration of the first

year. This is the opinion of the Attorney General of Canada, the chief law adviser of the Crown, and, as I have said, a distinguished Roman Catholic; and, much as I defer to the opinion of my honourable friend from Stadacona (Hon. Mr. Landry) I am bound to take in preference the opinion of the Attorney General of Canada.

Hon. Mr. CLORAN: I know better, because I have gone through the mill. I know that the Minister of Justice is wrong, absolutely wrong.

Hon. Mr. BEIQUE: I rise not for the purpose of following the argument of the honourable gentleman from Victoria (Hon. Mr. Cloran)—because I think he has spoken altogether outside of the question—but merely to call the attention of the honourable leader of the Government to the fact that the amendment of the honourable gentleman from Stadacona does not deal with the Catholic church any more than with other denominations, but applies to all denominations. I agree entirely with the reasons which he has given in support of his amendment, and I am in favour of it for this additional reason: It would tend to close the door to different interpretations being given to the Act. If we do not leave it to one body to show the rule which should determine what is the meaning of the word "clergy," then the question will be left to the different tribunals, and there may be as many conflicting decisions as there are members of tribunals. It may be that one decision will be adopted in one place, or in one part of a province, and another definition in another part of the same province, or in another province. It seems to me that for all denominations it would be much wiser to declare at once that it shall be the duty of the tribunal to follow such a rule, and then we shall be sure that the same rule will be followed by every tribunal.

Hon. J. M. DOUGLAS: Honourable gentlemen, perhaps I am the only clergyman within the House, and I want to speak for myself, having passed through all the orders and education of the Presbyterian Church of Canada. I should regret very much if anything were done by the House to indicate that a theological student was turned loose upon the world and had no standing under the circumstances. Different Protestant churches have their different orders and laws and constitutions, that they believe to be more or less in accordance with the Divine Word. On that account they cling to the history of the past. I regret very much that this question has come into this House in the way of controversy. My standing here is peculiar. I come as a minister of the Presbyterian Church of Canada, fully equipped with all the rights and privileges of that Church to-day, and if I do not exercise the gifts and the authority vested in me, it is recorded against my name. I stand fully equipped for any duty which the Church may ask me to perform. I want to say, also, that, whilst I did my work in Canada, I took the privilege of extending my religious studies, and went to the seminary of the Presbyterian Church of the United States. I have the honour to-day of holding papers and authority similar to those of the honoured president of the United States, he having gone through the same lines of study and being clothed with the same authority from the Presbyterian Church of the United States.

Anything that comes into conflict with the definition of clergy will necessarily breed confusion. It would be better to leave the whole matter as it has stood in the past. I think we have had no difficulties among the churches. We understand what "clergy" means. We understand the phraseology used in the different Protestant churches. There are some who have no authority—who have, in special language, no clothed authority, but who have rights and who claim their rights. So that we, as a House, cannot touch or interfere with those rights without coming into collision with the large body of Christian people throughout the length and breadth of this country.

I regret very much that the question has been brought up. I do not see why it is necessary for us to make any further definition in this respect, and, as far as I am concerned as a member of this House, I am quite willing that the matter be left as it is. Every branch of the Protestant Church has students for the ministry. They are all of use in the Church in promoting every good sentiment that we cherish, and they are doing excellent work on the battlefield for our country. Both the clergy and the students have done noble service, and their names will go down to history for the work they have done and the record they have made. Why shut the door against the men who have honoured themselves and their parents and Canada by going into the front rank and out into the battlefield and doing such noble service for the whole country? I hope sincerely that

this House will make no change. I do not know who suggested the change, and, therefore, cannot speak definitely about it; but it is for us to remember that what is good in a law is good for the people. Let the people have it, and let us go forward unitedly, with a strong front against the great enemy that we have to face to-day. I am sure it will be a great encouragement to the young men from our various universities in Canada, and of whom we are so proud. We are proud of the service they have rendered; we are proud of this fact, that they are willing to continue still to render service and to stand by every good principle and every manifestation of the truth that will help the courage and strength of our soldiers in the field. When the question comes to a vote, if it does, I shall be pleased to sustain the old phraseology; and let the liberty that we have enjoyed in the past be given to the people for all time to come.

Hon. R. DANDURAND: Honourable gentlemen, in the schedule to the Act the clergy are included among those who are excluded from its operations. When a person claims exemption under this head, the tribunals will have to declare whether he does or does not come within that category. How will the judges throughout the land decide the question? I suppose they will go about it as the honourable leader of the Government has done. Where will that carry the judges? I think it will carry them in the direction of the amendment moved by the honourable gentleman from Stadacona. What explanation have we had from the honourable leader as to the meaning of the word "clergy"? The explanation which he has given is one that was given by the Minister of Justice in the other House. He is the authority upon which my honourable friend bases his judgment as to what "clergy" means.

Hon. Mr. BELCOURT: That is, only of course as to the Catholic clergy.

Hon. Mr. DANDURAND: I am not mistaken in making that statement. My honourable friend has based his judgment as to the meaning of the word "clergy," so far as Catholics are concerned, upon the opinion given by the Minister of Justice in the other House.

Hon. Sir JAMES LOUGHEED: I agree with him.

Hon. Mr. DANDURAND: Well, then, upon what authority has the honourable the Minister of Justice fallen back in giving that explanation of what the word "clergy" means? The authority of the church, beyond peradventure. That is very clearly expressed by the minister. I need not repeat the remarks which my honourable friend the leader of the Government in this House has quoted. The honourable the Minister of Justice has said:

> There can be no question as to what the word "clergy" means. I have consulted the best authorities and know whereof I speak.

Then, will not the judges throughout the land, who will have to find out if a man claiming exemption comes within that category, have to do as my honourable friend the leader of the Government in this Chamber has done, and as the honourable the Minister of Justice has done—go to the source and find out from the best authority —in other words, the regulations or laws of those various churches, what the word "clergy" means and whom it includes? If that is so—and I suppose the judges will have no better guidance than the expression of opinion of my honourable friend the leader of the Government and of the Minister of Justice—they will themselves go, or they should go, to the best source of information, the authorities of the various denominations. Therefore, is it not logical to accept the definition proposed by the honourable gentleman from Stadacona, which will inevitably be that of the judges if they accept the definition given by the Minister of Justice and endorsed by the honourable gentleman who leads this House.

Hon. Mr. LANDRY: Before the vote is taken, I want to say only one word in reply to the arguments made by the honourable leader of this House. He based his declaration on what was said in the House of Commons by the Minister of Justice; but what the Minister of Justice says in the House of Commons is not law.

Hon. Mr. BELCOURT: Or what he says outside of the House of Commons.

Hon. Mr. CLORAN: And he is wrong, too.

Hon. Mr. LANDRY: And this is confirmed by the declaration of the Prime Minister, Sir Robert Borden, who said:

> As far as the word "clergy" is concerned, I wish to correct a misstatement that I made. I said that the word "clergy" was used in the British Act, but that is not so.

He goes on to say, further:

In reply to my hon. friend from Rouville (Mr. Lemieux) I think the words "members of any recognized order of an exclusively religious character" are perfectly plain.

Now, mark what he says:

I do not care to express any opinion in advance as to what the tribunals will determine.

That has always been the rule. Explanations or expressions of opinion given in the House of Commons, even by the Minister of Justice, will not guide a tribunal.

Hon. Mr. BELCOURT: They cannot even be cited.

Hon. Mr. LANDRY: If they are cited—

Hon. Mr. BELCOURT: No, they cannot be used in court.

Hon. Mr. LANDRY: I wanted to say that, if they are cited, it will only be by a man who does not know the rules of court. It would be immediately put aside. I remember, Mr. Speaker, when the Electoral Bill was before the House of Commons, you quoted what was said in the House of Commons to impress one of the judges; but the court decided that expressions of opinion in the House of Commons were not law at all. A judge will take his definition where he can find it, and by this amendment we indicate that he will find it in the laws of the different churches—in all the churches except perhaps the Acadian church. If there is any difference of opinion amongst our people, it will be due to the honourable member for Shediac (Hon. Mr. Poirier). This is what the Minister of Justice said:

I am not making that statement without having verified it on the very best authority.

Where is his authority? I defy him to name the authority. The only thing he did was to try to frighten the members of this House by saying that if this Bill were amended it would go back to the Commons anyway, and we would lose what we have already. Let them dare to do that.

Some Hon. SENATORS: Order.

Hon. Mr. LANDRY: I defy them to do that. Have they the right to attack a clause which we have not amended ourselves? The only thing they could do, if this House adopted the amendment, would be to accept it or reject it.

Hon. Mr. DANDURAND: Or withdraw the Bill.

Hon. Mr. MACDONELL: I rise to a point of order. I should like to know what authority the honourable gentleman has for saying that the Minister of Justice has made the statement which he has just attributed to him.

Hon. Mr. LANDRY: That is not a point of order. I am not attacking the exemption clause at all. My amendment does not touch the exemption clause. I am simply asking to define clearly the meaning of the word "clergy."

The Senate divided on the amendment moved by Hon. Mr. Landry:

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Gordon,	Shatford,
Laird,	Smith,
Lougheed (Sir James),	Sproule,
Macdonell,	Tanner,
McCall,	Taylor,
McLean,	Thompson,
McLennan,	Thorne,
McMeans,	White.—34.

Hon. Mr. DENNIS: Mr. Speaker, I wish to draw attention to the fact that the honourable gentleman from Charlottetown (Hon. Mr. Prowse) has not voted.

Hon. Mr. PROWSE: I am not voting, for the simple reason that the question does not cencern me in any way, shape, or form.

The amendment was negatived.

Hon. Mr. DAVID moved that the Bill be not now read the third time, but be referred back to the Committee of the Whole House, with instructions to amend subsection 2 of section 3 by adding thereto the following words:

Unless he establishes that he had engaged to marry previous to that day and that the question of conscription had nothing to do with his decision.

He said: This question was discussed yesterday. It affects every man who has mar-

ried since the 6th day of July. Under the provisions of the Bill he is considered as being unmarried, even though he may have contracted an engagement six months before. It seems to me that this would be doing an injustice. It is in order to overcome that injustice that I move the present amendment.

The amendment was negatived.

Hon. Mr. DAVID moved that the Bill be not now read the third time, but be referred back to the Committee of the Whole House with instructions to amend section 6 of the schedule by adding thereto the following words:

(g) And all professors in schools, colleges, universities, and other educational establishments duly incorporated or recognized by the Department of Education of any province.

He said: Section 6 of the schedule says:

Clergy, including members of any recognized order of an exclusively religious character, and ministers of all religious denominations existing in Canada at the date of the passing of this Act.

I say that in virtue of this clause a great many professors in our schools, colleges, and universities would go to the war, and what would be the consequences? Thousands of students in all parts of this country would be deprived of an education. We see very strange things in our time. We see those Liberals who have suffered so much from the clergy now defending the clergy, and trying to protect them against a law passed by their friends. So I hope that Conservatives and Liberals will join in voting for this amendment.

The amendment was negatived.

Hon. C. P. BEAUBIEN: I move that the Bill be not now read a third time, but be referred back to the Committee of the Whole House for the purpose of amending section 6 of the schedule by adding the words "divinity students and" after the word "including" in the first line of such section. I feel, honourable gentlemen, that it is a difficult task to plead this case before this House at the present time, but I will do so to the best of my ability and test the opinion of this House. I will put before you rapidly my reasons, not from the point of religion, but from that of the unity of the nation. I think I have at the outset a good excuse for moving this amendment in the fact, of which you are all aware, that it was proposed by the honourable the Prime Minister in the House of Commons. As we all know, pressure was brought subsequently, and the honourable the Prime Minister withdrew the amendment, and gave his reasons for doing so. What were those reasons?

Hon. Mr. CLORAN: By whom was the pressure brought; will the honourable gentleman tell the country that?

Hon. Mr. BEAUBIEN: This is what the Prime Minister said:

On further consideration, it has been found that the words "divinity students" covered a wider class than was contemplated.

That is the first reason.

As pointed out by the honourable member for Bonaventure it would include a great many who would also be included in the word "clergy" which is also used in this section. Moreover, it has been represented that it covers a class a very considerable portion of whose members would not desire to be included in the exception. The question arose as to whether or not this particular class of students ought to be included within the terms of the exception or left with other students to take advantage of the exemption clauses. There is reason to believe that those who are not included in the term "clergy" would be so situated as to entitle them to favourable consideration for exemption by one of the tribunals. In the circumstances it is thought best that the clause should be restored to its original form, and I therefore move that the words "divinity students and" be struck out.

There are the two grounds for the withdrawal. One is the fear that it might cover a class larger than was expected. I am even told that this class appeared to be so large as to number some 25,000 for the whole country.

Hon. Mr. CLORAN: Quite a religious people.

Hon. Mr. BEAUBIEN: But what is the position? The exemption extended to every denomination, I admit, but the result would be that, as applied to Roman Catholic divinity students, it would cover only 250 people at the maximum. I beg to draw attention to that fact, upon which I base largely my argument. I have here a letter from the Archbishop of Montreal, establishing the number of Roman Catholics who every year could be exempted under this clause. It is quite clear that the term "clergy" exempts everybody who has received orders, and leaves out everybody who has not; I think the Minister of Justice expressed his opinion quite clearly as to that. But what does the exemption mean in practice, as applied to divinity students? It means that divinity students who enter a seminary are for one year liable to conscription. At the expiration of one year, however, they receive minor orders and enter the clergy; then they pass outside

the laity and outside of conscription. I ask permission of the House to read the letter, which is in French:

(Translation.)

Montreal, August 6, 1917.

Hon. C. Beaubien,
Senator, Ottawa.

Mr. Senator:

You have asked me for the number of young men who, in our various dioceses, enter each year as students in theology. To give you statistics which would be absolutely exact it would be necessary for me to inquire of almost every titular bishop in Canada. But I can state to you at once that the total number should not exceed 200, and this number is perhaps even too high. In any case 250 would certainly be the maximum. This will no doubt surprise those who have claimed that the number of young men who each year enter the ecclesiastic state and commence the study of theology must be from 20,000 to 25,000. The diocese of Montreal is one of the largest in the Dominion and the one which, with the diocese of Quebec, furnishes most of the subjects for the priesthood. Now, I have never more than twenty or twenty-five new aspirants per year. Quebec cannot have more. Judge then of the number of theological students in the other dioceses. The fact is easy of proof, because everywhere the need of priests is felt. I am continually in need of from twenty to thirty more in view of the importance of our work and the multiplicity of our parishes.

The harvest is great and the labourers are few. May I impress upon you the necessary conclusion: a law which would take away from us our young beginners in the priestly career, our students in theology who have not yet received holy orders, would be fatal to the recruiting of the Catholic clergy in our country. Are we to have this law imposed upon us?

Your very truly,

Paul, Archbishop of Montreal.

Hon. Mr. CLORAN: Now please read that in English.

Hon. Mr. BEAUBIEN: I will not translate it; I will simply state in a few words the gist of that letter.

Hon. Mr. CLORAN: No, read it in English.

Hon. Mr. BEAUBIEN: The Archbishop of Montreal says that at the very utmost 250 students apply every year as students of divinity. That is the maximum in the whole of Canada.

Hon. Sir MACKENZIE BOWELL: But that applies exclusively to the Church over which he presides.

Hon. Mr. BEAUBIEN: Certainly. I thought I had made myself quite clear to the honourable gentleman. That is what I meant, certainly; but then the Archbishop goes on and says that while that is the maximum, it would be very much nearer the truth to say 200, or probably less. The archbishop adds that he is badly in need of priests, and that he only gets twenty or twenty-five a year, though in his own diocese he requires from twenty-five to thirty more.

Hon. Mr. DANDURAND: More.

Hon. Mr. CLORAN: Put the letter on record in English, so that the people of the country will know what it contains.

Hon. Mr. BEAUBIEN: I desire to place before you this fact, that the army may be deprived every year from now on till the end of the war of only about 250 men.

Hon. Mr. CROSBY: For only one year.

Hon. Mr. BEAUBIEN: No, for every year while the war will last the army may be deprived of about 250 men.

Hon. Mr. CROSBY: But this Bill only calls for 100,000 men, and the enlistment of that number will not take more than a year, so that it will not have effect in the second and third years.

Hon. Mr. BEAUBIEN: My honourable friend is quite right; I understand the 100,000 men will be enrolled and obtained within a year. Therefore, what I am pleading for now is to know whether or not those 200 men will come under the law; that is the immediate question.

Now, what was the second reason given by the Prime Minister? It was the probability that those whom I want to exempt were already exempted. I will cite the Prime Minister's remarks from page 3706 of the Commons Hansard:

With regard to theological students, it was largely the view expressed by my hon. friend from Bonaventure (Mr. Marcil), for whom I have great respect, that led me to reconsider the matter as I did. He is my guide in this respect, and I am content to place his authority against that of my hon. friend from Rouville.

That meant very clearly that the Prime Minister, having heard this Bill discussed by Mr. Marcil, a well-informed Roman Catholic, giving his impression as to the effect of the Bill, the Prime Minister thought it well to withdraw the amendment.

Now, what does Mr. Marcil say? After he heard the Prime Minister speak in those terms, he said:

I wish to thank the Prime Minister for the kind allusion he has made to me. The remarks I made on this matter were after the right hon. gentleman had introduced his amendment, and they were practically in support of that amendment. I was a member of this House in 1904 when the Militia Act was passed, and amongst other exemptions we had

these two: Clergymen and ministers of all religious denominations, and professors in colleges and universities and teachers belonging to religious orders. I supported the amendment the right hon. gentleman suggested because in the Roman Catholic faith a young man has to go through a course spread over four or five years before becoming an ordained priest; and I wanted to make sure that this class were included in the clause of the section now amended by the right hon. gentleman.

Mr. Marcil wanted to be sure that divinity students would be included in the exemption, and what does the Prime Minister say? "I think they are." Therefore, honourable gentlemen, my second argument for the amendment is that there is at least a doubt in the Prime Minister's mind whether the divinity students would be exempt under the other provisions of the Bill. What we have read of the opinion of the Minister of Justice has, I think, dispelled that doubt altogether. For the first year there are no clergymen in the seminaries; there are students of divinity, but the doors of the Church are not open to them until they get their minor orders. There is no doubt as to that.

Hon. Mr. CLORAN: Hear, hear; now you are talking theology.

Hon. Mr. BEAUBIEN: Now it has been said that the bishops had in their hands means of preventing those young men, when entering the seminary, from being made subject to this law, if they required them. How, may I ask? By imposing on them the tonsure—by giving them minor orders when they present themselves for the first time.

Hon. Mr. CLORAN: Before they are qualified.

Hon. Mr. BEAUBIEN: I appeal to you, honourable gentlemen. Do you want to force any church, whether mine or yours, to choose men as ministers to attend to the consciences of their people without any probation at all? The Church keeps those young men under supervision for a certain time to learn whether or not they are fit to become ministers of Christ—to find out whether their intelligence, their heart, and their character justify their selection. Is it possible to entertain the idea that the authorities of the Church would waive that protection for their clergy and for those committed to their care? I do not think so.

Now, honourable gentlemen, I have told you what my demand really means. I have told you, briefly, of the need for priests. May I now make this request? I make it altogether apart from my connection with my Church; I address you not as members of your Churches, but as representing your country. Forget your denomination, as I forget mine. You have before you the high authorities of the Catholic Church, which represents 45 per cent of the population of this country. They have come to you and have asked, not because they want to have these young men escape the effect of the law—I hope you will not believe that to be their intention—but because they want to have ministers of their religion—because they feel the need of more priests, as the Archbishop of Montreal and others have openly declared. They stand before the nation and they say, "We request you to allow us 200 of the young men of this country, no more, for the work of God." Are you going to refuse that request?

Let me place the case differently before you. Supposing that all the members of the judiciary of this country should one day gather together and come before this honourable House and say: "Gentlemen of the Senate, to administer the laws of the land as they should be, we ask you to exempt 200 men." What would you say? The answer is obvious: you would say: "Yes, two hundred men to aid in the administration of justice in this country?—why, that is nothing." But what is the Church if not the best and surest and—if I am speaking of practical men—the cheapest way of administering the law? The Church comes to you and says: "For a mission that is as important in this world as the administration of justice, and very much more important in the next, we ask you to exempt 200 men." What are you going to do? Are you going to refuse this request? It may be refused; but I tell you frankly that if that question were put to all the electors of this country, from the Atlantic to the Pacific, there would be but one answer, and it would be a favourable one.

Circumstances are such that my demand may not be granted. Oh, I am not blaming anybody. But why, may I ask you? Search your own hearts and learn the reason. Because we have been subjected for more than a year past to a frightful campaign among both races in this country. To what end? Where is it going to lead us? You people from Ontario are carried on by a swift current, and, because you float with it, you do not know how rapid it is. And my own people in the province of Quebec are also being carried more swiftly than they know towards the abyss. They do

not know it because they are carried with the crowd. But those who have to face that current, they know its strength, they know whither it leads, they know what to expect to-morrow.

Honourable gentlemen, I am pleading with you for the unity of this country. Let no honourable gentleman smile. Those who are well acquainted with their history will not laugh. Much has been said, on both sides of this House, that has been hard to bear; but the voices of some of my old and dear friends have come to us as a consolation, reminding the country of a service which has been rendered in the past by my people. I must say that I am deeply grateful to those honourable gentlemen for reminding this country that, after all, if this is a British colony it is to the credit of my people. Now, I want you to open your ears and, if you can, your hearts. Turn to the history of Canada and you will learn what happened at the critical time when Lafayette and his men came across the Atlantic and asked my countrymen not to join with the United States, but to severe their connection with England and be independent. At that time you appealed to the clergy of my province.

Hon. Mr. CLORAN: They forget that.

Hon. Mr. BEAUBIEN: Sir George Prévost went to Mgr. Plessis and asked him to keep his people faithful, and he did so. As a result Canada is a British colony today. What has happened in this war? History is written fast and is forgotten still faster. I think that I should read a small extract from an address by the Archbishop of Montreal at the beginning of the war. What he said then he has since continued to repeat eloquently all over his province:

> Canada being a part of the British Empire, it is the sacred duty of the Canadian people to assist Great Britain in her heroic defence of liberty. This was the position taken by the episcopacy of French Canada at the outbreak of the war, and this is the attitude our bishops will maintain, and will continue to maintain to the very end. The obligations we owe the British Crown are sacred obligations. England did not want this war, and was not prepared for the contest, but when sacred rights were violated by Germany and when treaties were scraps of paper, then the power of England was brought into play, and it is the solemn duty of every Canadian citizen to the utmost limit of his force to stand side by side with the Motherland in her heroic effort to crush the tyrant who wishes to trample upon small nations and nations and states.

Could any one of you, from any province or any race or any creed, utter better or more beautiful language? There is not only the debt of gratitude that all this country owes to the Roman Catholic clergy of my race for the past and for what they have done in this war. Tell me quite sincerely how much will you depend in these troubled times upon the clergy of my province to have this law respected and obeyed when it is passed? I do not need your answer, for I have had it scores of times since I have been in the corridors of this House. I have been told: "Senator, your Church will never allow its people to disobey a law properly passed." Look down into your hearts and tell me, fairly and squarely, if you do not share that opinion now.

Hon. Mr. CLORAN: We take our politics from home and our religion from Rome.

Hon. Mr. BEAUBIEN: Just one word more, and I have done. Forget your religion, as I will forget mine. This question concerns those who are directing the consciences of 45 per cent of the population of this country. They are, as everybody knows, big men, and they would not make a paltry demand. They are making it for reasons of conscience. You have exempted conscientious objectors. How many are there in this country? They are conscientious men, and you have respected their consciences. Are you or are you not going to respect the consciences of those who direct 45 per cent of the population of this country? That is what I ask you now.

What are the present conditions in this country? Will anybody deny that, unhappily, and to the great sorrow of those who love their country, a race cry has been raised? There is no use denying it. The news of it has crossed the sea. Do you want to make that condition worse? Do you want to add to that a religious cry? Do you think it is wise? Or do you not think it is wiser to exempt 200 men? I leave that question with you. You will answer it; but I would ask you that in doing so you will forget everything but that you are Canadians and love your country, and that you will not give way to your prejudices whether of love or hate. Think first of your country and then give your answer.

But, honourable gentlemen, there is another reason, and it is the last one. These are trying times, as I have said. Do you not hear the rumblings of the storm that is coming? Let me address myself to the business men—the capitalists and the manufacturers of Ontario—

Hon. Mr. CLORAN: They are all on your own side.

Hon. Mr. BEAUBIEN: —men of ability and of vision. Let me ask you this: What is the meaning of this noise coming from the West? What does it mean that people are gathering together and saying, "At last we have found common ground." When a public man gets upon the platform and says, "Gentlemen, at last the tail is going to wag the dog," what does that mean? Is it true or not that farmers from the West, proud and determined, are coming with their scythes to cut down the chimneys of the East? Free trade is what they want. They are coming to tear down the wall that has guarded the prosperity of Canada. I say that because I am a protectionist myself. What are you going to do? Do you want to appeal to people who are calm and can decide a question upon its merits, or do you want to have the public mind inflamed so that men will listen to nothing but appeals to hatred? What I am telling you has been put in a very crisp phrase by a friend of mine who is a broker. He said to me: "Sell on bulges your Canadian industrials, and you have six months in which to do it."

After the next election we shall need in the service of this country the best of our intelligence. We shall need clear-minded men. I think that even political parties, which sometimes prosper in trouble, will come back to the old creeds of those who made Confederation. Those were wise and skilful hands which reared the fabric of our national life. They knew how to yield a little so that threads would not break. Who is thinking of national unity to-day? Do we hear any one preaching for the country at large? We hear men preaching for a certain section only, and no one preaching for the country itself. I am appealing on behalf of the consciences of 45 per cent of the population of this country, and am merely making a request for the exemption of 200 men. You would grant that to ten magistrates if they asked you. If you will not respect their consciences, comply with their demand on practical grounds. Those men have been useful, if you like—it is almost sacrilegious to speak in that way. They are useful to-day; they will be more so to-morrow. But forget that. Think of one thing only, that we must all live together in this country. Very soon the people will discard those who are nothing but politicians, those who have forgotten the lessons of unity. Many a man who now feels assured of election will receive the cold shoulder from his electors, because they must realize that the country is face to face with grave danger. Such a man might very well be told by the people: "The representatives we want are not the firebrands." As a Liberal who has left his party to help in the war has said, "We want less dynamite and more cement." I am appealing for cement. It costs little and may save the country.

Hon. Mr. POWER: The honourable gentleman who has just sat down (Hon. Mr Beaubien) made some reference, I think, to dynamite. It occurs to me that the speech made by the honourable gentleman is very much like dynamite. I think that at this time we should try to preserve, and if possible, where it does not exist, to create the utmost harmony amongst the different sections of our population, and in my opinion a speech such as he has made is exceedingly injudicious. Speaking for myself, I think that it is to be regretted that the First Minister withdrew the provision in this Bill with respect to divinity students. I am sorry for that; but, after all, I do not think it is a very serious matter. If we look at the provisions of the Bill, we find in the schedule that "clergy, including members of any recognized order of an exclusively religious character, and ministers of all religious denominations existing in Canada at the date of the passing of this Act," are exempt. I find that the exemption clause in force in England is in almost the same words. It exempts, "men in holy orders or regular ministers of any religious denomination." As was pointed out by the honourable leader of the Government, who quoted the words of the Minister of Justice in another place, and also by my honourable friend from Montarville (Hon. Mr. Beaubien)—I am now speaking of my own church and not of other churches—all young men who have received minor orders will come under the exemption clause. The honourable gentleman (Hon. Mr. Beaubien) very properly put the matter before the Archbishop of Montreal, who informed him, as I understand, that as a practical matter this enactment would not affect more than two hundred young men in the whole of Canada. That is not a very large number and we have to bear in mind that this Act does not provide that the whole of that two hundred shall be taken, but simply that these young men will have to take their chances with other members of the populace in that regard. The presumption is

that probably not one-fifth of the two hundred will be taken, and I venture to think that is not a very serious matter.

I wish to direct the honourable gentleman's attention to the fact that in section 11 of the Bill, paragraph c, it is stated that one ground for exempting a man is: "that it is expedient in the national interest that, instead of being employed in military service, he should continue to be educated or trained for any work for which he is then being educated or trained." It is to be presumed that the members of the tribunals in the province of Quebec, as a rule, will be members of the Roman Catholic faith. Does not the honourable gentleman feel that under paragraph c of section 11, the tribunal would hold that young men who were being prepared for the priesthood would be exempt?

Hon. Mr. CLORAN: Not if you were on it.

Hon. Mr. POWER: Well, I never started in as a priest.

Hon. Mr. CLORAN: You were never fit.

Hon. Mr. LANDRY: Does the honourable gentleman think that the decisions of the tribunals would be the same all over the country?

Hon. Mr. POWER: Not at all. The members of the tribunals will be local men. If a young man could come up and show under paragraph c of section 11 that he was being educated for the priesthood, and if it were shown that we are short of clergy, I cannot imagine that the tribunal would hold that he was liable to be conscripted. I do not think there is anything very wrong about this particular portion of the measure. Honourable gentlemen will bear in mind that in France and Italy there is no exemption at all for the clergy. That is a permanent condition in those countries; but here it is a condition which terminates with the war—and let us hope the war will be over in a year. It may not be very orthodox, but I have an honest impression that perhaps a year spent out of doors fighting for his country would not hurt even an ecclesiastical student. I daresay some of my honourable friends have been a little surprised at the way in which I have voted. I have done so with a good deal of hesitation, but I have voted according to my conscience, and that is what we really have to look to in matters of this kind.

There is just one other circumstance. The amendment moved by the honourable gentleman from Montarville (Hon. Mr. Beaubien) has already been rejected in the House of Commons. What practical wisdom is there in sending back to that House an amendment which has already been dropped there? The Bill will come back to us and our amendment will not have been agreed to, and possibly they will disagree with other amendments which would be of more value.

Hon. Mr. BEIQUE: I do not think the honourable gentleman has always followed the rule that, because the House of Commons has adopted a certain point of view before sending a Bill to this honourable House, that was a reason for not challenging it. I rise especially for the purpose of drawing the attention of the honourable the leader of the Government to a very important statement which he made in this House the day before yesterday. I refer to page 575 of this report of the debates. He said:

> It is expected that we shall not have to go beyond classes 1 and 2. I have in my hand the census returns of 1911, and I am informed that, as the population of Canada stands today, notwithstanding that say 400,000 men have gone overseas, yet these figures can be taken as approximately correct, and they show that we have in Canada 319,610 single men between the ages of 20 and 24; or in round figures, we have 320,000 in class 1.

If we have such a large number of men that it will not be necessary to exhaust class 1 of section 3 of this Bill, I fail to see why we should haggle over the question of exempting 200, or even 400 or 500, young men who are necessary for the recruiting of the different churches of the country. If we send these men to the front we shall be creating a situation, not only in the Catholic Church, but in all the churches of this land, which it is not necessary to create. I appeal to the honourable gentleman, as, from the figures that he has given us, it appears plainly that it would be a matter of small consequence to exempt a few hundred young men.

Hon. Mr. CHOQUETTE: I cannot let the speech of the honourable gentleman from Montarville (Hon. Mr. Beaubien) pass without saying a word, and for these reasons. First he made a fighting and fiery speech in defence of a class of men who are generally very peaceful, and I could not see why he became so fiery on an occasion like this. Secondly, I was amused to see the slashing that he gave to his friends on the other side, especially those coming from Ontario, who are being car-

ried on the crest of the wave of fanaticism. I am going to ask my honourable friend a question. When the Prime Minister brought in this Bill, there was a provision in it for the exemption of divinity students. Later on that provision was removed, and now my honourable friend is asking to have it put back. Naturally, the idea occurs to every one of us that the honourable gentleman, who is a partisan and a great friend of the Prime Minister, both personally and politically, must have spoken to the Prime Minister with regard to his intention of raising this question before the Senate. He must have asked the Prime Minister why this clause exempting divinity students was taken out of the Bill. Now, I ask my honourable friend if he learned from the Prime Minister why that was done. Was he given the answer that we in this House would put it back? I suppose he discussed the matter with the Prime Minister and in doing so used the same strong expression that he has used here this afternoon in order to compel him to restore that provision to the Bill. I ask my honourable friend if the answer of the Prime Minister was satisfactory and if it is for this reason that he has moved his amendment?

Hon. Mr. CLORAN: I want to congratulate the new blood in the Senate. I want to congratulate the senator from Montarville (Hon. Mr. Beaubien). I am glad that he has buckled on the right sort of armour. Honourable gentlemen may call his speech fiery, but so long as the fire is bright, a holy fire, so much the better. One honourable gentleman likened his speech to dynamite. If it was dynamite to blow up rotten institutions or to put down persecution, so much the better for the dynamite, and it would be better still if he had more of it. I find no fault with his expressions—why? Because, through those expressions came forth truth and a demand for justice, a demand for the protection of 45 per cent of the population of this country. Fiery expressions do not destroy the value of patriotism or statesmanship. I feel my shoulders unburdened to a very large extent. For some time I alone have been fighting the same fight in this House. The speeches may have been fiery at times; I may have used a little dynamite once in a while—and sometimes it is needed—but now I have a colleague who stands for the same principles which I have enunciated during this debate. I want to disavow the attitude assumed by the honourable the senior senator from Halifax (Hon. Mr. Power). He has no right and no power to express an opinion, as he did, on behalf of the Catholic Church.

Hon. Mr. POWER: I did not undertake to speak on behalf of the Catholic Church.

Hon. Mr. CLORAN: The honourable gentleman said that he was from the Roman Catholic Church.

Hon. Mr. POWER: I did not. I appeal to the House. I said that speaking for my own conscience—

Hon. Mr. CLORAN: The honourable gentleman mentioned the Catholic Church.

Hon. Mr. POWER: In speaking of the clergy of the Church.

Hon. Mr. CLORAN: I thought I was right. The honourable gentleman does not know any theology at all. A man may be a clergyman before he receives Holy Orders. I am sorry that the honourable senator from Montarville did not read the archbishop's letter in English so that honourable gentlemen on the other side of the House could understand it. I was a classmate of the archbishop's for nearly ten years, in Montreal, Paris and Rome. I know something about theology. I have learned it down to the ground and know what I am talking about. In his letter the archbishop said that this Bill was a fatal blow at the Church. Why, honourable gentlemen, I have said that before. You are not cutting down the tree by taking off one branch after another; you are going at the very vital roots of the tree. It is a most ingenious way of taking down a tree or causing it to crumble. That is what this law is doing. It is cutting out the divinity student when he begins. He enters a seminary to study theology. There are only twenty of those seminaries in the vast diocese of Montreal, which contains a million and a quarter of people. The archbishop cannot get young men as you can get them for the army. The archbishop cannot get young men to recruit for him in the same way that you can get them to recruit for the army. These young men make the supreme sacrifice; they forego all family ties, all worldly ambitions, all sensual pleasures; that is the supreme sacrifice on behalf of Christ, and each year, out of a population of over a million, the archbishop can get only twenty young men to enter the seminary. And now you want to take them from him. Are you not ashamed of yourselves? Is

not the Government afraid to go before the country with a Bill of that kind? Throughout the Dominion of Canada, with a population of 7,000,000, there are only two hundred young men prepared to make this supreme sacrifice—to quit home and family, and give up everything but the service of their Saviour and their God, and then you come along with this infamous law to destroy it. I use the words deliberately—the law as it stands is infamous. You come along with this law and take away from the archbishops the few recruits that they can get for the ministry of the church. I am not going to speak any more for the churches. Let others take care of their own.

Hon. Mr. DOMVILLE: There is only one church.

Hon. Mr. CLORAN : That is right—there is only one Church, and I speak for it. This law is a direct blow, not only at its usefulness but at its existence, and I call upon the Prime Minister of this country to withdraw this Bill or to amend it so as to protect the young men who are willing to make the supreme sacrifice for the love of their fellow countrymen and for service to Christ the Saviour. I make this appeal to him; it is useless to make it to you, honourable gentlemen on the other side of the House, for your conscience is made up as well as your vote; but, through the medium of the press and of our public records, I appeal to the Prime Minister before it is too late; and if it is too late I appeal to the population of the Dominion of Canada to repudiate this Bill. Though it is useless to offer amendments on the floor of this House, I appeal to Sir Robert Borden to withdraw this Bill or to amend it in the sense of the amendment offered by the honourable senator from Montarville. He took a fair position, and I was pleased that he had the courage to say what he did and to say it in strong terms.

The amendment of Hon. Mr. Beaubien was negatived.

Hon. Mr. CHOQUETTE moved that the Bill be not now read the third time, but that it be referred back to the Committee of the Whole House with instructions to amend section 3 by changing the word "twenty" to "twenty-one" in class 1. He said: that means that a man must not be enlisted unless he is of age. A man under twenty-one has no right to vote, or to make contracts, or to marry; in fact, he has no legal standing now, and strictly speaking, has no right to make this contract with the Government. Yet the members of this House, who are old men, and who cannot go to war themselves, are voting to send those young men to the front. I do not think that is fair. I think we ought to make the law as it is in the United States, where the age limit is twenty-one.

The amendment was negatived.

Hon. Mr. CHOQUETTE: I have an amendment to section 8, to replace the word "one" in the first line of the section by the word "two."

Hon. Sir JAMES LOUGHEED: I would draw my honourable friend's attention to subsection 4 of section 10, where provision is made for an additional judge, if necessary.

Hon. Mr. CHOQUETTE: I know that, and it is very satisfactory, but I wish to add another judge to the final tribunal; and also to add to section 8 the following subsection:

(a) One of those two judges so appointed must be conversant with the two official languages of the country.

That is in order that one may speak French.

The amendment was negatived.

Hon. Mr. CASGRAIN: Yesterday I gave notice of an amendment in committee, and the vote on it was not recorded. I now wish to have the vote recorded, and would move in amendment to add to the schedule of exemptions the following:

Those who are married or are widowers and are fathers of six or more living children shall be exempt from military service.

The amendment was negatived.

Hon. Mr. DAVID moved to re-commit the Bill for the purpose of adding the following section as section 18:

18. This Bill will become in force by Royal Proclamation after it has been submitted to the people in general elections by means of a separate ballot.

Hon. Mr. LOUGHEED: In my judgment this amendment is out of order, as we have already dealt with that point on the second reading. It is practically the same question as that on which the honourable leader of the Opposition divided the House by his amendment that the Bill should not come into force until after the general election.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. Mr. BEIQUE: May I be allowed to correct an answer which I gave yesterday to the honourable gentleman from Kamloops (Hon. Mr. Bostock), who asked me, when I referred to chapter 28 and 29 Victoria Cap. 63, whether that Act applied to Canada or not. I said it applied to the whole British Empire. I should have referred to the term "colony" as defined by the Act itself, which says:

The term "Colony" shall in this Act include all of Her Majesty's possessions abroad in which there shall exist a Legislature, as hereinafter defined, except the Channel Islands, the Isle of Man, and such territories as may for the time being be vested in Her Majesty under or by virtue of any Act of Parliament for the Government of India.

Hon. W. B. ROSS: I suppose the honourable gentleman will admit that the British North America Act, which was passed in 1867, in so far as it conflicts with that Act, would override it?

Hon. Mr. BEIQUE: But it does not conflict with that Act at all.

Hon. Mr. ROSS: It does, because it gives jurisdiction to this Parliament in certain subjects, and in the Criminal Code both Habeas Corpus and certiorari are provided for.

Hon. L. O. DAVID: Honourable gentlemen, owing to the condition of my health, which is not good, and in order not to weary you, which I am always afraid of doing, particularly when I speak English, I will give only a synopsis of the speech which I had intended to make on the second reading of this Bill, but which I was not ready to make. I do not think that I will weary you even this time if I may be allowed to insert the whole of it in the official report. I presume there will be no objection to that proposal. I will submit in the form of propositions all my objections to the present Bill—the reasons why I am opposing it and why I consider that, in any event, it should be submitted to the electors of this country.

1. Conscription is contray to the spirit of the constitution and to the proper and reasonable interpretation of the Federal Act of 1867 and of the Militia Act of 1904, and the Canadian people have been told and given the assurance by all our eminent legal authorities are of the opinion that the Bill might be contested with success before our courts of justice.

2. The voluntary system has not been given a thorough and effective test and has nevertheless secured for the Allies more than 400,000 Canadian soldiers, and our assistance in men and money has been deemed both in England and in France a generous and adequate contribution to the war.

3. We have been told by the statesmen of England and France and even of Canada that what is now and will be hereafter most needed is the manufacture of munitions and the production of foodstuffs, in the interest of the world and of our own country.

4. With the exception of a few thousand young men who might be enlisted in our principal cities and towns, the balance of the 100,000 Canadian soldiers required could not be sent to the front without seriously jeopardizing our industrial and agricultural production.

5. At this stage of the war, there exists marked uncertainty as to the effect which 100,000 more Canadian soldiers might have on the issue of the conflict, while there is no reasonable doubt as regards the danger of depriving our industry and agriculture of so many hands and of thereby limiting our production of food.

6. Inasmuch as it is alleged that conscription is necessary in order to obtain the men needed to fill the gaps in the Canadian regiments, fighting at the front, the enlistment of 100,000 additional men will not be sufficient if the war lasts one or two years more, but two or three hundred thousand men will likely be required, and the country cannot afford to make such a sacrifice, while Great Britain could easily supply the men asked for out of the 3,500,000 men who, as alleged by the Hon. Arthur Henderson, Minister of Labour in England, are engaged in useless work.

7. Between a doubtful good and a certain evil, wisdom and common sense command us to take the safer course.

8. The best and most practical means of serving our country and the Empire is to employ these 100,000 Canadians in producing food and munitions and to use for the same purpose the millions of money they will cost.

9. Conscription will render ineffective the efforts made and the expenditure incurred to promote immigration and will keep away from our shores thousands of people who would otherwise be eager to come and settle in a country free from militarism, and where they could establish peaceful and prosperous homes.

10. Conscription will be a source of racial animosity, of national dissensions and discord, detrimental to the peace and pros-

perity of our country and to our good relations with the Empire, and, to a large extent, will weaken the colonial ties.

11. It is to be considered as an admission that the Canadians have not furnished their full quota of combatants in the great conflict which is going on, while it is quite easy to establish that, in men and money, they have done as much as any other part of the Empire.

12. England and the United States could readily without interfering with their industrial and agricultural production, supply the 100,000 men whom Canada cannot enlist and pay for without jeopardizing its most vital interests.

13. Conscription, without the approval of our people, would create the deplorable impression that the promises and declarations of our public men are no better than valueless scraps of paper.

14. The Government is not constituted as it should be at such a time, inasmuch as the ministers representing the province of Quebec have all been elected through false representations, by leading their electors to believe that participation in the wars of the Empire was almost a crime.

15. It cannot be said that the Government enjoys the confidence of the House of Commons, in view of the fact that there are about 40 counties which are not represented and that if there were 40 members more in the House, the majority might be changed, and, moreover, if there ever was a time when the House should be complete, it is at present, when so many all-important questions are before Parliament. Consequently neither the Government nor the House of Commons are constituted in accordance with the principles and the spirit of our constitution and it cannot be said they represent the views and opinions of the Canadian people.

16. Conscription is a new question and a departure from a well established policy, upon which the people have a right to be consulted before the measure is voted by Parliament.

17. The mandate of the Government and of the Parliament has expired and that even if such a mandate were still in force, it would not give them the right and power to pass such a Bill, inasmuch as there is reason to believe that the vote at the last election would have been different had the electors known that conscription would be established, and that they cannot therefore adopt such legislation without violating the spirit of the constitution and the rights of the people.

Hon. Mr. DAVID.

These are some of the reasons for which I will vote against the third reading of the Bill.

Now will you allow me to say a few words about the province of Quebec and submit to your kind consideration certain facts and observations that may induce you to be less severe towards the French Canadians than several English writers and speakers have been.

It is true that the province of Quebec has been defended with a great deal of eloquence by some of my colleagues who have preceded me, especially by the honourable gentleman from Russell (Hon. Mr. Edwards), who, I think, has passed his life among my compatriots and knows them and is in a position to appreciate them and speak of them as they deserve to be spoken of. I ask myself whether it would not be practicable for some of our English-speaking fellow-citizens who seem to be unfavourably disposed towards us to come and spend some time in the province of Quebec, in some of our parishes. I am sure that if they did so they would come back with a better feeling towards their fellow-citizens, and would be determined to defend them under all circumstances, because, if they have faults in some respects, if they are less progressive perhaps than others in this country, they have at the same time qualities which deserve to be considered. The time has come, or will come—and perhaps it is not far off—when it will become apparent that French Canadian people will oppose certain fallacies, theories, and dangerous political movements, and at that time you will appreciate the French Canadians.

Now, is it true that the French Canadians have not done as much as the other provinces in connection with the war? Figures have been published to show that if we compare the enlistment of the Canadian-born soldiers, especially in the rural population of Ontario and Quebec and if we take into consideration the fact that there are many more young married people in Quebec than in Ontario, we must come to the conclusion that the difference is very small and may be explained for several reasons, the principal being the following:

1. Since the cession of Canada to England, the French Canadians have been taught by all their political leaders that they would never be forced to go and fight outside of Canada and would be called to arms only in case of an invasion and they are convinced more than ever of the remoteness of any danger of invasion.

2. Elections have been held in the province of Quebec and it was stated by the candidates and their friends that the safest means of avoiding conscription was to vote for the Government.

3. There are three members in the Cabinet—only two now—and at least twenty in the House who were elected in the province of Quebec by declaring and promising that they would be opposed to any participation of Canada in the wars of the Empire.

4. After having been convinced by these men that participation in the war was almost a crime and that the Laurier Government and their friends were traitors to Canada and to the best interests of Canada, how can they believe them when they come back and proclaim that participation in the war is a duty, a sacred duty, and when they see the same men entrusted with portfolios and called to the Government of the country after having made such declarations, how can they think that they are wrong and that they will be condemned for holding such views, since those who hold such views have been so well rewarded.

5. While the recruiting was taking place they were told that the best mode of serving the country and the Allies was to supply them with munitions and food and they were offered high wages to work in the manufacture of munitions.

6. How could they believe that men were not more required in Canada than at the front when they heard that the Government were spending large sums of money to induce Americans to come and work for us and that the number of the hands required was estimated at 70,000.

7. The recruiting was not organized and worked so as to induce our people to enlist and the fact that some of their regiments were disbanded and scattered amongst English regiments, that they were separated from their friends and countrymen and obliged to serve under officers who often spoke a language that they could not understand, had naturally a cooling effect on their zeal.

8. They could not well understand how they were called to fight to secure the triumph of justice and liberty when their own countrymen in the province of Ontario were oppressed and refused their rights by the very men making such appeals.

9. Having organized in every town and village committees and clubs to collect subscriptions and secure money and articles of all kinds such as they could; having lost several members of their families and seen some of them come back wounded and crippled for the rest of their lives, they were put under the impression that anything they would do would be useless and would not stop the wave of invectives and accusations of which they were the victims.

10. The honourable members of this House will please take into consideration the fact that the French Canadians are perhaps the most peaceful people in the world and they have had almost no military training since the conquest, that they have very few voluntary regiments, and that they have lived outside of the military atmosphere, and that very few have received military training.

11. Now they are truly and deeply Canadians, the loving and faithful sons of Canada; they love Canada and above and before all they are inclined to concentrate all their affections upon the land: where their ancestors had their cradles and have their graves, where their bones are lying; where every stone, every tree, every lake and mountain recall their glorious names and their heroical achievements; they know what their fathers have done and suffered to open this country to Christianity and civilization, to transmit them happy homes in Canada.

12. Add to that the impressions, the convictions under which they have been put by articles published in English papers, that this measure of coercion is directed against them. I do not say that there is serious ground for this impression, but nevertheless it exists. Then, too, there were certain newspaper articles and certain speeches made by very prominent men which naturally confirmed their views.

There would be much more to say on this subject, but I think it is enough to show that their motives are not mean and selfish, and that they must be excused for entertaining views and sentiments which the Government and their friends and newspapers contributed so much to create in their minds by helping the Nationalists in the election of Drummond and Arthabaska and afterwards in the general election of 1911. I think it is enough also to repel the accusations of disloyalty hurled at them from so many quarters.

It is true that certain exaggerated and violent public utterances may have caused some people to think that the French-Canadians are hostile to England and to the English people. But you cannot judge of the feelings and views of the majority of our population by the exaggerations of a noisy minority any more than we can judge the feeling and sentiment of

the English population toward us by the utterances of some of your writers or speakers, or by the invective which has been hurled at us by some of the people in the province of Ontario.

Honourable gentlemen, almost two centuries of loyalty to England ought to be sufficient to repel accusations and suspicions which we don't deserve. The French-Canadians were loyal to France under the French régime; they fought, suffered and died to preserve her possessions in America. After the conquest they were loyal to England and never refused to fight to keep Canada under her flag. They were loyal in 1776 when they refused to listen to the eloquent appeals of Lafayette and Rochambeau and defended her flag, while a great number of English people were indifferent. And let me recall a very interesting incident that is not well known.

When the military authorities of Montreal wanted the services of a safe, intelligent and brave man to carry an important message to Governor Carleton in Quebec, do you know whom they chose? Joseph Papineau, the father of the great agitator—M. Papineau, accompanied by a friend of the name of Lamothe, undertook to fulfil that dangerous mission. They both walked to Quebec, often through the woods, avoiding as much as possible public roads. They crossed from Quebec on the ice, exposed to the balls of the Americans who were surrounding Quebec, and remitted to the governor their message.

And in 1812, when the French Canadians were fighting for their natural right, for their language, they listened to the voice of their clergy and went to the frontier to repel the invasion. Do you know who was captain of one of the French Canadians that took arms? Louis Joseph Papineau himself, who was denouncing with so much eloquence the bureaucracy of the time.

It is now admitted by all just and reasonable people that on these two occasions Canada was saved to England by the loyalty of the French Canadians, and in 1849, when a petition in favour of annexation was signed by all the principal merchants of Montreal, very few French Canadians signed it.

In all times and circumstances they were happy to show that they were true to England, faithful to her flag. Even in 1837 the great majority of our people did not move, although they had reason of being dissatisfied, and do not forget that the two chiefs of both insurrections of '37 and '38 were two Englishmen, viz., Wilfrid and Robert Nelson, and it may be said even that without their advices and solicitations there would have been probably no armed insurrection.

And even now they are convinced that they are doing more than their accusers for the true interest of Canada, and that they know better how to serve the cause of the Empire and of the Dominion of Canada.

Even when they were persecuted the French Canadians were loyal. What is happening now? They are accused of being disloyal, of being traitors and slackers, while hundreds and thousands of their countrymen are dying under the British flag on the battlefields of France.

Now, let me say that I thought the Government would not persist in having that law passed and put into execution. If it were certain at least that the proposed measure would give to the Empire and to the Allies a practical, substantial and necessary help, I would understand the position taken by the supporters of the Bill. But who can affirm without hesitation that our soldiers will cross the ocean, that they will not arrive too late on the battlefields, and that their help will have a practical and substantial effect upon the results of the war? One thing is certain, namely, that our men and our money would be usefully employed, at this stage of the war, in supplying to the Allies munitions and food, that it would be the best means of doing our duty towards the Allies and our country, of reconciling what we owe to the Empire with what we owe to Canada. We cannot forget that we are Canadians, that Canada is our country, where we have our homes and children, the country that is most entitled to our cares and protection. Unfortunately we are living in a time where exaggeration carries away too many of the best minds, where calm judgment and reasoning seem out of place.

But we ought to find in the Senate that calm judgment and mature consideration that absence of passion and prejudice and of exaggeration that prevail elsewhere.

Let us not forget the object which the fathers of Confederation had in view when they established the Senate and declared that our House would be a safeguard to the new constitution, to its proper working, and would have the authority and the independence required to correct, raise and check even hasty and dangerous legislation.

What more dangerous than a measure that threatens to raise province against province, race against race, and throw in our national life a seed of discord so detri-

mental to the best interests of Canada and of the Empire, especially when there are so many reasons to think that it will have no practical effect, and that the millions it will cost will be lost?

New senators have been appointed. I have nothing to say against their qualifications, but it is regrettable that in view of the circumstances and because of the declarations made by some of the organs of the Government their appointment is considered as an act of partisanship derogatory to the prestige and independence of the Senate and to the declarations and views of the fathers of Confederation. Let them allow me to recall what took place in France years ago. An eminent lawyer had been appointed judge by the king; he went to offer his thanks to the king, who told him that he hoped he could rely upon his services. The new judge answered with dignity: I thank your majesty, but I am sure that I was appointed to render justice and not services.

I hope that our honourable colleagues will follow that example, and I am convinced that by doing so they render a great service, not only to the country, but also to the Government.

It will not be long before it is recognized that those who voted against conscription were the best and most far-seeing friends of the country.

The honourable the leader of this House does not share my views at this time, but I am sure that before long every one in the country will be of the opinion that we have done what was right and in the interest of the country.

Honourable gentlemen, the Senate will never have a better occasion of showing its usefulness, of fulfilling its noble mission of peace and harmony, of protection to the constitution and to the rights of the people, of affirming its independence.

Let us not give reason to those who predicted that Confederation would not give us the peace and harmony which were the aim of the fathers of the new constitution. I was one of those who did not share the hope of the fathers of the new constitution and contended that it contained elements of national and religious friction, and that a time would come when the English provinces would be on one side and the province of Quebec on the other side. I regret that our predictions are s near being realized. Let us have peace. Is there not enough trouble, discord and suffering in our poor world? Let us keep for the unfortunate peoples of Europe a place, a country free from militarism, a country where, after that horrible war, they will find a peaceful refuge, and happy homes. The insertion in our statutes of that drastic measure will be, I am sure, a serious check to the development and prosperity of Canada, and will have the mischievous and regrettable effect of breaking the unity of our nation, which is the patriotic aim of all those who have at heart the progress and happiness of our beloved country.

One of the most eminent men of the United States said lately in my presence, speaking about this Conscription Bill: "A nation must be prepared to adopt a drastic measure, and, anyhow, the worst thing a government can do in a time of crisis is to break the unity of the nation."

Now let me close by quoting the word of Sir Robert Walpole in 1774 in reference to a Bill to impose an obnoxious tax. When it was said that the taxes would even cause riots, he remarked that he would resign rather than impose such a Bill by force.

There will be no bloodshed in connection with this Bill, I hope, because the people will be told by their leaders that they must submit to this law, and do what they have always done. But the law will destroy the work of fifty years of conciliation, of efforts made by some of our political leaders to have racial peace. These are times when those admonitions and warnings have no effect.

I was reading lately the great speeches made by Lord Chatham in the British Parliament to induce the Government to adopt measures of conciliation, in order to prevent the insurrection of the American colony. His predictions and warnings were of no avail, and America's independence was the outcome of the obstinacy of the Government. Such obstinacy, and refusal of concessions, have always been the cause of the downfall of governments, and of other calamities.

If the amendment now before this House were adopted it would have the effect of pacifying public opinion, and would remove a cause of anxiety not only in the province of Quebec but everywhere in Canada. Does not the fact that Sir Robert Borden agreed that if a coalition government were established the operation of the Bill would be suspended till after a general election, remove the objections made to the delay?

What objection remains to the amendment? Why reject all the petitions asking that this Bill be submitted to the people before being put into force? After having promised that there would be no conscrip-

tion, does not the Government think that they are bound in honour to respect such a reasonable demand? Is not the promotion of peace, harmony and unity of the nation a large compensation for the inconvenience which may be caused by the consultation of the people?

I respect the motives of those who favour conscription, although I differ with them in opinion; but I cannot understand why they would be opposed to this amendment which will do much good and no harm. When I think of the future of Canada, of its brilliant destiny, I am inclined to say that any law that might hamper that glorious destiny would be a deplorable error.

The amendment was negatived.

Hon. Mr. CLORAN: I rise on behalf of free speech in Canada, especially through the coming campaign. This Bill contains provisions whereby the criticism or denouncing already of the Bill in public or in private shall be treated as practically an act of treason.

Hon. Mr. McSWEENEY: You cannot even speak to your wife about it.

Hon. Mr. CLORAN: No, and cannot denounce it even in my own home. I rise on behalf of a vast number in this country to protest against such drastic legislation. The general election is coming, when the people will have to be told what happened in Parliament, and how the votes stood. Of course, the Conservative candidate will have an easy job.

Hon. Mr. TESSIER: Why?

Hon. Mr. CLORAN: Because he can do as his representatives in this House and in the Commons do—eulogize the Bill and endorse it, notwithstanding its manifest errors and injustices. The poor Liberal candidate, however, will have no chance to answer his opponent, for as soon as he denounces the Bill some officer will be at his elbow to arrest him under section 16.

Hon. Mr. DOMVILLE: Do you mean a militia officer?

Hon. Mr. CLORAN: A militia officer. But I think they would take any old fool at all if they wanted to arrest a man. Only one or two things besides this Bill will be discussed in the coming campaign —the Canadian Northern steal and the maladministration of the Government—and the Conservative candidate will have the platform to himself. The Nationalist candidate will have no show at all. Mr. Blondin and Mr. Sevigny will have no show if they are going to announce the doctrine they preached in 1911, when they were trying to bring the Conservative party into power; they would be collared on the spot; they are all liable under this Act to imprisonment from one year to five. What I want to publish all over this country is that the Liberal candidates are going to be gagged—that there is to be suppression of free speech. I dare not say on a platform to the electors what I have the right and privilege to speak on the floor of this honourable House. Now, where does Kaiserism come in? Where does Prussianism come in? The thing is simply ridiculous, if not outrageous. My honourable friend from Mille Isles (Hon. Mr. David) made a beautiful appeal to the fair-play of the honourable gentlemen on the other side of the House; but they have no sense of fair play, and they have voted down everything. That honourable gentleman appealed to them not to foster any further the ill-feelings that now exist between the two great races of Canada, but he was voted down. If such conduct cannot be prevented it must be denounced, and must be brought to the attention of the people who will have the power of denouncing this tyranny and stamping it out once for all. When I speak in this honourable House it is not so much that I hope to convince or convert my opponents on the opposite side, but rather that the echo of my voice may reach the common people from the Atlantic to the Pacific. When the people, who are our masters and upholders, analyze what has been said during this debate, they will find that the men who were voted down were voicing the real loyal sentiments and the real needs of the country, and the best ideas of the Canadian race as a whole. Therefore I propose this amendment:

That this Bill be not now read a third time, but be referred back to the Committee of the Whole to amend it by adding the following subsection to section 16:

The said section shall not apply to any candidate, his agent or supporters, in a Federal election.

Honourable gentlemen on the opposite side who object to that can say so by their votes, and I will guarantee that one vote here will be met by ten thousand against them when the election comes on.

Hon. Mr. DANDURAND: I had occasion yesterday to make a statement in French in answer to a question put by the honourable gentleman from Kennebec (Hon. Mr.

Lavergne), who asked if one of the clauses of the Bill would apply to the parties in the coming elections who might be discussing the principle of this Bill and its various clauses. My answer was that at the forthcoming elections the conscriptionists would naturally be able to defend conscription, and the clauses of the Bill; but that anti-conscriptionists likewise could appeal for votes for a candidate who would stand against conscription, and could denounce every clause of this Bill from the first to the last. This is the answer which I gave, but I added that no one, from the moment this Bill is sanctioned and becomes law, either during or out of election times, will be allowed to preach to the public of Canada disobedience to this law, and that it was all that the law was intended to protect. That is, some clauses of the Bill were inserted to insure its enforcement. So the amendment of my honourable friend is absolutely unnecessary; the object which he wishes to attain can be attained without any amendment. No citizen will be prevented at the next election from taking a stand on the principle of conscription, and from discussing any clause of the Bill, and for this reason I, with many honourable gentlemen sitting around me, will vote against that amendment.

Hon. Mr. LAVERGNE (translation): May I make one remark to the honourable senator from De Lorimier? Had I not good reason for opposing this clause with all my power? Because the anti-conscriptionist candidate would have been liable to be put in prison on the complaint of anyone. The Government has now consented to amend this law, and there will be no prosecution. without the authority of the Attorney General of Canada. I had good reason for warning the members of the Senate against this clause.

Hon. Mr. DANDURAND (translation): Any member of the Senate has the right to ask for explanations of this Bill. The honourable senator from Kennebec had certainly the right to demand all the explanations he desired on the clauses which appeared obscure.

Hon. Mr. LAVERGNE (translation): Not only the right to demand explanations, but good reason for opposing this clause.

Hon. Mr. CHOQUETTE: The amendment is no doubt extraordinary, but the Bill is also extraordinary. I did not happen to be here yesterday, but I have read the debate, and I am not quite satisfied with the definition given of the rights of candidates and others to attack conscription. Section 16 of the Bill provides:

> Any person who by means of any written or printed communication, publication or article, or by any oral communication, or by any public speech or utterance . . . persuades or induces or attempts to persuade or induce any person or class of persons to refrain from making applications for certificates of exemption or submitting evidence in respect thereof, shall be guilty of an offence and shall be liable upon indictment or upon summary conviction to imprisonment for a term not less than one year or more than five years.

Now, let me put to the honourable leader of the Government the following question: Suppose I have a friend who is a candidate at an election. I am a lawyer, and I go to help him. I go before a public meeting, and, to use the words of the Bill, I advise the electors by "oral communication" that this Bill is unconstitutional. The preamble contains the words: "And whereas to maintain and support the Canadian Expeditionary Force now engaged in active service overseas for the defence and security of Canada;" and I say to the electors that that is false; that we are not defending Canada in Europe; that Canada is not attacked, is not obliged to defend herself, and is not in danger; that there is therefore no need for this Bill; that from first to last it is unconstitutional, and they need not obey. I go further and say, wilfully and deliberately: "I advise you not to answer the call for your class. If you are arrested and condemned to a penalty and prison, I will defend you; I will take out a writ of habeas corpus". I see a clause providing that no proceedings before any of the tribunals created by this Bill shall be restrained by habeas corpus. I say to my friend, wilfully, deliberately, "I will defend you if any proceeding is so taken against you." I say that publicly, and I tell the electors not to obey this Act, because it is unconstitutional, and that I will attack it before the tribunal. After all these declarations, am I to be prosecuted, arrested, and sent to jail?

Hon. Sir JAMES LOUGHEED: The honourable gentleman takes his chance.

Hon. Mr. CHOQUETTE: I should like to know, because it is stated in black and white in the Bill that any person who by oral advice urges resistance to the Bill—it does not make exceptions of legal advice—is liable to a penalty of from one to five years in jail. I am putting the question fairly. I know that this amendment is extraordinary, but it is a most extraordinary Bill and this is a most extraordinary clause. Should I, in the case which I have stated, be prosecuted?

Hon. Sir JAMES LOUGHEED: I hope so.

Hon. Mr. CHOQUETTE: Then the amendment ought to carry; though I do not admit that.

The amendment moved by Hon. Mr. Cloran was negatived.

Hon. Mr. POWER: I should like to have one parting shot at this Bill. I think a good many things have been said in connection with the Bill which really had very little relevance to the Bill itself. What I propose to say bears on the Bill. I find in the preamble:

Whereas to maintain and support the Canadian Expeditionary Force now engaged in active service overseas for the defence and security of Canada, the preservation of the Empire and of human liberty, it is necessary to provide reinforcements for such Expeditionary Force.

We all agree about that; but this is the point:

And whereas enough men do not volunteer to provide such reinforcements;

Now, honourable gentlemen, that statement is not correct, and, that not being correct, the reason for the Bill fails. We have discussed the matter before, and it was shown that up to May 30 there was a very large force in England—over 124,000 men, I think—who had not gone across the channel, and that the number of recruits for each month, beginning with the month of February, exceeded the number of casualties. I find that on the 6th of this month the Minister of Militia brought down in the other Chamber a return which sets out these facts, that there were on the 30th of June 142,799 Canadian troops in France; 756 elsewhere than in France; 124,399 in England (of whom 23,265 in hospitals and convalescent camps, etc.); 3,944 en route from Canada. The wastage is only about 5,000 a month, I think; but, putting it at 8,000, there remain enough men on the other side to reinforce the Expeditionary Force for 15 months. The honourable Minister of Militia said further that during the month of July there had been 4,257 recruits and 3,637 casualties. So, honourable gentlemen, I think it is perfectly clear that this measure is quite unnecessary, and that if we had gone on with an energetic recruiting campaign, there would be a great many more men enlisted than there is any necessity for.

The motion was agreed to, and the Bill was read the third time and passed.

Hon. Mr. CHOQUETTE.

DIVORCE BILL.

THIRD READING.

Bill T2, an Act for the relief of Albert Edward Gordon—Hon. Mr. Taylor.

BOARDS OF TRADE BILL.

CONSIDERATION IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 115, an Act to amend the Boards of Trade Act, Hon. Mr. McSweeney in the Chair.

The Bill was reported without amendment.

SCIENTIFIC AND INDUSTRIAL RESEARCH COUNCIL BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 83, an Act relating to The Honorary Advisory Council for Scientific and Industrial Research, Hon. Mr. Daniel in the Chair.

On section 3—appointment of Council:

Hon. Mr. BOSTOCK: Can the honourable leader of the Government give us any information as to who are going to be appointed to this Council?

Hon. Sir JAMES LOUGHEED: I may say to my honourable friend that the council was appointed some time ago. The members are gentlemen who represent nearly all the universities and scientific institutions in Canada. The administrative chairman is Professor R. B. Macallum, Ph.D., Sc.D., LL.D., F.R.S., Ottawa. The other members of the council are: F. D. Adams, Ph.D., Sc.D., LL.D., F.R.S. Dean Faculty of Applied Science, McGill University, Montreal; T. Bienvenu, Esq., Vice-President and General Manager La Banque Provinciale du Canada, Montreal; R. Hobson, Esq., President Steel Company of Canada, Hamilton; S. F. Kirkpatrick, M.Sc., Professor of Metallurgy, Queen's University, Kingston, Ontario; J. C. McLennan, Ph.D., F.R.S., Professor of Physics and Director of the Physics Laboratory, University of Toronto, Toronto; A. S. Mackenzie, Ph.D., D.C.L., President Dalhousie University, Halifax, N.S.; W. C. Murray, M.A., LL.D., President University of Saskatchewan, Saskatoon, Saskatchewan; R. A. Ross, Esq., E.E. (Tor.), M. Can. Soc. S.E., Consulting Engineer, Montreal; R. F. Ruttan, M.A., M.D., Sc.D., Professor of Chemistry and Director of the Chemical Laboratories, McGill University, Montreal; Arthur Surveyer,

B.A. Sc., M. Can. Soc., C.E., Consulting Engineer, Montreal.

The section was agreed to.

On section 4—administrative chairman:

Hon. Mr. BOSTOCK: I do not know whether I quite understand this section. Is the " sub-committee " mentioned in this section the sub-committee of the Privy Council or of the Council of Scientific and Industrial Research?

Hon. Sir JAMES LOUGHEED: I presume there will be a sub-committee of the Privy Council.

Hon. Mr. BELCOURT: Why not say, " shall be appointed by the Governor in Council?"

Hon. Sir JAMES LOUGHEED: That would be the sub-committee of this council for which provision is made in the Bill.

Hon. Mr. BELCOURT: If my honourable friend looks at section 3, he will see that " sub-committee " is defined.

The section was agreed to.

On section 7—by-laws:

Hon. Mr. BELCOURT: The administration and the duties of this Council seem to be very similar to those of an ordinary department of the Crown. They have to report to the subcommittee.

Hon. Sir JAMES LOUGHEED: It is purely an advisory council. Its constitution is almost precisely similar to that of the Council of Scientific and Industrial Research appointed by the Imperial Government, and it is at the request of the Imperial Government that the Canadian Government is organizing a similar council with a view to co-ordinating as far as possible.

Hon. Mr. BELCOURT: I understand that they have already done considerable work. I understand that Dr. Macallum has been in England for some time in connection with the work of this Council. Is my information correct?

Hon. Sir JAMES LOUGHEED: I know that he has been constantly and continuously engaged in the work of this Council. Where the doctor is at the present moment I cannot say.

Hon. Mr. McLENNAN: He is now in the West. He left here some two or three weeks ago in connection with the work of the Council. It is some considerable time since he returned from England. Professor McLennan of Toronto was also in England. As I understand, they are now at work on the following problems: the obtaining of nitrogen as a fertilizer; the obtaining of potash; the development of experimental work, looking towards the utilization of the lignites of the West—and I understand that they have made, or are about to make a recommendation to the Government that our experimental plant be established.

Hon. Mr. BELCOURT: In connection with what?

Hon. Mr. McLENNAN: To utilize the lignites of the Northwest in some truly economical form. They are also making a careful study of the tarsands of the West from which they believe valuable tar products can be developed. In addition to this work, they are making a study of the forest growth of Canada.

Hon. Mr. BELCOURT: Water-powers?

Hon. Mr. McLENNAN: I had not heard that they had taken up the question of water-powers.

The section was agreed to.

On section 11—reports:

Hon. Mr. BELCOURT: It is provided that at the close of each fiscal year the council shall make a report of the work done. Are we to have a report for the year ending March, 1918?

Hon. Sir JAMES LOUGHEED: I should think so, because the Council, including the Chairman, will have been employed practically continuously during that period. It seems to me that it would be highly desirable that a report of the first year's work of the Council should be laid on the Table.

Hon. Mr. BELCOURT: It would cover more than a year.

Hon. Mr. McLENNAN: They started work last November.

The section was agreed to.

The Bill was reported, read the third time, and passed.

JUDGES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 66, an Act to amend the Judges Act.—Hon. Sir James Lougheed. Hon. Mr. Crosby in the Chair.

Hon. Mr. BEIQUE: Would the honourable leader of the Government have any objection to letting this Bill stand until to-

morrow? The honourable member for Mille Iles (Hon. Mr. David) is absent, and he intends to move an amend to the Bill.

Hon. W. B. ROSS: We had a discussion the other day, and I told him that his amendment would be provided for. When the Bill was last before the House sections 34 and 35 were added to it. There was an amendment made to section 33, the effect of which was to preclude a judge acting as a commissioner. The honourable gentleman from Mille Iles (Hon. Mr. David) wished to add an amendment to the effect that a judge be allowed to act as a commissioner in disputes in connection with municipal matters. That amendment was necessitated by the amendment moved by the honourable gentleman from Ottawa.

Hon. Mr. BELCOURT: In the opinion of the honourable member for Mille Iles.

Hon. W. B. ROSS: If the honourable gentleman from Ottawa will withdraw his amendment there will be no necessity for the amendment of the honourable member for Mille Iles.

Hon. Mr. BELCOURT: I do not admit that the amendment of the honouable gentleman for Mille Iles is a commendable one. I do not see why judges should be allowed to act in the way that he suggests.

Hon. W. B. ROSS: That question would not come up at all. Representatives of labour organizations say that there is great difficulty in getting chairmen for arbitrations. They say that one or two men, not judges—who have acted as chairmen have not been satisfactory. On the other hand, a large number of judges have acted as chairman on arbitrations and in every case the labour men have accepted the decision of the Board. In these circumstances, perhaps it is unwise at the present time to press the amendment precluding judges from acting as commissioners. Sections 34 and 35, that were added to the Act the other day, provide that the salaries and allowances of judges are to be fixed by the Parliament of Canada and that other allowances or salaries paid to them shall be deducted from the salary paid by the Parliament of Canada. Sections 96 and 100 of the British North America Act provide that the Parliament of Canada shall appoint the judges and pay them, and it pays them not only salaries but allowances. If that is so, no provincial legislature can reduce those salaries or allowances, and if they cannot reduce them they cannot increase them. The entire jurisdiction with regard to salaries is vested in the Dominion Parliament.

Hon. Mr. BELCOURT: Does my honourable friend think that clause 34 does anything to prevent the provincial legislatures voting allowances to Commissioners?

Hon. Wê B. ROSS: Under section 35 any allowances would be deducted from the salaries.

Hon. Mr. BELCOURT: That is hardly satisfactory.

Hon. W. B. ROSS: In my opinion our Constitution, with the exception of that of the United States, is the worst on earth. There is not a day or a minute when we are not fighting over the question of jurisdiction, and no one knows where we are. We are not quite sure that the Privy Council knows what our Constitution means. All we can do is to spell our way along as best we can. I think the principle of jurisprudence is very clear, that if the law says that the Parliament of Canada shall fix the salaries and allowances and pay them, no provincial Parliament can reduce them or increase them.

Hon. Mr. BELCOURT: Does the honourable gentleman mean that this Parliament has not jurisdiction to pass section 6?

Hon. W. B. ROSS: No, I mean to say that that is arguable under subsection 14 of section 92 of the British North America Act, which says that the provincial Parliaments shall define the functions of the court. It was argued by some of the judges, and I believe by some of the legal officers here, that it is very doubtful whether this Parliament had jurisdiction to pass section 33; but I have left that to one side and kept entirely within sections 96 and 100 of the British North America Act, which deal with salaries.

Hon. Mr. BEIQUE. But sections 34 and 35, which were adopted the other day, would not cover any remuneration which would be voted by provincial legislatures, because section 34 says that no judge of the Supreme Court of Canada or any Superior, District or County Court shall receive any salary or allowance except as provided by the Parliament of Canada.

Hon. W. B. ROSS: But that does not fix the judge's salary.

Hon. Mr. DANDURAND: Are not the county judges of Ontario paid a certain amount by that province?

Hon. W. B. ROSS: There are all kinds of arrangements with the judges.

Hon. Mr. BEIQUE: Section 35 would prevent judges receiving anything from a province, and they would have to act without the extra pay they now receive from the province.

Hon. W. B. ROSS: Yes, or else get this Parliament to vote them an allowance for any extra duty.

Hon. Mr. BELCOURT: Does not my honourable friend see that that would not do?

Hon. W. B. ROSS: I am not asking them to do it. The question is, what the honourable gentleman will do as regards his amendment to section 33. If he would withdraw that, I think we might let this one go to the other House, and we would not be in any worse position than we are now in; but we might add the proviso that if the judges act on commissions for a province they cannot be paid on those commissions without legislation from the Parliament of Canada.

Hon. Mr. DANDURAND: And if they are so paid, the amount would be deducted?

Hon. W. B. ROSS: Deducted from the salary.

Hon. Mr. BELCOURT: When I tell my honourable friend the facts, he will see that these amendments will not do. The judges in the Supreme Court of Ontario receive annually from the Ontario Government $1,000 in addition to what they get from this Parliament. Now you provide in sections 34 and 35 that they shall not receive that, and if they do it will be deducted.

Hon. Sir MACKENZIE BOWELL: That allowance from Ontario has been paid to the judges for some years.

Hon. Mr. BELCOURT: Yes, and not only would Supreme Court judges lose that $1,000, but some county judges would lose large allowances by these amendments. No honourable gentleman belonging to Ontario could accept legislation which would cut out those allowances.

Hon. Sir MACKENZIE BOWELL: Was that sum of $1,000 not paid by the Ontario Government to cover extra duties performed by the judges, in order to equalize the salaries they ought to receive?

Hon. Mr. BELCOURT: Yes, for acting as judges, not for acting on commissions. The county court judges get allowances for probate fees and surrogate fees.

Hon. Sir JAMES LOUGHEED: I pointed out to my honourable friend from Middleton (Hon. W. B. Ross) a few days ago that a similar allowance is made to the district judges in the western provinces. In Alberta the senior judge of each district gets a $1,000, I think, in lieu of probate fees, which he would otherwise receive. If we exclude the judges from securing provincial allowances which they have been receiving for years it will be impossible to pass this legislation. I suggest to my honourable friend to recast his amendment so as to include the allowances given by the provinces to district judges as well as Supreme Court judges. My recollection is that some years ago, in Ontario, $1,000 was paid to certain of their Superior Court judges in lieu of certain services which they would perform for the province.

Hon. Mr. BELCOURT: All the Supreme Courts are supposed to sit in the cities. In order to facilitate the business, one weekly court was created, and a judge of the Supreme Court of Ontario goes to London, and one comes to Ottawa every week for the purpose of holding court, hearing chamber applications, etc., and this $1,000 is paid them by the Ontario Government for those services and others which it is not necessary to mention. The payment is not a travelling allowance; it is a fixed sum of $1,000 added to the salaries paid them by the Dominion for the administration of justice in the province. In some cases, as in the county of York, the probate fees have been commuted for $1,000 or more, and I know that the senior judge for that county gets a large sum in that way. You would cut that all out.

Hon. W. B. ROSS: We should cut it out.

Hon. Mr. BELCOURT: You will not get a corporal's guard to support such a proposition.

Hon W. B. ROSS: I do not care if there is no one but myself. The British North America Act says that we are to fix the salaries and allowances of the judges. What have the different provinces to do about that?

Hon. Mr. DANDURAND: My honourable friend is now attacking the whole system which has existed in Ontario for the last twenty or twenty-five years, to my knowledge.

Hon. W. B. ROSS: I do not care if it was there for a thousand years. The British North America Act says the Parlia-

ment of Canada has the power to fix the salaries and allowances of the Superior, district and county court judges.

Hon. Mr. DANDURAND: I have heard many discussions in the House of Commons on the increase of judges' salaries; and the Minister of Justice, when making a calculation of what each province cost for the administration of justice, and what it cost the Federal Treasury, always took into account the amounts which the various provinces were adding for the maintenance of judges. I do not know under what agreement between the Minister of Justice and the Provincial Attorney General this system was made, but I know it was recognized.

Hon. Mr. BELCOURT: The other day we agreed that some means should be devised to prevent judges from sitting as commissioners, and the House adopted section 6, and my honourable friend gave his support.

Hon. Sir JAMES LOUGHEED: I would suggest to my honourable friend (Hon. W. B. Ross) to add to his amendment a proviso that this should not operate to exclude either Superior, district or county court judges from receiving any bulk allowance which might be given them by a province.

Hon. Mr. BELCOURT: I do not want to get into all those complications. Why not simply provide that no judge shall act as a commissioner or perform any duties outside of his judicial duties? If my honourable friend insists upon having the disposition with regard to conciliation boards, and if my honourable friend from Mille Iles insists upon his idea that the judges should continue to act on provincial commissions on municipal matters, I see no objection to adding those; but I think the House would make a very serious mistake if it attempted to deal with these questions of salary in the way my honourable friend proposes. We are agreed that those judges should not act on commissions which are political commissions, or if we might so call them, party commissions. Let us add the two exceptions, conciliation boards and municipal matters. We will then accomplish the purpose on which we are all agreed.

Hon. W. B. ROSS: The judges are not carrying out the arrangement that was made with them in 1906 when their salaries were increased about fifty per cent, that they should give their whole time to the duties of their office. What I have wanted from the first was to have that section carried out.

Hon. W. B. ROSS.

Hon. Mr. DANDURAND: But when we passed that legislation in 1906 the Parliament of Canada knew the conditions obtaining in Ontario, and did not intend to alter them by that legislation.

Hon. Mr. BELCOURT: Or in the West, either.

Hon. W. B. ROSS: There is no sense or equity in allowing a judge to leave his duties on the Bench, for which he draws a salary equal perhaps to $25 a day, and draw an additional $20 per day for performing duties such as revising lists or settling disputes between municipalities, or disputes about drains. That is an abuse that stinks in the nostrils of the people of this country, and the extra payment is illegal. The British North America Act gives us the power to fix the salary. Let us tell all others to keep their hands off the salaries, and if anything is wrong let them come to this Parliament, which will increase or decrease the salary as the facts may justify.

Hon. Mr. BEIQUE: I move that the committee rise and report progress and ask leave to sit again, in order that we may try to come to some understanding about the matter.

Hon. Sir JAMES LOUGHEED: It seems to me that if we have reached an impasse of this kind, it can be settled only by the honourable gentlemen who are interested in amending this Bill getting together and discussing the matter among themselves and arriving at some intelligent conclusion. It is very unfortunate that we should encounter any differences which would prevent our giving effect to the Bill. I think my honourable friend will have to consider introducing into the Bill some provision whereby those judges who are in receipt of a fixed amount from a province shall continue to enjoy that allowance, no matter what it may be. I am satisfied that it would be utterly impossible to pass an amendment to the Judges' Act excluding those judges who for years have been in receipt of a very substantial amount from the provinces from participating in all the advantages of that allowance. My honourable friend will appreciate the fact that the amendment would at once meet with such opposition as would prevent it from passing.

Hon. Mr. BELCOURT: Does my honourable friend think that depriving the judges of any salary for acting as commissioners would be a sufficient deterrent to prevent them from so acting? I have no doubt in

my mind that some judges would be inclined to act as commissioners even though they received no pay for it. If I am voicing the sentiments of this House, what we desire is that judges shall not act as commissioners with or without pay. So the amendment proposed by my honourable friend would not meet the object which I know he has, in common with myself and many members in this House, that is, to prevent judges from sitting as commissioners.

Hon. W. B. ROSS: I will admit to the honourable gentleman from Ottawa (Hon. Mr. Belcourt) that if I had the power I would require that a judge should stick to his judicial duties; that, in accordance with section 33, he should take the salary which Parliament provides for him, give his whole time to the discharge of the duties assigned to him, and not act as commissioner at all, nor undertake any other outside business. Now, I know that I cannot succeed in that. If I cannot get the whole loaf, I am content to take half, or do the best thing that I can do. I know such a proposal would not carry because I know that the labour men would be able to get Parliament to allow the judges to act as arbitrators.

Hon. Mr. BELCOURT: Let us accept that and make an exception of that case.

Hon. Mr. ROSS: That is one way.

Hon. Mr. BELCOURT: Then the honourable gentleman will have the labour men with him.

Hon. Mr. ROSS: That is one way of doing it, but I thought that on account of the dispute about jurisdiction with respect to section 33, it would be better to deal with another phase of the matter, that of salary, which is assigned exclusively to this Parliament.

Hon. Mr. DANDURAND: Does the honourable gentleman stick to the idea and determination of preventing the judges from Ontario, for instance, from receiving anything from the Ontario Legislature? Is he still of that opinion and desire?

Hon. Mr. ROSS: Yes, I am.

Hon. Mr. DANDURAND: Then, why should we not test the feeling of the Senate on this point, so as to clear the way for an understanding among the gentlemen who have been working upon these amendments?

Hon. Sir JAMES LOUGHEED: In order that my honourable friend may turn over this question in his mind, the only thing to do to-night is to permit further consideration being given to it. I therefore move that the committee rise and report progress and ask leave to sit again.

Progress was reported.

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

THE SENATE.

Thursday, August 9, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

FRENCH CANADIANS RECRUITING IN THE UNITED STATES.

INQUIRY.

Hon. Mr. BOYER inquired of the Government:

How many French Canadian Officers, Non-Commissioned Officers and men are at present recruiting in the United States, under P.C. Order 1505, and what are their names?

Hon. Sir JAMES LOUGHEED: Captain C. V. Doyon, and Lieut. P. Chevalier. Two French officers sent out by the French Government will also be so employed; one of them has already gone to the U.S.A. Non-commissioned officers will be sent as recommended and required from time to time.

PURCHASE OF BONNIE BEL AIR.

MOTION FOR RETURN.

Hon. Mr. CASGRAIN moved:

That an humble address be presented to His Excellency the Governor General praying His Excellency to have laid on the Table of the Senate all the documents relating to the purchase by the Militia Department of Bonnie Bel Air from W. T. Rodden, Esq., a part of number nine (9) on the official plan and book of reference of the Parish of Lachine and especially the report of the lawyers who examined the titles.

He said: It is with some regret that I bring before the House a matter which may be considered rather contentious. The war cannot be given as an excuse for this purchase, because it occurred two years before the war commenced. If it is a scandal, it is an ante-bellum scandal. I bring the matter before the House with some diffidence, because of the fact that for many years I have been on terms of friendship with the principal actors in this transaction. I may as well mention their names

at once: Major William T. Rodden, a very well-known man in Montreal, and a commission composed of Col. Wilson, Col. Labelle, Col. Cantlie, and, lastly, the late Minister of Militia, Sir Sam Hughes. I may say that I have always had a soft spot in my heart for Sir Sam Hughes. He may be guilty of having done a great many things that people did not like, but I have never had any complaints to make, for many of my own people have been at the front. In the words of the song, I stand between friendship and duty. Although we may hurt our personal friends in doing so, I believe that I would be remiss in my duty if I did not give the House the benefit of the information which I have gathered in this matter, so that the honourable members and the people of the country may know how the Government has failed in its duty in regard to this particular transaction. Another reason for my regret at having to call attention to this matter is on account of the genial leader of this House, whom we all admire, although we do not always agree with him. We admire especially his great tact and politeness in his management of the affairs of this Senate for the last six years. Although in the minority, he has managed to carry practically all of the Government measures through this House. I hope that the same suaviter in modo will prevail now that he has a majority in this House.

This is not the first time that I have brought up scandals of this sort. Many years ago I brought up one with regard to the Curran bridge, and I have never had occasion to regret having done so. This scandal is, I think, even worse than that of the Curran bridge. The Curran bridge scandal related to a bridge over the Lachine canal in Montreal. That bridge was 220 feet in length and was built of iron and stone, yet the Government paid for 3,600,000 feet of lumber in connection with the work. As my honourable friend to my right (Hon. Mr. Edwards) knows, it would require a train two and a quarter miles in length, apart from the locomotives, to carry that quantity of lumber. My honourable friend will also bear me out when I say that if that lumber had been piled up in the canal, there would have been no space left for the water at the site of the bridge. However, bad as that may appear, the Government of the country got something for their outlay—they got the Curran bridge; we now have the bridge and we can walk over it; whereas, out of what I am now going to tell you about, the Government has never got a cent, and I doubt if the Government ever will get a cent out of it or if the public will ever benefit by it.

There is another reason why this matter should be brought up. If rumours are true, the country will in a short time have to pass judgment upon the acts of the present Administration, and it is only right that we should let the country know the facts. I want to say at the outset that I am not charging the Government with dishonesty or graft, but with extravagance, incompetence, and maladministration. That is what I charge, and nothing else.

The present Government has always been a warlike Government, even before the war, and immediately on coming into power they decided that there should be a cavalry school in or near Montreal, regardless of the fact that one already existed in the town of St. Johns, P.Q., a journey of an hour or an hour and a half from Montreal, which was not doing half of what it could do. At that time there were in Montreal many persons who had farm properties for sale. By a strange coincidence, the great real estate boom that had existed in Montreal for several years burst with the advent of the present Administration. There were some good friends of mine who believed so much in "Laurier and prosperity" that they came to me and said: "Now that Laurier is out, I am going to sell all my property; I think this country is going to the dogs; I am going to convert my property into cash, and if Laurier comes back I will buy it again." I am only sorry that I did not follow that example, because those men got better prices than they could get for their properties to-day, and have been receiving interest on their money for six years, whereas I have received no principal or interest on my property, but have to pay taxes.

This being a warlike Government, there is of course a great deal of strategy amongst its members. These strategists decided that the cavalry school must be established. That showed that they did not know very much about modern warfare, because it is well known that cavalry has played very little part in this war—in fact, less than a little part, for the cavalrymen have actually been dismounted and are fighting as infantry. A site had to be chosen for the cavalry school, and the real estate agents were all active. Every time the late Hon. Mr. Monk, Minister of Public Works, came

to Montreal his office was besieged by persons offering property for sale. It so happened that the whole winter passed without any purchase having been made, and time was flying. At last it was decided to have not only a cavalry school, but also a school of military training. The real estate agents were giving the Government no peace; each one said he had the very best property for the purpose; so a commission was appointed, composed of three colonels, Colonel Wilson, Colonel Labelle, and Colonel Cantlie, to select a site as near Montreal as possible, regardless altogether of the fact that the Government already owned ordnance land at Longueuil within two miles of the Montreal post office. I have the plan here, but I will not weary the House by taking up too much time. That ordnance land was high and dry and clear. That would not suit, however, and a purchase had to be made—money had to be expended. The time dragged on until the month of June, 1912, when the Government had been in power seven or eight months, and then the unexpected happened: it was decided to buy a farm known as "Bonnie Bel Air," situated in the parish of Lachine, in a village called Dorval, which is between 13 and 14 miles from the Montreal post office. This farm, like ancient Gaul, is divided into three parts. The first part is the front of the farm. I think the honourable leader of the Government must have been there very often. I see opposite the honourable gentleman from Rigaud (Hon. Mr. Boyer), who has also been there. The front of the farm is occupied by a club known as the Forest and Stream Club, and I must say that the site has been well selected. It is certainly one of the finest country clubs in Canada. The honourable leader of the Government smiles. I think he must have pleasant recollections of it.

Hon. Mr. CLORAN: What about the Scotch?

Hon. Mr. CASGRAIN: The site of the Forest and Stream Club, between the public road and lake St. Louis, is certainly a beautiful spot. Then, between the public road and the railway, there was a piece of property 300 yards wide by 1,100 yards in depth, comprising in all about sixty-eight acres, and that is the property to which I would draw the special attention of this House. That was the property intended to be sold to the Government. Mind you, I am not questioning the price of that particular piece of land. It has been subdivided into town lots, and the owner might have realized some money on it if he had sold the lots; but, as a matter of fact, notwithstanding plenty of advertising and a very catchy sign, which any one passing could see, the property was still unsold. The sign had a picture of a little Scotch boy, saying, "I love Montreal, but O you Bonnie Bel Air!" But the real estate proposition proved to be a frost; so Mr. Rodden and some of his friends thought it would be a good idea to unload that farm on the Government, and, in spite of the fact that it was 14 miles from the Montreal post office, they proceeded to negotiate with this commission. I may say that the departmental officers reported against this property, and for the very good reason that it was too low, and that, if any barracks were erected there—mark this, because it is very important—all the sewage would have to be pumped out, in order to bring it to the level of lake St. Louis. In the spring part of the farm was under water for several weeks at a time, and, besides, the elevation of the ground above the normal level of lake St. Louis is only two or three feet. But this property might have had some value for persons who were looking for town lots. After all, 14 miles is not so very far from Montreal, and there is a train service. That parcel of land between the public road and the railway is the second part of the property, the first part being, as I have said, the site of the Forest and Stream Club. Then there was a third part—and this is the worst feature. The third part is crossed by the Grand Trunk and Canadian Pacific railway tracks and is only partly cleared land, and I will show you presently that that property was sold at the same price as the front. I will show you how a man, before he had a deed, managed to secure $90,000 for property which he did not really own and which was to cost him only $36,496. I say the Government was remiss in taking that property, and I do not believe that the honourable leader of this House or any other member will attempt to defend that transaction, which took place more than five years ago, and from which the Government has never got one cent of return. On the other hand, they have perhaps had to pay municipal taxes on it. There is nothing on the farm to-day. Not a sod has been turned on that property, for which the Government has paid $180,000 in hard cash. The interest on that money has been accumulating ever since, and no good has resulted to the people of Canada from the transaction. I

shall admire the ability of the honourable leader of the Government in this House all the more if he can defend that transaction before this honourable body. I have copies of all the deeds, taken from the registry office, and if the honourable gentleman wants them I can give them to him, and he may inspect them and verify what I have said.

Hon. Mr. CLORAN: Put them on record.

Hon. Mr. CASGRAIN: Oh, it would take too long. The proposition was apparently turned down by the Government, but, in spite of that fact, the transaction had to be put through. Mr. Rodden, as I have said, owned what I have called part two, but he did not own part three at all. Part three belonged to the late Duncan McIntyre's estate. While the commission might have gone direct to the McIntyre estate, Mr. Rodden went to them and said. "I want that piece of land," and he bought it for $36,496; that is, he promised to pay that amount, though, mark you, he did not actually pay out one cent, for he had already sold the property to the Government. That is why I should like to have the opinion of the lawyers on this matter. How could the lawyers have said that he had a good and sufficient title to the property when he did not own it at all? But it would never have done to let the public, or any one know that this particular piece of property was bought for $36,000, and on the same day was transferred to the Government at the price of $90,000. A deed was drawn up by Mr. Alexander Cameron, a well-known notary of Montreal. I have here a copy of the deed, certified by the registrar, and in which it is stated that the property was sold for one dollar and "other good and valuable considerations" —the usual formula. It appears that according to our laws the registrar has no right to accept a deed in which the price of the property is not correctly stated; so he insisted upon the price being mentioned. Thereupon Mr. Cameron drew up an affidavit, and it was signed by Mr. W. T. Rodden, stating that the price was the figure which I have mentioned, $36,496.

The transaction looked somewhat suspicious. I may say that the matter would never have been ventilated and the public might never have known of it if Mr. Rodden had been satisfied with outdoing the Government, but he attempted at the same time to get the better of the real estate agents. They were a well known firm in Montreal, Findlay & Howard, who were handling a great deal of business, and they had as one of their outside partners a Mr. Ed. Parker, a brother of Lady Drummond. Mr. Parker afterwards went overseas in connection with the Red Cross, and died over there, after doing good service for this country on the other side. He had been interested in the transaction, having been very persistent in approaching the Government and trying to sell them the farm. As he was in the real estate business, it was perfectly legitimate for him, as for all the others, to try to sell to the Government. One morning Mr. W. T. Rodden walked into the office of Findlay & Howard and said to them, "I want you to sell my farm for such and such a price to Alexander Cameron, notary." They said, "But you were asking much more than that for the property, Mr. Rodden." "Never mind," he said, "I am going to take that amount for the farm." You understand that real estate agents get 5 per cent of the amount involved in a real estate transaction, no matter what the amount may be, if the property is sold during the life of their contract. They get the 5 per cent even if the owner himself makes the sale, because they have been advertising and doing other work, and are entitled to their commission. By turning over the property to Notary Cameron at a minimum price, the real estate agents, Findley & Howard were deprived—I will not use the word "robbed," though the transaction looked very much like robbery—were deprived of their full commission and got only 5 per cent of the smaller amount. The real estate agents, seeing that they were being outdone, immediately made public what was going on and exposed Rodden, as he deserved to be exposed—because this was only a fake sale for the purpose of keeping the real estate agents in the dark and doing them out of their money, for they also had been trying to sell the property to the Government, and if they had succeeded they would have got their whole commission. The news of this matter, after having been ventilated among the real estate agents of Montreal, became public, and the Montreal Herald for weeks made a regular campaign against the transaction. I have in my possession a scrap-book containing clippings from the newspaper, but I will not burden this House with the reading of them.

But here is where the plot thickens. Immediately after Mr. Cameron had taken the farm he went—well, I might

just as well speak out at once. Mr. W. T. Rodden some time later failed; and, although the purchase price, which he had paid, or rather promised to pay, amounted to about $84,000 and he had got a cheque from the Government for $180,000, there was no trace of that check in his assets, and the inspectors could not find any trace of it. That sum of money seemed to have completely vanished. When Mr. Rodden was called before the Public Accounts Committee and asked, "When you got this $180,000 cheque what did you do with it?" he answered, "I do not know; I do not remember." "Did you deposit it in the bank?" "I think I did." "What bank was it?" "I do not remember." That was the sworn evidence—he did not remember. However, everybody knew, as the municipal record showed, who owned this additional land, and it would have been very easy for the commission to have gone direct to the McIntyre estate and purchased the property for about $36,000. The Government had some very good experts valuing the land, and naturally they put a high price. about $1,200 an acre, upon the front part, which I have described as part two, but they did not put that value on part three. As will be seen when the papers are brought down, the part between the rear of the farm and the railway was only partially cleared, was half a mile or more from the public road, was crossed by two railways, was without public means of communication, could be of no possible use for a subdivision, and had no speculative value.

There is another point, honourable gentlemen. Whilst this Government are urging that all vacant lands, even little town lots, should be sown with potatoes or other vegetables, there are 145 acres of good land, partly cleared, on which nothing but weeds is growing to-day. Why does not the Government practise what it preaches? The Government is asking the workingman, after his day's work, to engage in gardening on any little vacant lot that may be available, although it is doubtful if he will be able to get any return from it, because somebody else may get there ahead of him and take it away; yet the Government allows this property to run wild, and to-day it is covered with weeds, which are infesting all the neighbouring farms, and it is a public nuisance.

This land is costing the Government not only the $180,000 paid in cash on June 24, 1912, but also the interest, which, reckoned at six per cent, the rate our great Finance Minister is now paying in New York for money, amounts to $10,800 a year. I said this transaction was worse than that of the Curran bridge, because we have the bridge, while in this case we have absolutely nothing for our good money.

The celerity with which the transaction was put through is another feature of it. On the 8th June, 1912, Mr. Rodden was not even the proprietor of that land that he bought from the McIntyre estate, and sixteen days afterwards a beautiful cheque for $180,000 was handed to him. Now, all who are familiar with such transactions know full well that it takes a longer time than that to arrange a sale. The title must be examined by the lawyers; then the area involved must be verified; then there are all the proceedings through the Militia Department; there had to be an Order in Council passed authorizing the Militia Department to buy this land—or there should have been one; then there would be the signature of the Governor in Council before authority could be given; then the cheque had to go through the Auditor General's office, and any one who has had experience there will know that cheques do not go through as quickly as did this one. But in this case everything went very smoothly and nicely, and sixteen days after Mr. Rodden bought the property he went on rejoicing with his money, and had loaded on the country that farm of 145 acres—at what price? I took the trouble of counting it up, and, reckoning at simple interest since the purchase five years ago, it has cost $244,800, nearly a quarter of a million, for absolutely nothing. The farm is not even rented; there is not even a farmer on it. If it had been rented and produced potatoes they would have been pretty expensive ones, but as it is we have absolutely nothing.

Hon. Mr. CLORAN: Not even raising grain?

Hon. Mr. CASGRAIN: Not even pasture; it is used for nothing. Why was it bought? I do not know. What are they doing with it? I do not know. Perhaps the leader of the Government will tell us in a few moments. What it will be used for is a question. It was bought, although the ordnance land across the river, only two miles from the post office, has belonged to the Government ever since Confederation, and was available. Yet they go between thirteen and fourteen miles from the post office, to a place called Dorval. If barracks were erected on this farm they

would not be near the rifle range, for the rifle range is ten or twelve miles east of Montreal, making the walking distance twenty-four miles, and, no matter how good our soldiers are, they cannot walk forty-eight miles a day, going for shooting practice and coming back the same day; they would have to sleep on the road.

I do not charge that there has been any wrongdoing in this purchase, but I just put the facts before this honourable House. I believe, however, that the Government should be blamed for reckless extravagance in this matter. In justice to Colonel Cantlie, who has been in command of the 42nd Highland Regiment and has been for two years at the front, a credit to himself, his regiment, and the nation, and who is still only a colonel, I would say that he would never recommend this purchase, or have anything to do with it, and I defy any one to show me his sanction on any of these papers. The other two gentlemen concerned in the purchase are no longer colonels, but generals.

Hon. Sir JAMES LOUGHEED: There is no objection to bringing down the papers for which my honourable friend has asked. I regret, however, that he was moved by such deep feeling in pointing out the iniquitous character of this transaction. It happened five or six years ago, and, as my honourable friend is a very distinguished resident of Montreal, and a very active participant in all the work of his party in that district, I am rather surprised that he was not moved to protest earlier.

Hon. Mr. CASGRAIN: The truce during the war.

Hon. Sir JAMES LOUGHEED: My honourable friend was very careful to point out that this transaction took place two years before the war. I would ask, why his pacific attitude during those two years?

Hon. Mr. CASGRAIN: They were saying they were making plans to do something with it.

Hon. Sir JAMES LOUGHEED: That would not justify the purchase of land at the very excessive figure which my honourable friend alleges was paid for this; so there must be something really wrong in my honourable friend's silence during those two years. However I was deeply touched by his expression of regret that he had to criticise the Government for this particular transaction. He prefaced his remarks, however, by saying that he had confidence in General Hughes, and was one of that honourable gentleman's greatest admirers; and he certainly led us to conclude that he had not only the greatest admiration for him in his military capacity, but the greatest confidence in his judgment.

Now, it would appear that this purchase of Bonnie Bel Air was made entirely on the responsibility of General Hughes. The matter is not new, and therefore is not of a startling nature, for it was thoroughly threshed out in the House of Commons in 1914 and, if my honourable friend will look at the Commons Hansard of February 23, 1914, at page 1030, and following pages, he will find a complete vindication of this purchase by General Hughes. I would commend to my honourable friend the perusal of General Hughes's speech. The General there shows that never was there a more advantageous purchase made in the Dominion of Canada; yet, in the face of my honourable friend's eulogy of General Hughes, he seems to doubt very seriously whether the General exercised very great wisdom in making this particular purchase. The advantages of this particular property could not be more advantageously set out in any prospectus, even if it were divided into town lots, than was done on that occasion by General Hughes, most elaborately and with the greatest particularity. I am sure that if my honourable friend had read the Hansard of the date mentioned, he would not have made his attack upon the Government and upon the wisdom and judgment of General Hughes in acquiring that property. It was pointed out in the discussion in the Commons that, although the property may be the distance mentioned from the centre of Montreal, yet the convenience of reaching that point 14 miles distant, is decidedly greater than that of reaching other points two or three miles distant from the centre of the city. The property is reached by some four railways and also by an automobile road.

Hon. Mr. BOYER: But the Grand Trunk and Canadian Pacific pass the adjoining properties before getting to Bel Air.

Hon. Sir JAMES LOUGHEED: I would readily concede that in going from Montreal to this property they would pass other properties; but my honourable friend will find on a closer examination that there are two additional roads which apparently reach this property. Furthermore, it is on a boulevard, giving a cosmopolitan appearance to the property, which will be very greatly to its advantage when it comes to be laid out in town lots. There is also a street railway, I understand.

Hon. Mr. CASGRAIN: Within four miles of it.

Hon. Sir JAMES LOUGHEED: No doubt it will reach it at a very early day, if it has not already got there.

Hon. Mr. CLORAN: It only runs to Lachine.

Hon. Sir JAMES LOUGHEED: My honourable friend says the configuration of the land entirely unfits it for military purposes. I am sure he will not set up his judgment against so distinguished a military authority as General Hughes, who states emphatically in his speech in the Commons that of all the properties in the vicinity of Montreal this one certainly has the preference for that particular purpose. Yet my honourable friend would try to convince us that General Hughes was wrong in that particular.

Another fact which is not to be overlooked is that this Government, with that caution which it always exercises in the purchase of property, particularly of this kind, secured the services of two of the most competent valuators of the city of Montreal. One was Mr. Baillie and the other was Mr. Robertson, and I understand from a close perusal of the discussion which took place in the House of Commons that there are not two more reliable valuators in the city of Montreal than those gentlemen. One of them valued this property at $205,500 and the other at $235,500, whereas the Government of Canada got it for $180,000. Honourable gentlemen will thus see that we obtained it at some $55,000 less than the value placed upon the property by Mr. Robertson.

Upon these facts, I appeal to my honourable friend, who apparently was not aware of them until I pointed them out, and to you honourable gentlemen, whether the Government has not done everything it possibly could do under the circumstances to secure one of the choicest properties in the city of Montreal.

Hon. Mr. CASGRAIN: I have here an interview with General Sam Hughes, which was published in a newspaper, and has never been contradicted, in which he says: "I know nothing of the property myself." He is too good a military man to have a camp below the level of the water, yet he says that.

Hon. Sir JAMES LOUGHEED: From what are you reading?

Hon. Mr. CASGRAIN: From an interview with Sir Sam Hughes in La Patrie, a good Conservative paper.

Hon. Sir JAMES LOUGHEED: You can not rely on interviews.

Hon. Mr. CASGRAIN: The parties who chose the property were Colonel Labelle and Colonel Wilson, and they said that the Minister of Militia gave them a free hand, simply fixing the limitation that he did not want to pay more than a dollar a foot.

The motion was agreed to.

THE RULES IN DIVORCE CASES.

APPOINTMENT OF COMMITTEE.

Hon. Sir JAMES LOUGHEED moved:

That the following members of the Senate be appointed a Special Committee to consider and report on the desirability of rivising the rules and regulations governing the granting of divorce, and if in the opinion of the Committee a revision is advisable to submit to the Senate such amendments as are deemed necessary, and that the Committee be empowered to meet in joint sittings with a like Committee of the House of Commons: Honourable Messieurs Bostock, Daniel, Ross (Middleton), Tanner and Watson.

He said: Several discussions have taken place in the House of Commons involving to some extent the attitude of the Senate on the question of reducing the cost of divorce by a revision of the Senate rules, and of facilitating the proceedings in divorce cases. In view of the expressions in the House of Commons, it was suggested by the Prime Minister that a committee of each House should come together to see if public opinion could not be met in this matter. If the committees cannot accomplish their purpose, no harm will be done.

Hon. Mr. BOYER: How could the Senate cheapen the expense of divorce? All that the Senate asks is the usual fee of $200, the cost of printing and translation. Where does the other expense come in, so far as the Senate is concerned? If those who want divorce retain expensive lawyers, they would have to pay the same for counsel and witnesses whether they went to a civil court or came to the Senate. I have never been able to understand why the Senate could be accused of charging too much for divorce.

Hon. Sir JAMES LOUGHEED: It has been suggested that in cases where personal service is made on the parties we might dispense with the three months' advertising, which represents considerable expense; also that in some cases we might dispense with the payment of $200 to the Clerk of the Senate as a condition precedent to starting proceedings, unless the circumstances of the case warranted the imposition of that charge. There is the further question as to

the committee regulating the costs of the legal gentlemen who appear before the committee, as is done in England, I understand. Thus there are many features that might well come under review of this committee, and that possibly might be improved to a very considerable extent, and thus the criticisms made in the Commons might be met.

Hon. Mr. BOYER: If the committee should decide to do away with the $200 fee, they should insert a proviso that the lawyers who attend the divorce committee should lower their fees by $200; then applicants could get divorce for nothing.

Hon. Mr. SPROULE: I think the union of committees from the two Houses might possibly assist in reducing expense in connection with the attendance of witnesses and lawyers, who may sometimes be kept here for quite a long time before being called to appear before the committee of the Senate or of the House of Commons. It has been suggested that a joint committee of the two Houses might hear the evidence, and make a report to each House; this would do away with the necessity of having witnesses and others connected with a case appear before separate committees, which to my knowledge has added very materially to the expense in the past.

Hon. Mr. POWER: Honourable gentlemen, I suppose that, as I do not have anything to do with the proceedings in divorce, I should hesitate to say anything on the subject. But I think the general principle should be followed that if things are working satisfactorily it is a mistake to make a change. Things are going satisfactorily, we will say, and some one comes along who thinks conditions might be improved, and as a consequence the last condition is generally worse than the first. It is the old story of the epitaph: "I was well, I would be better, here I am." As I have said, I have nothing to do with the Divorce Committee, I have nothing to do with divorce, and I have no prejudices in its favour; but I think the Senate Divorce Committee is as good a court as there is in the Dominion of Canada. On that committee there are expert lawyers; there are, as a rule, at least one or two gentlemen of the medical profession; and there are a couple of clear-headed business men. The result has been that for some years now the business of that committee has gone through with the utmost expedition and smoothness, and with very little unnecessary expenditure. The honourable the leader of the Government knows that in some cases where a person petitions in forma pauperis, he may be relieved of the payment of the fees. I cannot see any object whatever in undertaking to deal further with the constitution of our divorce court. Every honourable gentleman who has been here for any length of time knows that as a rule joint committees are expensive and unsatisfactory. Under present conditions the Divorce Committee hears the evidence, the evidence is printed, and all the work is done, and done promptly, and the result of their labours is sent to the other House, and it is the duty of the other House to see that the report and the evidence justify the recommendation made. Why should we, at this stage of the session, when there is so much business before the House, undertake to deal with this question in this way.

The motion was agreed to.

BOARDS OF TRADE AMENDMENT BILL.

THIRD READING.

Bill 115, an Act to amend the Boards of Trade Act.—Hon. Sir James Lougheed.

JUDGES ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE—THIRD READING.

The Senate again went into committee on Bill 66, an Act to amend the Judges Act.—Hon. Sir James Lougheed. Hon. Mr. Tanner in the Chair.

Hon. W. B. ROSS: When the committee was sitting last night there was some difference of opinion about sections 34 and 35, which were added to this Act on my motion. I have had a consultation with the honourable senator from Ottawa (Hon. Mr. Belcourt) and the honourable senator from De Salaberry (Hon. Mr. Béique). The honourable senator from Ottawa was to have moved an amendment to section 35, but as he had to leave he asked me to move it. It is as follows:

> Provided that nothing contained in this section or in the last preceding section shall be construed to affect any payment to any of the Superior, District or County Court judges provided for by any provincial Government in connection with the judicial duties of any judge of such courts.

The honourable gentleman informed me that they were satisfied with that, and authorized me to make this statement. If this amendment is satisfactory to the House—

Hon. Mr. DAVID: I have an amendment to the amendment. The honourable senator

from Ottawa has agreed to my sub-amendment, which is as follows:

Provided also, that nothing in this Act shall prevent any judge from acting as Commissioner for the purpose of investigating municipal matters in virtue of provincial laws, and receiving his travelling and living expenses.

The proposed amendments were agreed to, and the section as amended was agreed to.

The Bill was reported, read the third time, and passed.

SOLDIER SETTLEMENT BILL.

CONSIDERED IN COMMITTEE—THIRD READING.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 116, an Act to assist returned soldiers in settling upon the land and to increase agricultural production, Hon. Mr. Thompson in the Chair.

Hon. A. BOYER: This Bill is certainly of great importance, as it concerns the future welfare of those who have been brave enough to go overseas to defend their country and contribute to the honour of Canada, and it is worthy, I think, of the Senate's very best attention. It has for its object not only the increase of our agricultural resources, but also the placing upon the land of those who return from abroad. One of the lessons which this war has taught Europe is that all advantages disappear the very day the food supply gives out. Everybody must recognize the hard fact that food is absolutely necessary for existence, and the best way to obtain it is to turn to mother earth, who is always willing to produce if treated properly. France, in 1913, imported 29,000,000 quintals of grain and flour, at a cost of $565,000,000, and in 1916 she imported 47,000,000 quintals of cereals, costing $1,550,000,000. Canada has been fortunate in being a producing country. We have been fortunate enough not to feel the hunger that has been felt throughout Europe, but if we have so far not felt hungry it is simply because we could afford to pay the increased prices of foodstuffs in the last few years.

What is the best way to recompense those who will return after the war? The point I wish to make particularly is this, that special attention and care should be given to those who return home after having lain for months in the hospital. A new term which has become familiar all over Europe is "the re-education of the wounded." It is a question which has been of the greatest interest in Europe in the last two or three years. As far back as 1870 the municipality of Paris had become alarmed at the number of accidents—persons run over or falling from buildings, and so on—that occurred every day in the streets of Paris, with its population of 2,000,000. The authorities wondered if something could not be done for those who were maimed through accidents. It was at that time that a young Parisian doctor named Amar conceived the happy idea of taking charge of a hospital founded by the municipality of Paris for the treatment of the wounded or injured, for the purpose of ascertaining if there was not some means or other by which a man who had lost an arm or a leg, or was blinded, could be re-educated so as not to be a burden to his friends, or to the municipality, or to the public at large. After the question had been studied for over 40 years a system was devised, which is now in use in all European countries, and is called the re-education of wounded soldiers. It has met with so much success that as far back as 1905, after the Russo-Japanese war, Russia sent to Paris for the loan of men skilled in the use of instruments invented by this Dr. Amar, so that Russia could take care of its soldiers who had been wounded in the war with Japan. Japan had long before known of those instruments and had installed them in all the large hospitals of that country, and Russia was following suit. Germany has actually followed suit. Germany before the war knew about the Amar system, but would not use it because it was French. The German doctors thought they could improve it by giving it a German name and passing it off as German goods, as they have done in other cases. The authorities recently have intercepted letters from German hospital centres to persons in France whom German doctors had known before the war, asking for pamphlets explaining the system used in France, which has been so successful in the re-education of soldiers wounded in this war. Of course the Government took scant notice of these letters, and simply threw them in the wastepaper basket, and the system has continued to flourish notwithstanding the fact that Germany is not adopting it.

I have in my possession a pamphlet written by a very eminent Englishman, Sir Henry Norman. If you look up the book "Who's Who," you will find that Sir Henry Norman is a gentleman who has travelled the world over, that he has studied financial, physical, and material conditions through-

out the world, and has written many books. The day the war broke out Sir Henry Norman entered the service of his country, and shortly afterwards Lloyd George picked him up and sent him to Paris as a liaison officer to the Ministry of Inventions in France. Sir Henry Norman was commissioned by the British Government to study the system followed in France for the treatment of disabled and discharged soldiers, and has made a report upon this subject, which I should like to see printed in our official report. It reads like poetry. It is full of facts that cannot fail to interest each and every one of us. It shows what can be done for the welfare, the re-education and the re-building of the man who has given of his best in the service of his country.

There is another point that I wish to touch upon. Let me say, en passant, that the system of treating wounded soldiers has been found to be of great importance in France. It should be remembered that 92 per cent of the men fighting to-day for France have come from the land; that is to say, they were either farmers or farm-hands. The figures which I gave you at the beginning of my remarks, showing the enormous increase in the cost of living in France, are explained chiefly by the great mobilization of the rural population in the armies of France. It was discovered that the best way to bring these men back to usefulness for their country was to interest them in their former work. Ninety-two per cent, as I have said, were called from the farms to serve their country. They have, as we know, served their country in a manner which is above reproach. But it has been found that a great many of them are loth to go back on the land. They say: "Eight per cent of the population, people from the cities, villages, and towns, have been working comfortably in munition factories and earning big salaries, whilst we have been in the mud or in water up to our waist, fighting for our country, and, should another war be declared in the future, we wish to have our sons spared what we have suffered because we came from the land." The French Government has assiduously applied itself to counteracting that movement by making it as easy and agreeable as possible for the rural population to return to their old occupations, and in that the Government has been successful.

We, all know, honourable gentlemen, how lasting are the effects of wounds. We all know that a poor fellow, whose shoulder has been shattered comes out of the hospital partly cured, but that though the wound may be healed up his system has been so affected that his lungs, or his heart or kidneys, or liver, are out of order. The only way to make a new man of him and fit him for an occupation so that he may be self-supporting is to restore as far as possible the use of his disabled limbs. It has been done in the past by mechanical processes, by what is known in Europe as the Zander system, which is purely mechanical. If you walk into one of the large hospitals in Paris, for instance, you will find machinery that will take a man's arm and work it up for five or ten minutes so as to restore to it a certain power of motion; you will find other machinery that will work the knee; others that will work the hips; others for the neck and so on. But a French doctor by the name of Bergonie, one of the shining lights of the University of Bordeaux, a gentleman who has discovered an electrical instrument that will locate the smallest splinter of a shell in any part of a wound, conceived the idea that instead of healing wounded men mechanically it might be done by returning them to the farms. He established in the town of Martillac, in the Département de la Gironde, a small hospital consisting of 125 beds. The hospital is located out in the country. Dr. Bergonie has been conducting that hospital for the past three years. He has been experimenting to see whether wounded men could not be healed without mechanical treatment, but simply by employing them at work which they were fit to do on the land. After experimenting for two years he has come to the conclusion that the system is a success. His report to the Institute of Sciences in Paris regarding this new system has revealed the fact that great progress had been made in the treatment of wounds or injuries, and the system is to-day being utilized by the French Government not only at Martillac, but in every canton of France, because the Minister of Agriculture for France, who visited Dr. Bergonie's hospital, found the system so rational and so efficient that he decided it should be adopted throughout the country.

What is the system followed? There is only one doctor attached to the institution at Martillac. One hundred and twenty-five men arrive there from a big hospital where they have been convalescing—men suffering from collapse of the nervous system, or men with bones shrunken or diminished or

unable to move the arms or the hips. or legs, or feet. The various disabilities are all noted down on a card. These men are given different kinds of agricultural work to do, so that each limb which requires exercise will get it in the useful work which is done on the land, instead of getting it by mechanical treatment as formerly. A scientific commission, hearing of this hospital at Martillac, decided to visit the hospital without giving notice of their coming. When they got to the hospital what did they find? It was empty. All the wounded men were out working in the fields. Some were digging; others using wheelbarrows because they required exercise of the wrist, or the shoulders, or the arms; others chopping wood; others milking cows; others sowing, or picking potatoes. Their different movements were similar to those which they would have had to perform mechanically, but in performing them on the land they were doing useful work, and were doing it out in the pure air, and, as they say in France, "dans un milieu qui leur était familier"—in the midst of things familiar to them; that is to say, close to nature. These men were gradually recovering their health and becoming once more useful citizens of France.

Honourable gentlemen, we shall soon have in Canada an enormous number of returned soldiers. We possess many experimental farms in Canada. Why should not every one of these experimental farms be used as is that station at Martillac? Last Friday the members of this honourable House were invited to go to the Central Experimental Farm to witness a demonstration of mechanical ploughing. I noticed there a dozen men who were weeding. Why should disabled soldiers, who would otherwise require mechanical treatment, not be put at exercise of that kind? That farm is certainly one of the loveliest spots within fifty miles of Ottawa; the air is of the purest; the surroundings are magnificent, and I, for one, am sure that it would be a great help to any man to be stationed at the Experimental Farm. Not only would the man recuperate by living out in the open air, but what would be the cost to the Government of putting up a few sheds to house these men? What would be the cost of feeding those poor fellows? You will have to feed them anyway, and then you would be doing something which would help towards their recovery, and at the same time be doing good for the country. As Dr. Bergonie has remarked, the work that the wounded soldier on one of these farms may do must be considered as a by-product. It may be practically nothing, but in a very short time it contributes to the remaking of that man, contributes towards making that man feel that in future he will not be a burden to his country, much less to his relatives.

I would again request all my honourable colleagues in this House to read Sir Henry Norman's report and learn what the system of treatment which I have mentioned has saved to the French Government. It amounts to hundreds of millions saved, not only by way of pensions; but also by the work that these men have been able to take up again, though they had been so severely wounded that they were thought to be absolutely useless for the rest of their lives. These men have been remade and re-educated, and to-day are some of the most useful citizens of France, owing to the Bourrillon and Amar systems, so that after having served in the war they are as able as they were before the war to earn their own living.

Hon. Sir JAMES LOUGHEED: The committee is indebted to my honourable friend from Rigaud (Hon. Mr. Boyer) for directing our attention not only to the duty which falls upon the Government of Canada in the way of re-educating our returned soldiers, but to the economic reasons why public opinion should be directed to this very important subject. The Military Hospitals Commission is charged with this very important duty, and has already established some sixty institutions throughout Canada, extending from the Atlantic to the Pacific. It has also dealt with approximately 20,000 men who have passed through its hands, and is to-day housing approximately ten thousand returned soldiers who are either convalescent, wounded, or invalided. The commission has not overlooked the very important information which has been conveyed to the House by my honourable friend from Rigaud, particularly touching the equipment which has been adopted in Paris and on the continent in the re-education of the more seriously wounded. The commission is indebted to Colonel Mignault, of Montreal, a well-known physician, for specially directing their attention to the Amar equipment. It was known to the commission before, but Colonel Mignault has taken particular interest in that equipment, and I may say that the commission is at present investigating the latest and most scientific equipment which is being applied in Europe in the re-education of wounded soldiers, through certain

experts whom they have sent there. The men who have been returned to Canada from the front have, of course, recovered to a measurable extent from the severity of their wounds, and while yet under the charge of the commission may not have taken up the question of re-education as seriously as is done in Europe. However, all the commission's institutions are furnished with the most elaborate equipment, which is being applied by the very best experts who could be secured in Canada, and very satisfactory results are being obtained, so that most if not all the wounded men who have returned to this country, will be dealt with in such a way as to bring about a recovery from the wounds from which they have suffered, either through loss of limbs or otherwise, as far as science can possibly do so. The Government is, regardless of expense, doing the best that can be done in behalf of the invalided men who have returned from the front. I hope we may have an opportunity, before the session closes, to go more extensively into this matter, and I am very glad that my honourable friend from Rigaud has directed the attention of the Senat to the very important work done in Europe, which we are in duty bound to carry on in Canada, and which will be conducted on a very large and extended scale here.

The Bill before us is, in a sense, germane to this subject. The Government is endeavouring as far as possible to induce returned soldiers to settle upon our vacant lands, and the object of this Bill is to assist in every conceivable way, not only by furnishing land to the soldier, but by giving him that financial assistance which is so desirable to his making a proper start, and likewise by placing within his reach facilities to secure that measure of agricultural training which is indispensable to success in farming. A perusal of the Bill as we proceed clause by clause will doubtless impress upon honourable gentlemen the fact that we are doing all that we possibly can to meet this national situation which we have to face.

Hon. Mr. BOYER: I am very glad to hear what my honourable friend has said, but I have a request to make, which is this: Do not investigate too much. Other nations have done all the investigating, and we cannot afford to investigate; we must go to work right away. I do not wish to make any political issue of this matter, but some men who have been returned have been so shamefully treated that it is no wonder that recruiting has fallen off. I could give you half a dozen cases, but I will be content to mention two. A young glass-blower by trade, 20 years of age, who had been earning not less than from $18 to $24 a week, went to the war, got a bullet clean through his skull, and was sent back paralysed. He went through the hospital in Montreal, and, though he could not speak a word of English, never had a French-Canadian doctor near him who could understand him, and he was discharged. He was picked up by Colonel Mignault while begging in the streets of Montreal. He had been put out of the hospital in Montreal as cured, with both legs paralysed, on the magnificent pension of $8 a month. Another case was that of a steeplejack who had never made less than $80 or $100 a week. His last job before he went to the war was the tuck-pointing of the big chimney in the Windsor Street station, for which he was paid $80, the job having occupied four days. He went to the war; his left elbow was broken; they patched it up, and in doing so shortened it by about two inches, so that his occupation was gone. He tried to get employment as a chauffeur, being furnished with a sort of tool that would enable him to handle an automobile, having gone to a school established, I am told, by the Hospitals Commission. He could not speak a word of English, and there was not a single teacher in the school who spoke a word of French. This man was retired on the magnificent pension of $8 a month, and was found begging in the streets of Montreal. Those men were actually picked up in Montreal in a starving condition. A very stiff letter was addressed by this identical Colonel Mignault to the Hospitals Board, who felt so much ashamed of the work they had done that those two men were picked up again, put on their old salaries, and everything possible is being done for them. If they had not been by accident met by Colonel Mignault, God knows what would have become of them.

Hon. Sir JAMES LOUGHEED: I would like to say to my honourable friend that he fails to draw a distinction between the Hospital Board and the Hospitals Commission. I understand from him that the Hospital Board did assist those men when their condition was discovered. The medical work of the Hospitals Commission is looked after by the Army Medical Corps attached to the Militia Department. If my honourable friend will give me the particulars of those two cases, I shall be very glad, not only to ask, but to require and insist upon the

Minister of Militia investigating the treatment of those cases by members of the Army Medical Corps. The Hospitals Commission is not charged with the medical work of the commission.

Hon. Mr. BOYER: I shall furnish my honourable friend with the names and all the particulars of those cases. I did not mention them in order to criticise, but simply to see that such treatment shall not be repeated. We want to do the very best we can for those who have given the best of their services to their country.

Hon. Mr. BOSTOCK: I have listened with great interest to the speech of my honourable friend and to the reply given by the minister; but from the latter I did not gather that very much had been done towards enabling the men who are returning to Canada, and are convalescent, to go on the land. I understand that most of the convalescent homes throughout Canada are in towns, so that the men who go to them have not much opportunity of getting on land and doing work there, even if they want to. I do not mean to say that all those men desire to go into agricultural work; but, from the little information I have on the matter, I have wondered whether they are getting much opportunity to work on land and become efficient in that kind of work if they want to follow it up. From what the honourable gentleman has said, the best method does not seem to be employed in treating practically all those men who have been wounded, and who have to go through a course of treatment to have their natural faculties restored or to regain the use of their limbs or muscles. The very best way of doing this would be to give them opportunities of working in the open air and on the land itself; but they have not such opportunities at the convalescent homes in towns.

Hon. Sir JAMES LOUGHEED: Of course, it is difficult, if not impossible, to secure in rural parts the very large buildings which are required for the accommodation of those men; consequently, they have to be placed near large centres. Up to the present time, so far as I know, no serious demand has been made on the part of returned soldiers to go upon the land; but the legislation now before us is intended to meet any demand that may be made in that direction. Legislation is not only desirable, but necessary to meet the requirements of those men who may wish to settle upon our public lands. The different provinces have also given consideration to this question. In only three western provinces—Manitoba, Saskatchewan and Alberta—does the Dominion Government own the public lands; in the other provinces they are owned by the provinces themselves, and I think I am correct in saying that all those provinces have legislated with a view to settling returned soldiers on their lands. Many provinces have passed legislation of a very attractive character, giving to soldiers not only land, but also financial assistance and agricultural training. It is to be hoped that in due time full advantage will be taken of the legislation now before us. At present I do not think it can be said that any returned soldiers in Canada have been unable to find employment. All the provinces have recognized their obligation to look after the employment of these men, and at a conference between the Federal Government and the different provinces of Canada, an arrangement was entered into by which the latter assumed that responsibility. Accordingly, provincial commissions were appointed by the respective provinces to look after the employment of returned soldiers within the provinces where they lived. Those commissions have been in operation for the last year and a half or more, and I know of my own personal knowledge that they have been doing very satisfactory work. It is needless to add that there will be a percentage of the men who return from the front with whom it will be difficult to carry out any satisfactory arrangement touching employment. The conditions under which they have been living at the front, the conditions of war generally, contribute, in a way, to disabling the mind from applying itself with that close and prosaic attention which is involved more or less in all employment, and it will be some time I presume before our returned soldiers settle down to normal conditions of life. In the very nature of things they have become seriously disturbed by the most abnormal conditions under which they have lived during the last two or three years; therefore honourable gentlemen who may find some of these men either not getting employment or not staying in it will have to consider the conditions which must naturally be applied to the peculiar situation which we are facing.

Hon. Mr. BOYER: As chairman of the Hospitals Commission, would not my honourable friend consider favourably the suggestion of Dr. Mignault? Money has been voted to get all the Amar instruments. A further credit of $1,500 was asked in order to demonstrate to our own doctors how

these instruments should be used. Could not the Hospitals Board grant that? If we have the instruments and no one knows how to use them, they will be of very little use. It appears that these instruments are so very delicate that a man who has never used them, however clever he may be, will hardly be in a position to produce results. If, by granting this $1,500, the board helped only a half a dozen men, it would be money well spent.

Hon. Sir JAMES LOUGHEED: Not only has the attention of the commission been directed to the Amar equipment, but they have given very close attention to following up its results. While my honourable friend very properly refers to the wonderful work which has been accomplished by that equipment, yet, as in the case of all scientific apparatus, there is some disagreement as to the degree of satisfaction given by the results. Consequently, the commission has adopted this plan, which I think will be approved of by most men of common sense. They have sent to Europe a couple of their own experts, attached to Toronto University, who have given very close attention to the application of scientific equipment of this kind to wounded men. They are making an investigation, not only of the Amar equipment, but of other apparatus of a similar kind. When they return they will be acquainted not only with the equipment used in Paris and elsewhere, but with the working of that apparatus, and they will be in a position to teach the use of it in Canada and practically to establish a staff that will be familiar with that class of work. I can assure my honourable friend that the very best judgment that can be exercised is being exercised towards promoting the application of scientific equipment.

On section 4—Dominion lands to be reserved:

Hon. Mr. POIRIER: It appears to me that this Bill relates almost solely to the settlement of lands in the West. I should like to call the attention of the Government, or the commission whose duty it will be altogether lost sight of. In the East, especially in New Brunswick, we have lands that should be settled. I desire to inform the honourable leader of the Government that in New Brunswick we have already organized a company to help the Government, or a commission whose duty it will be to find lands for returned soldiers. We are preparing ourselves to help the soldiers as best we can—more particularly the French Acadians, although there is no closed door—and we have pledged ourselves to do the work gratis. Many of the returned soldiers know very little about farming, especially with regard to the selection of good land. Our committee is composed of people who have been brought up on farms and who understand these questions, and it is ready to join hands with the commission in order to give some substantial help to the soldiers and to see that the establishment of returned soldiers upon the land is not wholly confined to the West.

Hon. Mr. ROCHE: May I ask the honourable leader of the Government whether the grants of land are confined to Canadian soldiers? It has been reported that promises have been made to British soldiers.

Hon. Sir JAMES LOUGHEED: Paragraph c of section 2 says:

> "Settler" means any person who has served in the naval or military expeditionary forces of Canada during the present war, or who was engaged in active service during the present war in the naval or military forces of the United Kingdom or of any of the self-governing British dominions or colonies, or who, being a British subject resident in Canada before the war, has been engaged in active service at one of the seats of war in either the naval or military forces of His Majesty's Allies in the present war.

I may say to my honourable friend from Shediac (Hon. Mr. Poirier) that some months ago the Government had a conference with the representatives of all the provinces with reference to the question of the settlement of returned soldiers in the provinces where the Dominion Government does not own land. The matter was discussed at great length, but no conclusion was arrived at pending further negotiations. This Bill deals only with land owned by the Dominion Government.

Hon. Mr. BOSTOCK: It occurs to me that in the West the great majority of the Dominion lands are far removed from the railways and the centres of settlement. It seems to me that it is not an attractive prospect to place before a returned soldier, that he has to go miles away to the northern part of the country in order to get free land. I speak only from what little knowledge I have; honourable gentlemen from the West may know more about this matter; but it seems to me that most of the land within a reasonable distance of the railways has passed out of the hands of the Government. A great deal of this land has been taken up and cultivated, and a great deal of it has been left vacant. I understand that some of the

settlers, after they got their Crown grant, borrowed money from private individuals or companies, and as a result the land has gone to those individuals or companies and is not now being worked. It may be said that this is a very ambitious scheme and there may be many difficulties in putting it into effect. I think the question should be considered whether it is not possible to get control of some of the lands nearer to centres of settlement, so that the men who want to take up land will not have to go too far from what I might call civilization—a town or some place where others live, where there would be ordinary facilities.

Hon. Sir JAMES LOUGHEED: The Minister of the Interior states that in Saskatchewan there are 917,952 acres—practically a million acres of land; in Alberta, 4,100,736 acres. He says:

> These lands are reported by our department as the approximate areas of undisposed and available Dominion lands, suitable for agricultural purposes within ten miles of railway lines. Then we have within fifteen miles, in Manitoba, 2,144,256 acres; in Saskatchewan, 1,407,728 acres; in Alberta, 5,696,512 acres. The acreage within twenty miles in Manitoba is 2,552,736 acres; in Saskatchewan, 1,802,416 acres; in Alberta, 6,891,008 acres. The acreage over twenty miles in Manitoba is 492,864; in Saskatchewan, 1,627,584; in Alberta, 5,580,992.

Of course, as the minister has stated in the House of Commons, this land is not necessarily all agricultural land. He says:

> Much of it is heavily timbered, some of it is scrub, other portions are open prairie.

In that enormous area, so far as the demand up to the present time has indicated, I think there will be sufficient land to meet the demand.

Hon. Mr. ROCHE: There is plenty of land, but will the Government take steps to put the soldiers on the land? Will they actually go on the land and work it and help to maintain themselves? Undoubtedly, when they have obtained the lands, they will fall into the hands of land-sharks. They will sell out.

Hon. Sir JAMES LOUGHEED: That is provided for. A land commission, consisting of three capable men, is being appointed to administer the provisions of this Act. This land will be given to a soldier, and a loan of $2,500 will be made, if necessary. A man will have facilities for agricultural training, and will not be permitted to alienate the land until the loan is paid off.

Hon. Mr. BLAIN: Under this Bill a returned soldier can buy land in any province in Canada. For example, he decides to buy a piece of land in New Brunswick. He can purchase that land, and the board will grant him a loan of $2,500 on it, just as it does in the case of land given in the West. The Bill also provides that, if a soldier has not the money to travel to his farm the board may loan him the money necessary to pay his railway fare and to take his family to locate on the farm. This was all threshed out in the other Chamber—which I suppose I should not refer to here. Subsection f of section 5 was placed in this Bill for the express purpose of allowing the board to advance money to a soldier so that he could take his family to his farm, no matter where it was located. Section 5 of the Bill says:

> The Board may loan to a settler an amount not exceeding $2,500 for any of the following purposes:

Then it goes on to name the purposes, and paragraph f says:

> Such other purpose or purposes as the Board may approve.

These words were added for the express purpose of giving power to the Government to take a soldier and his family to any part of the country to which they wished to go.

Hon. Mr. SPROULE: It seems to me that there is a weakness or defect in the Act. There is nothing to indicate when the soldier may become possessed of the land. He may borrow money from the Government or he may not. When he acquires the land it is under the control of the commissioners, and in the event of his borrowing money there is nothing to indicate how long he must hold the land.

Hon. Sir JAMES LOUGHEED: Subsection 8 of section 6 governs that.

Hon. Mr. SPROULE: He must pay off the loan before he can become possessed of the land; but if the land happens to be in a locality where, because of settlement or the inroads of railways, it becomes very valuable, all he has to do, if I properly interpret the Bill, is to negotiate with some land shark who will advance him the money to pay off the loan, and then he becomes possessed of the land and can sell out the whole thing. By that means the land gets into the hands of speculators. It is something like the principle that obtained with reference to the grants made in the Northwest—the script lands, Fenian raid lands, and other lands of a similar

nature. All these seemed to be handled by the speculator. I am afraid that unless very stringent regulations are made and control is kept over these lands for a long time, we should find in the future, as we have found in the past, that the great bulk of them soon come into the hands of the speculator, and the real locatee of the land receives very little value from it.

Hon. Mr. BOSTOCK: I should like to ask one further question. The honourable gentleman (Hon. Mr. Blain) has said that some of this money is to be used in allowing the soldier to pay his fare and help his family. Is that to be in addition to this $2,500, or is that to be taken out of the $2,500?

Hon. Mr. BLAIN: It must be included in the $2,500.

Hon. Mr. BOSTOCK: Is $2,500 all that one man can get?

Hon. Mr. BLAIN: Yes, and it is to be repaid within twenty years and bears the rate of 5 per cent.

The section was agreed to.

The Bill was reported.

Hon. Sir JAMES LOUGHEED moved the third reading of the Bill.

Hon. Mr. BOSTOCK: The Hon. Mr. Domville has given notice of an amendment to be moved on the third reading.

Hon. Sir JAMES LOUGHEED: The honourable gentleman should be present. Notwithstanding that notice of motion, I think we had better have the third reading now.

The motion was agreed to, and the Bill was read the third time and passed.

ADJOURNMENT OF THE SENATE.

Hon. Mr. LANDRY: In the absence of the honourable gentleman from Grandville (Hon. Mr. Choquette), I move that when the Senate adjourns to-day it do stand adjourned until Tuesday, the 14th instant, at eight o'clock in the evening.

Hon. Mr. LOUGHEED: There is nothing on the Order Paper for to-morrow, I very much regret to say. I should like to keep this House continuously engaged if at all possible, but I think that if we adjourn until next week we should return on Tuesday afternoon at three o'clock.

Hon. W. B. ROSS: What about the Railway Committee?

Hon. Mr. SPROULE.

Hon. Sir MACKENZIE BOWELL: There are two or three committees to meet. When we adjourned before over Friday and Saturday, the committees dropped their work and the consequence was that the business of the House could not go on The Railway Committee and the Economic Committee are called for to-morrow. If the House adjourns we shall not be able to have meetings of those committees. Then, there is the Railway Bill to consider, with three or four hundred clauses, and the Companies Bill. Why not occupy the time to-morrow, and even Saturday if that were necessary, in completing the consideration of those Bills, so that we may send them to the House of Commons—unless honourable gentlemen want to stay here until Christmas.

Hon. Sir JAMES LOUGHEED: We will adjourn until to-morrow.

Hon. Mr. LANDRY: We might add to the motion that the committees be allowed to meet to-morrow as usual.

Hon. Sir MACKENZIE BOWELL: But the members of the committees will want to go home just as well as other honourable gentlemen.

Hon. Mr. THOMPSON: I think many of the members of these committees have gone home anticipating that the committees would not meet, and we should have much difficulty in getting a quorum, I am afraid.

Hon. Sir MACKENZIE BOWELL: Is the whole business of the country to stop because certain members take it into their heads that the House is going to adjourn? We have been adjourning so much that we have neglected the business of the country, and it is about time we attended to it. I am one of those who want to get through.

Hon. Mr. LANDRY: Yes, but honourable gentlemen have gone probably because there was nothing at all on the Order Paper for to-morrow.

Hon. Sir MACKENZIE BOWELL: These committees are called.

Hon. Mr. LANDRY: I am simply trying to explain why honourable gentlemen have left. I trust the honourable gentleman from Belleville will not press his objection.

Hon. Sir MACKENZIE BOWELL: Yes, I will.

Hon. Mr. TAYLOR: The session, I presume, will continue well into September. Many members have already gone home in the expectation that this House would ad-

journ to-night. There is nothing on the Order Paper for to-morrow, and why should the House be held in session when there is nothing to do? We shall be here next week with nothing on the Order Paper, and there will be plenty of time for the committees to meet and get the Bills ready for presentation to the House.

Hon. Mr. DANIEL: I should like to remind honourable gentlemen that the business of the Senate is not confined to what is done in this chamber. The committee work is absolutely as necessary as what is done here. Two or three committees have been named. There is the Railway Committee, with a long and important Bill before them, which will take some time to consider. That committee cannot meet if this House adjourns until Tuesday. There is also the Joint Committee of this House and the House of Commons to consider the subject of reducing the cost of the sessions of Parliament. That committee has already been interfered with by adjournments of this House. I do not see how we are going to do the work of the session unless we stay here and attend to our business. That is what we came for; that is what I came for, and I do not think that we ought to give way time after time to the convenience of very few members. I should like to accommodate them as well as any one else, but I think there should be a limit to that sort of thing. We ought to stay here and attend to our business until we complete it. The Railway Committee has enough work to keep them occupied every day for three weeks if they are to finish with the consolidation of the Railway Act, and I do not see how they are going to get through with it unless we stay here. I for one am opposed to adjournment till Tuesday.

Hon. Mr. LANDRY: I think that in the absence of our best committee men the Bills will not be advanced a single line to-morrow. The work might go on, but it would have to be done over again.

Hon. Sir MACKENZIE BOWELL: But their business is to be here. If they cannot, let them resign and let others be put in their places.

Hon. Mr. LANDRY: I am not asking adjournment for myself as a personal favour; I am here and am ready to remain, but I am asking it for other members.

Hon. Mr. MACDONELL: As a member of the Railway Committee, I was particularly anxious to proceed with the Bill this morning, and I am still, and I shall be here to-morrow, but it is only fair to those who are not here and will not be here to-morrow to say that, although a resolution was carried this morning that we should meet to-morrow, it was stated, I think, by the Chairman, or somebody else, and was agreed to by all, that if the House adjourned to-night there should be no meeting of the Railway Committee to-morrow. I think many of the members who were present to-day acted upon the assumption that the House would adjourn till next week.

Hon. Mr. THOMPSON: I think the statement I made to the committee was that we must have the leave of the House for the committee to meet to-morrow if in the meantime the House adjourned. My honourable friend from St. John (Hon. Mr. Daniel) has stated that committees are to meet to-morrow. Some of the committees could not meet to-morrow, because there are three committees called for to-morrow, all occupying the same room.

Hon. Mr. DANIEL: I would remind the honourable gentleman that there are more rooms than one in this building.

Hon. Mr. THOMPSON: But some honourable gentlemen are members of more than one of the committees.

Hon. Mr. NICHOLLS: I do not think anybody can accuse me of lack of industry; but, while I am quite willing to stay here and do my share of the work of any committee, I cannot agree altogether with the honourable gentleman from Belleville that the committee should meet anyway, and that if members have left it is their own fault. The committee has very important public business to consider, and it is quite possible that the public interest might not be fully and favourably considered were so many members of the committee absent. I think that a very important Bill like the Railway Bill requires a full attendance in committee. There has evidently been a misunderstanding with regard to this matter. There was a notice of motion for adjournment on the Order Paper, and a good many honourable gentlemen who have already left told me it was understood that the House was to adjourn until Tuesday.

Hon. Mr. BOSTOCK: After the discussion to which we have listened, would my honourable friend from Belleville withdraw his objections and allow us on this occasion to adjourn until Tuesday? The discussion

will be a notice for the future to the honourable members of the Senate that they should not go away and leave the business to take care of itself. After the discussion we have had, honourable gentlemen who have gone away will know what to expect in the future.

Hon. Sir MACKENZIE BOWELL: I would say to the honourable the leader of the Opposition that I do not control the House; I am only giving my individual opinion, and if the majority desires to adjourn until Tuesday or Wednesday, I will, as I have always done, submit to the will of the majority—not being an autocrat, but a democrat.

Hon. Sir JAMES LOUGHEED: My own opinion is that we should meet to-morrow if any honourable gentlemen feel that we ought to do so. Either we should be unanimous for adjournment and there should be no recriminations that we are evading our responsibilities, or we should simply continue to sit from day to day. My own opinion, from what has been expressed, is that we should have no adjournment—although there will be nothing to do.

Hon. Mr. LANDRY: I would ask for the yeas and nays. The motion is that this House adjourn until eight o'clock on Tuesday evening, but, as the honourable leader of the Government has asked, I would be willing to change that to three o'clock in the afternoon.

Hon. Sir MACKENZIE BOWELL: If we are going to adjourn for several days for the purpose of accommodating honourable gentlemen who are leaving the city and will be coming back, let us have until eight o'clock on Tuesday evening.

Hon. Mr. LANDRY: I have no objection to leaving the motion unchanged.

The motion was agreed to by a standing vote: yeas, 17; nays, 9.

The Senate adjourned until Tuesday, August 14, at eight o'clock in the evening.

THE SENATE.

Tuesday, August 14, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

BRITISH NAVAL OFFICERS IN CANADA.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. If the officers of the British Naval Service, sent to Canada by the Imperial Government to the Port of Halifax, N.S., for the purpose of examining neutral vessels are on the pay-roll of any department of the Canadian Government?
2. If so, what is the amount paid to the said officers?

Hon. Sir JAMES LOUGHEED:

1. No.

No. 2. Answered by No. 1.

MILITARY DISTRICTS AND COMMANDING OFFICERS.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. What are the present military districts for command in New Brunswick, and in Nova Scotia?
2. What officers command each district, and their rank?
3. What daily pay do these officers receive, also what allowances, including expenses of locomotion, whether by motor car or otherwise, of orderlies, of servants, and also including incidental expenses paid by the Militia Department, the whole as stated in each case?
4. What is the total expenditure made for the past year ending June 1 last, by each of such commanding officers doing duty in Canada?
5. How did the rank of Brigadier-General originate in Canada, and on what authority, and for what service?
6. Is the officer in command of any district or brigade in Canada a member of the Senate or of the House of Commons? If so, do they accept their sessional indemnity in addition to their daily pay, allowances and expenses of rank? Also, if so, what are the names of such officers?

Hon. Sir JAMES LOUGHEED:

1. Military District No. 6.
2. Major-General Thomas Benson.
3. Pay, $8.76 per diem; allowances, medical, 14c.; servant, 25c.; forage, 60c.; horseshoeing, 6c.; groom, 25c.; entertainment, $1.66, per diem.
4. $4,819.78.
5. Originated in section 43 of the Militia Act, 1904, now section 42 of that Act; and for any service which seems to require it.
6. No.

DOMINION LOAN OF $100,000,000.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

1. Who were the underwriters for the one hundred millions loan recently floated in New York?
2. The net amount received by the Canadian Government for the same?

Hon. Sir JAMES LOUGHEED:

1. The loan was floated in New York through Messrs. J. P. Morgan and Company.

2. $96,250,000.

PAYMENTS TO JUDGES.

MOTION FOR RETURN.

Hon. W. B. ROSS moved:

That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before the Senate a return showing the name of every judge of the Supreme, District and County Courts in all the provinces of Canada, for the year 1916, together with a statement of the moneys paid to each of such judges for that year for (a) salaries; (b) travelling expenses; (c) allowances of all kinds; (d) for services as commissioners; (e) and any other payments; and also, showing the names of judges who have performed services as commissioners, or in any other public capacity without compensation.

The motion was agreed to.

PRIVATE BILL.

THIRD READING.

Bill 39, an Act respecting The Toronto, Hamilton and Buffalo Railway Company. —Hon. Mr. Milne.

MEAT AND CANNED FOODS BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 73, an Act to amend the Meat and Canned Foods Act, Hon. Mr. McSweeney in the Chair.

On section 1—definitions added:

Hon. Mr. BOSTOCK: Can the honourable leader of the Government give us an explanation as to why these alterations are being made in the definitions?

Hon. Sir JAMES LOUGHEED: It is to make the Act on the Statute Book more intelligible. These additional interpretations are given simply to do away with any misinterpretation that may be placed upon the phraseology of the existing Act.

Hon. Mr. BOSTOCK: But in this case it simply says:

"Fish" does not include shellfish and crustaceans.

It does not seem to be very clear under that definition what fish is. It seems rather a curious way of putting it.

Hon. Sir JAMES LOUGHEED: The definition simply excludes those particular kinds of fish. If the Act originally was not intended to include shellfish and crustaceans, and if sometimes they are known as fish, or referred to as shellfish, it is desirable so to state. That is the only reason I can give.

Hon. Mr. BOSTOCK: But I do not find in the Act that there is any reference to fish in the previous definitions.

Hon. Sir JAMES LOUGHEED: The term "fish" is used all through the Act.

The section was agreed to.

On section 2—fish, etc., canneries to be subject to inspection; cans, etc., to be marked:

Hon. Mr. MURPHY: In common with the leader of the Opposition I think that this Bill, all through, is more or less inconsidered. What its genesis is I am at a loss to know. With regard to its effect on salmon and other fish not coming under the head of crustaceans, I am not going to quarrel, because I am not in a position to know how it will affect them; but when we come to section 2, which affects and specifically means the lobster industry, an industry in the Maritime Provinces whose output amounts to three and a half million dollars a year, the regulations are altogether out of keeping with the conditions as at present prevailing, and are very mischievous for the industry, and would, if adopted, work very great hardship. Paragraph a of subsection 12A of section 2 provides that the cans shall be marked with:

The initials of the Christian names, the full surname and the address, or, in the case of a firm or corporation, the firm or corporation name and address or the name and address of the packer or of the fish dealer obtaining it direct from the packer.

Now, honourable gentlemen, let me tell you that the European market, which to-day is two-thirds of our whole market, will not have a lobster can marked with or having a label bearing the name or the surname or any other mark of the fisherman in this Dominion; and, if you insist upon such a mark being placed on the can, the European importer will not accept it. To explain why that is, I would say that those men are large distributors. Before the war they distributed fish to Germany, to Scandanavia, and to the smaller countries of Europe. As you know, lobsters are a delicacy, and the large dealers at Havre and at Nantes, and the large dealers of Britain, imported them, held them in storage for a time, and then distributed them to the

various centres of Europe. Those men had established a reputation for their product, because their label was placed on the can, and that mark went, and not the mark of the smaller individual packers in the different places from which the lobsters came. In this connection I may say that the Maritime Provinces, Newfoundland, and the Gaspé coast of Quebec are the chief centres from which canned lobsters are obtained at the present time. To use a label and get it established on the European market would entail, as you can readily understand, a great deal of trouble and a great deal of advertising; therefore, a man in a small way of business, or even in what we would consider a large way, in this country, would be unable to fulfil the conditions necessary to put his product on the market. So under existing conditions, the large dealers, the men who import hundreds of thousands of cases of these goods, require the packer on this side to send the cans burnished and with no other mark than his initials on the box. If this section of the Bill were put into effect it would exclude altogether such shipments at the present time.

It is proposed, further, that the cans shall be marked with:

A true and correct description of the contents of the can, including the vernacular name and the minimum net weight of the fish or shellfish in the can plainly printed in a conspicuous manner, and the name of the place where the same was packed.

Now, to put all that on a label would entail a great deal of expense. The labelling would cost the producer 40 cents a case, which is very often the net profit, and sometimes more, to the man who produces these goods—and why? Under the conditions as they are to-day understood, a man in Nantes, for instance, telegraphs to the packer or producer here and asks, "Quote me so and so, clear, polished cans, of a certain weight." They are known on the European market as pounds, half-pounds and quarters, and that market usually wants quarters or halves. The importer who cables asks for the cans clear, but the Bill proposes that stickers shall be placed on them. That is what it means. I do not see what else could be done. It would be necessary for the packer to place on his tins his name and address, and a description of the contents. This requirement would exclude his pack altogether; the importer would simply not buy it. It takes years and years to develop an industry of this kind; and the men who have been engaged in this business for thirty of forty years know full well that it would be absolutely impossible at the present time to sell to European buyers under these conditions.

There is in this Bill another objectionable clause—paragraph 4 of 12A:

Provided, however, that if it is established to the satisfaction of the Governor in Council that the labelling of the cans of fish or shellfish as prescribed by this section hinders the sale of the same in foreign markets or in the markets of the United Kingdom, he may exempt such cans of fish or shellfish as are exported to such markets from the provisions, or any one or more of the provisions, of this section.

Now, just imagine a man who had made a sale of 500 cases of lobsters to be shipped direct to France, having to go to the Governor in Council to get an order to exempt those cans for shipment. The thing, to my mind, is an absurdity, and I think it will be regarded as an absurdity by all of you honourable gentlemen who know anything about business matters.

Then we come to subclause 12D, regarding weights—and this is probably the provision which would affect the industry more than any other. Let us turn to the draft Bill, which was supposed to have been drafted by the experts of the department. I cannot agree even with the experts of the department. This subclause 12D provides:

Cans of lobster shall contain the following minimum amounts of dry lobster meat:

"Dry lobster meat" is defined in section 1 of the Bill. I quote now from the draft Bill, sent over by the experts of the Department of Marine and Fisheries to be dealt with in the House of Commons, for what reason I do not know:

A one-pound can, 13 ounces, avoirdupois.

It will at once strike you as strange that 13 ounces should make up a pound can of meat, but in the packing of lobster, unlike the packing of meat, or salmon, or fruit, it is necessary to have a certain amount of pickle-gravy or juice, and that is essential to the proper preservation of the lobster, and just as essential as the meat is itself. especially when you make a salad from it. Thirteen ounces is too little. The standard the world over for a pound can of lobsters is 14 ounces of meat and 2 ounces of pickle. The pickle, with its delicate qualities, is just as essential as the meat. This is not the only objection that I have to the Bill. If the full quantity of meat is put into the can there is no room for the brine. I suppose there are to-day probably a million standard cans which have not been used, and if this legislation were passed

they could not be used, and would have to be destroyed. There is another difficulty. A man is used to buying the standard can containing 14 ounces of meat and 2 ounces of pickle. Suppose a man in England or France wired for 1,000 cases of lobster. By reason of having to put two extra ounces of lobster in a can the packer would have to quote a higher price, because the lobster meat costs more than the brine, and if he quoted a figure 15 or 20 per cent higher than usual the buyer would naturally come to the conclusion that something was wrong. When he came to re-sell the goods there would be the same difficulty. As I said before, I think the Bill is ill-advised and would work untold injury to the lobster industry throughout the Maritime Provinces. According to the Year Book of 1914 the lobster industry of the Maritime Provinces amounted to three and a half millions of canned lobsters, of which quantity Prince Edward Island packed eight or nine hundred thousand. Honourable gentlemen can imagine the furore in the constituency which I represent if this legislation were passed.

In considering this Bill I have had the advice of a member of this House who is a pioneer in the lobster industry, a gentleman appointed by the Government on the Shellfish Commission that laid down the present regulations governing this industry; and he, like myself, is diametrically and absolutely opposed to this Bill.

There is another matter that I should like to mention. The last clause of the Bill says:

> Any can of fish or shellfish not labelled or marked in accordance with the provisions of this Act or of the regulations before being offered or exposed for sale by retail shall be forfeited to His Majesty, and may be seized by any inspector, or by any customs, excise or police officer, or by any constable.

Labelling costs 40 cents a case, which is very often the average profit on 2,000 cases. If the Bill is proceeded with—which I do not think it will be—I will move that the regulations respecting the lobster industry be stricken out. After advisement with the honourable leader of the Government, and understanding that the Bill will stand over until he has further consulted with the Fisheries Department, I shall say nothing further on this occasion.

Hon. JOHN McLEAN: I scarcely know why the Department of Marine and Fsheries has sent up this Bill. During the last thirty-five years lobsters have been sold with the understanding that a pound can contained 14 ounces of meat, and this standard has come to be recognized on the other side of the Atlantic. If these regulations were followed, and the same standard of can were used, after three or four months the lobsters would become very dry and very unsuitable for the market. The present standard is recognized all over the world. I understand that there have been one or two lawsuits based on the claim that the half-pound can did not contain a half-a-pound of lobster. For that reason I can understand why there should be some regulation as to weight, and why the department, after having investigated this matter, proposed the provision that a pound can should contain 13 ounces of lobster.

It is absolutely impossible for one of our dealers to sell lobsters in Europe under his own label. A dealer in France, England, Norway and Sweden—or a few years ago in Germany—simply wants an identification letter and his own name on the cases, he puts his own label on the cases, sells them and guarantees them, and looks to the shipper to make good any leaks that may take place. The cases are all identified in this way. For instance, a thousand cases are shipped to a man in Havre, and the letter D is put on them, or the letter E or F, and they are guaranteed against leaks. If there is any leakage, it is claimed that there are so many leaks in letter D, E, or F, as the case may be.

I cannot understand why the House of Commons changed this Bill after it came to them. I think the Fisheries Department was right with respect to lobsters, except as to weight. At the present time, if lobsters are shipped from Canada to the United States they have to be labelled or they will not be accepted; in addition, a sticker has to be put on saying, "This package contains 6½ ounces of meat." I have been in this business for thirty-five years, and the orders come in this way: "Quote lowest price on 1,000 cases half-pound, 500 quarter-pound, so many three-quarter pound, bright, unlabelled lobsters." If we put our labels on the cans, the people on the other side would have to put their own labels over them, or else take ours off and then put their own on. The man on the other side who receives the lobsters guarantees them to the people to whom he sells, and we have to stand behind him and guarantee them to him. Instead of putting our name on we put his name on to identify him as the receiver of these goods. It would be very unreasonable to expect those people to understand a change of this kind.

which would necessitate quoting a price next spring, which would probably be 20 per cent higher than the present quotation. I think if the regulation were allowed to remain as it came from the Department of Marine and Fisheries it would be all right so far as lobsters are concerned.

Another clause which I would like to refer to says:

Any can of fish or shellfish not labelled or marked in accordance with the provisions of this Act or of the regulations before being offered or exposed for sale by retail, shall be forfeited to His Majesty.

That regulation has never been recognized by the lobster industry in the Maritime Provinces. It cost almost a cent a can to put labels on. If a man wants to advertise his goods he puts a label on; if not, he puts them in a bright unlabelled can. In the manufacture of cans we use tin cut in sheets 14 inches by 20, and 12 by 12. If the size of the can is changed even a quarter of an inch it would necessitate using a different size sheet of tin and different machinery would be required to manufacture the cans. In Prince Edward Island we have established a can-making industry. The machinery in that plant cost about $30,000. In the American Can Company it cost probably $1,000,000. Because of the small production of lobsters this year there are millions of these cans on hand to-day, and, if this regulation went into force they would all be useless.

Hon. Mr. POWER: I should like to say just a word or two with respect to this Bill. Clause 2 looks reasonable enough. It says:

All fish and shellfish canneries shall be inspected as provided by the regulations. All fish and shellfish packed in cans shall be subject to inspection during the whole course of preparation and packing and all such cans shall be marked with the initials of the Christian names, the full surname and the address, or, in the case of a firm or corporation, the firm or corporation name and address or the name and address of the packer or of the fish dealer obtaining it direct from the packer.

It seems reasonable and proper that the name and address of the person who puts up the fish should be on the package so that the purchaser will know whose fish he is buying, but I happen to know of one case which completely bears out what has been said by the honourable gentleman from Souris (Hon. Mr. McLean) and the honourable gentleman from Tignish (Hon. Mr. Murphy). Looking at it from the point of view of the actual business done in lobsters, this clause, if passed and enforced, would cause very serious loss and inconvenience. I happen to have been very well acquainted with a packer on the coast of Nova Scotia, some distance from Halifax. He has ceased to pack now. He put up the best fish that were put up in the Maritime Provinces.

Hon. Mr. McLEAN: Better than those put up in Prince Edward Island?

Hon. Mr. POWER: They were even better than those put up in Prince Edward Island. They had an exceptional reputation, so much so that they brought 10 cents a can more than the fish packed by the ordinary run of packers. This man had a brand of his own, the "Kingfisher" brand. He sold to a merchant in Halifax, who in turn sold to a merchant in Liverpool; yet, notwithstanding the high reputation of his goods and the fact that he had a well-known brand, the merchant in Liverpool insisted on putting his own brand on the goods. Although we may try to do what seems to be fair and reasonable, if that apparently reasonable act is going to seriously prejudice the business of lobster-packing, which is a very important one in the lower provinces, I trust that the Government will see that the amendments suggested by the two honourable gentlemen from Prince Edward Island are carried out. I do not find any fault with the department, but evidently the officer who drew this clause was not familiar with the way in which the business is transacted.

Hon. Mr. McLEAN: I believe that this clause requiring the name of the packer, as well as that of the man who received the goods, was put in expressly to catch those men who were packing lobsters after the season had expired, but I do not think it is right to spoil the whole of the business in order to accomplish that object. There are officers appointed for that purpose, and they should see to it that the law is observed.

Hon. Mr. MURPHY: I might broaden my condemnation of the Bill as it affects the lobster industry; I mean that I condemn the new clauses of the Bill in toto. The clause of the Bill that provides for inspection and the sanitary packing of the lobsters is perfectly proper, and that provision is incorporated in the Act as it now stands. But I take exception to the new clauses, in which an attempt is made, as I say, to bedevil the whole thing.

Hon. Mr. BOSTOCK: This question has been discussed from the point of view of the fisheries on the Atlantic coast, but I

think it concerns also the fisheries of the Pacific. I cannot understand why it is proposed to put into effect this regulation making the cannery man mark his cans. All the objections that have been raised with regard to lobster fishing apply, I think, with regard to the salmon canneries on the Pacific coast. Heretofore, a large majority of the salmon packed on the Pacific coast has been sold to buyers outside of Canada, who insist on placing their own labels on the goods and will not take the labels of the Pacific Coast canneries. Up to the present time there has been no regulation about the marking of the cans, and there is no mark on the cans to show where they come from. As the honourable gentleman from Prince Edward Island has said, the man selling the fish guarantees that they are sound and good, and the dealer buys from canners whose reputation he knows, and upon whom he depends. I do not understand why it has been deemed necessaray to insist that these canners should stamp all their cans. I think that would interfere very largely with the business that is being carried on in the foreign market. It may be quite right with regard to Canada itself that those regulations should be enforced, as in that way a notice is given to the general public in Canada, who possibly do not buy through recognized dealers to the same extent; but, with regard to the export market, this proposal would affect the salmon canneries on the Pacific coast very materially. I do not know whether or not this point has been brought to the attention of the minister, but I hope he will consider it when considering the other matters.

Hon. Mr. BLAIN: Mr. Chairman, I should like to make one suggestion for the consideration of the committee and the honourable the leader of the Government. I do not find in the Bill anything requiring the packer to place upon the can the date when the fish is put into it, which, I think, would be a very important provision. For instance, when you go into a store and buy a can of salmon, you cannot tell by the can in what year the goods were packed. It may have been two or three years ago. Once in a while, in the province of Ontario, a case occurs of poisoning due to the consumption of canned salmon. I am not an expert and do not know, but it may be that the cause of the poisoning is that the salmon has been too long in the can. I am inclined to think that it would be in the interest of the public and also perhaps promote greater consumption if the date when the salmon were put up were placed upon the can. I may say that some years ago, in another place, the question of putting a date on small packages of seeds was discussed. Formerly, when you went into a store to buy a package of seeds, you found no date to show when they were put into the package; but for many years past the law has required that every package of seeds shall have stamped upon it the date when the seeds were put into it, so that an intending purchaser can find out. simply by picking up the package, just when they were put up. I think it would be in the interest of the canning industry if a similar provision were made in this Bill, that the date when the salmon is put into the can should be stamped upon it—perhaps not the exact day.

Hon. Mr. THOMPSON: The year.

Hon. Mr. BLAIN: Yes, I think that would be sufficient, or possibly the month would be better. In any case, I think that every can should have stamped upon it the year when it was packed. I believe that would be in the interest of the trade generally.

Hon. Mr. McLEAN: I may say, so far as the lobster industry is concerned, that the Government send inspectors to the Maritime Provinces and the goods must bear the Government labels, which are dated. Not every can, but every case must have a label upon it before it can be shipped. That is the identification mark. In that way the man buying lobsters knows when they were packed, whether in 1916 or in 1917. Of course, you cannot protect the public against a man taking the lobsters out of a case that was packed in 1915 or 1916 and putting them into a case marked 1917.

Hon. Mr. BLAIN: Permit me to say that I do not think the stamping of the case would be sufficient. I speak subject to correction by my honourable friend, who knows very much more about the matter than I do; but my remarks were directed more particularly to the salmon industry, and I do not think it would be sufficient to have the stamp placed simply on the case. The case disappears, but the article itself goes upon the merchant's shelf and may stay there for six months. I think the date ought to be placed upon the can itself.

Hon. Mr. MURPHY: I agree with my honourable friend in so far as concerns the salmon industry; but I may tell him that in connection with the lobster in-

dustry there is very little danger, because the demand for lobsters is so much in excess of the supply at the present time that one year's production of lobsters never lasts until the next year's supply becomes available. Before the war the demand was much more in excess of the supply; but, even with the German market eliminated to-day, the demand for lobsters cannot be supplied.

Hon. Sir JAMES LOUGHEED: It appears to me that the clauses of this Bill relating to lobsters are not very popular clauses. I would infer from what my honourable friends from Prince Edward Island have said that they almost disappove of these provisions. There happens to be in the House of Commons a standing committee on foods, and those honourable gentlemen very naturally incline to protect the consumer rather than the producer, and they have taken certain liberties with this Bill. I find that they have provided that in each can of lobsters there should be sixteen ounces instead of thirteen. That, I may say to my honourable friends, is the explanation, so far as I can ascertain, of the difference between the Bill that was introduced into the House of Commons and the Bill which is now before us. It is, I suppose, the most natural thing in the world for a consumer who goes into a store to buy a can of lobsters represented to contain a pound, to expect to receive sixteen ounces. It may be a little critical of him, but still there is the disposition on the part of the consumer to require that amount. I quite appreciate what my honourable friend (Hon. Mr. Murphy) has said with regard to the pickle in the can. However, that is a matter which we shall have to take up with the Minister of Marine and Fisheries.

I have never seen any legislation introduced dealing with regulations and inspection that has met the entire approval of the producer. Parliament sometimes, as I have said, inclines to protect the consumer. Consequently when legislation of this kind is placed upon the statute-book it invariably is in the interest of the consumer. If honourable gentlemen will consider for a moment, they can very well understand a number of parliamentarians being desirous of protecting the interests of the consumer when they have to depend upon his vote.

Hon. Mr. BOSTOCK: Has there been any demand on the part of the consumers for this legislation?

Hon. Mr. MURPHY.

Hon. Sir JAMES LOUGHEED: Well, the consumer has to be protected by Parliament. I fancy that it is for the purpose of protecting the consumer that Parliament is in existence, and that members are elected in each constituency.

Hon. Mr. POWER: As I understand, the present sizes of cans have been in use for over thirty years, and the consumer, when he buys a pound can, knows that he is getting only fourteen ounces; so there is no deception.

Hon. Sir JAMES LOUGHEED: He may know. However, I am not condemning the present practice.

Hon. Mr. PROWSE: I should like to ask the honourable gentleman just one question; is this Bill formulated by a consumer?

Hon. Sir JAMES LOUGHEED: I should not think so.

Hon. Mr. PROWSE. It certainly never was formulated by a consumer.

Hon. Sir JAMES LOUGHEED: I may say, so far as the label is concerned—and the criticism of the Bill seems to be very largely directed to the requirements regarding the label—there is a provision in the Bill, paragraph 4 of section 2, to the effect that by an Order in Council the labelling of the cans may be dispensed with. That exemption might possibly be enlarged to cover the export trade. And yet it is necessary to remember that it is in the interest of the consumer to label on the can the necessary information. All our fish is not exported; a very large proportion of it is not. And this Bill is not confined to lobsters; it deals with all classes of fish. Furthermore, is there any good reason why the product of Canada going into the foreign market should not be stamped to indicate to the consumers in that market that the goods are the product of Canada? Is it owing to our modesty that we dispense with that marking? Is it not valuable information to circulate in foreign countries?

Hon. Mr. McLEAN: Every case of lobsters must be marked with the name "Canada" written upon the side.

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend that it is very seldom that a consumer takes a whole case of lobsters—unless he is very fond of them. I think, therefor, that it is defensible to ask that this information be placed upon the labels of our canned fish. It is being done in all other countries, so far as I

know. It is being particularly enforced in the United States. Under their Pure Food law the United States require the most minute information to be placed upon the labels and packages of all food products. I understand that under our own laws this requirement is not confined to fish; my recollection is that it applies to fruit and many other products. It seems to me that cans containing food should, above all other classes of packages, bear the fullest information as to the contents and when they were packed. It seems to me, further, that we might possibly draw a distinction as between the export and the domestic trade. If this requirement should press very heavily upon the export, probably latitude might be allowed under paragraph 4 of section 2 to prevent any abuses.

As to the canning itself, honourable gentlemen will observe that under section 4 of the Bill it is not proposed to bring the Act into operation until the 15th day of December, 1918. That gives very nearly a year and a half for the exhaustion of the supply of cans which may be in stock. That would appear to me to be a very reasonable time allowance to prevent any wrong being done or any loss or damage being sustained by those who may have a very large stock of cans.

Hon. Mr. THOMPSON: Would you suggest that 16 ounces of dry lobster meat and two ounces of pickle be put in the can, and that the packers should then use an 18-ounce can?

Hon. Sir JAMES LOUGHEED: I am within the judgment of the House as to whether we should exceed the 14 ounces. My honourable friends have said they approve of 14 ounces of dry lobster meat and two ounces of pickle.

Hon. Mr. THOMPSON: Making a pound can?

Hon. Sir JAMES LOUGHEED: Yes. If it is the desire of the House that this point should be further considered, I shall take great pleasure in conveying the expressions of opinion, particularly by the honourable gentlemen from Prince Edward Island, to the Minister of Marine and Fisheries, and I would therefore move that this committee rise and report progress.

Hon. Mr. MURPHY: The honourable the leader of the Government states that the Act would not come into effect until 1918, and that by that time all the cans now in stock would be used up; but may I tell the honourable gentleman and the House that the tin comes mostly from Great Britain and some from the United States, and that it is cut a certain size for a quarter-pound and another size for a half-pound can, so that there is no wastage. These are standard sizes. To make a can which would contain a pound of dry lobster meat and the necessary two ounces of pickle would simply demoralize the whole system; it would be necessary to make new standard sizes of tins, which would be a very difficult matter, because tin-makers have their own sizes.

Hon. Mr. McLEAN: Not only that, honourable gentlemen, but to make a can of a certain size it is necessary to use a sheet of tin of a certain size. Every particle of machinery that is used to make a pound can or a half-pound can or a three-quarter pound can would have to be changed. Instead of having 12 by 12 tin to make a three-quarter pound can, or a 14 by 20 to make the other sizes of cans, it would be necessary to get tin of entirely different sizes.

Hon. Mr. BOSTOCK: I desire to point out to my honourable friend (Hon.Sir James Lougheed) that, in addressing the House, he did not deal with the question of the stamping of the tins; he dealt with the question of the label. Paragraph 4 of section 2 leaves it in the hands of the Governor in Council to allow the salmon or the lobster to be shipped without being labelled. That may be proper and that would overcome the difficulty as to the labelling, but not as to the stamping of the can.

Hon. Sir JAMES LOUGHEED: Section 2 states that all cans shall be marked, but I should not take that to mean stamped.

Hon. Mr. BOSTOCK: Does it mean simply the labelling?

Hon. Sir JAMES LOUGHEED: It seems to me a label would suit that requirement.

Hon. Mr. BOSTOCK: I thought there was a new regulation requiring that the cans be stamped.

Hon. Mr. McLEAN: Take this season, for instance. The lobster production in the Maritime Provinces amounts to only about 60 per cent of the average, and the packers have cases and cans in stock for an ordinary season's pack. Therefore, 40 per cent of the cans will be left over. If the cans were stamped "1917," for instance, they could not be used at all next season.

It would not be a great hardship to require that a stamp be placed on every case stating, "This case has been packed in 1917," or that a little round sticker be placed on the can, "This package contains 6½ ounces of lobster packed in 1917." That should meet the needs; but to require that all the cans be stamped would mean that none of those left over from 1917 could be used in 1918.

Progress was reported.

CRIMINAL CODE AMENDMENT BILL.

FIRST READING.

Bill 97, an Act to amend the Criminal Code (respecting jurors).—Hon. Sir James Lougheed.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

FIRST READING.

Bill 118, an Act to amend the Government Railways Act.—Hon. Sir James Lougheed.

The Senate adjourned until to-morrow at three o'clock in the afternoon.

THE SENATE.

Wednesday, August 15, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

A NEWSPAPER ARTICLE.

Before the Orders of the Day:

Hon. Mr. LANDRY: I should like to call the attention of this House to an article published in the Toronto World of the 12th of this month. It reads as follows:

Orangemen Meet For Celebration—Rev. Canon Walsh Gives a Heated Address in Dundurn Park — Against Profiteers — Mayor Booker Would Brand Them as Traitors and Shoot Them.

By a Staff Reporter.

Hamilton, Ont., Aug. 11.—That England and her allies were not fighting Germany but Romanism and that there was a possibility that Sir Wilfrid Laurier had always been and was an ordained priest were only two of the amazing statements uttered by Rev. Canon Walsh, P.G.M., Ontario, West Brampton, before thousands of Orangemen who were celebrating the Relief of Derry in Dundurn Park Saturday afternoon.

Cries of "Traitor"—

Hon. Sir JAMES LOUGHEED: I rise to a point of order. I should be very sorry to interfere with my honourable friend, but I should like to know what this has to do with the business of the House. I cannot deprecate in too strong terms any references to expressions of animosity in journals over which Parliament has no control. I hope my honourable friends will not indulge in calling the attention of the House to inflammatory newspaper articles which are published from time to time.

Hon. Mr. LANDRY: I bow to the wishes of my honourable friend and will not read the article. I know that everybody will see it, so it is all the same. I intend to bring this matter up in a regular way so that a point of order will not be raised. The matter is only postponed.

CUSTOMS ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 67, an Act to amend the Customs Act, Hon. Mr. Landry in the Chair.

On section 1—duties payable on Crown's goods:

Hon. Mr. WATSON: I think it would be hardly fair to adopt this section without amendment. This Act is retroactive, and I do not think it should be. The province of Manitoba has made a complaint against the Government collecting duties on goods imported by the Crown. Considerable correspondence on the subject has taken place between the Attorney General of Manitoba and the Minister of Customs. The last communication received by the Attorney General from the Minister of Customs said that the matter would not be dealt with until the Prime Minister was consulted. The only further notice the Attorney General of Manitoba received was the introduction of this Bill. There has been a doubt as to whether provinces had the right to import goods free of duty. Apparently this has been done up to date. When they supposed that they had that right it seems unfair to pass retroactive legislation to put them out of court. If it is the intention of Parliament that in future the provinces shall pay duty, very well, but this legislation should not be retroactive.

Hon. Sir JAMES LOUGHEED: As I pointed out when this Bill was read a second time, if the contention be well founded that clause 125 of the British North America Act is effective, then of course

this legislation would not in any way influence the subject-matter under dispute. That is to say, if the provinces under that section have the right to exemption from taxation, this could not possibly be disturbed by any legislation of this Parliament. Nothing except legislation by the Imperial Parliament could withdraw that right from them. Consequently there is nothing to interfere with the rights of the provinces according to their contention under the British North America Act. The object of this Bill is simply to declare what the Federal Government has always considered to be the law with regard to the imposition of duty upon goods brought into Canada by the provinces or by any government in Canada, and why there should be any objection to the Bill in face of the fact that the provinces have sought to invoke section 125 of the British North America Act, I cannot very well understand. Section 125 of the British North America Act reads as follows:

> No lands or property belonging to Canada or any province shall be liable to taxation.

The contention of the provinces being that a duty is a tax upon property, I may say that I can scarcely conceive of its being so held by a court. This clause must be interpreted ejusdem generis, namely, as referring to a tax placed upon lands or property of a tangible nature. If my honourable friends will look into other sections of the British North America Act, they will find the term " duty " used, not "tax." Consequently, I do not think it can be seriously contended that section 125 applies. However, as I have said, if the provinces have a right to exemption under clause 125, this Bill will not affect that right.

Hon. Mr. BELCOURT: I cannot give my support to this Bill on the statement of my honourable friend. This is purely a declaratory Act. It can have no binding effect at all if it is in contravention of the British North America Act, which is an Imperial Act, and which can only be affected by another Imperial Act. Manifestly this Bill is brought in for the purpose of having put on record, in litigation pending between the Dominion Government and the provincial governments, what the contention of this Government is with regard to the right to collect duties on goods imported by the provincial governments. If that is so, it seems to me to be unfair. If it is for the purpose of prejudicing litigation now pending before the courts, it is, in my opinion, very bad legislation. Legislation of this kind could only be justified if it could change the law, and my honourable friend's statement shows that it cannot affect the law. If we could amend the British North America Act with regard to duties, we could amend it with regard to all the other provisions. It seems to me from my honourable friend's statement that the legislation is merely for the purpose of affecting matters now before the courts. It will not help the courts in arriving at a conclusion. The courts will not look at this Act to determine what is the meaning of the British North America Act. I am not expressing any opinion as to whether the Government of Canada has the right to collect duties on goods imported by the provinces for their own use; I am only expressing an opinion as to whether it is good legislation, and I cannot see that it is. I do not think my honourable friend has given any good reason why we should accept this Bill. It covers a period back to the time of Confederation. It says:

> The rates and duties of Customs imposed by this Act or the Customs Tariff or any other law relating to the Customs, as well as the rates and duties of Customs heretofore imposed by any Customs Act or Customs Tariff or any law relating to the Customs enacted and in force at any time since the first day of July, one thousand eight hundred and sixty-seven.

Of course, if my honourable friend insists, he can carry the Bill, but I cannot give it my support.

Hon. Mr. BOSTOCK: The objections raised to this Act are that it is bad to pass legislation of this kind, which is retroactive and which puts the Government in the position of making a statement that has not so far been in the Customs Act. Heretofore, unless His Majesty is mentioned particularly in a statute, the statute is not supposed to apply to His Majesty; and this Bill is introduced for the special purpose of making the Customs Act apply to the Crown. The provisions of the Customs Act as it stands to-day do not make it possible for the Government to collect money from the Crown in the right of the provinces, and this legislation is introduced in order to enable the Dominion Government to collect money from the Crown in the right of the provinces. The other feature, the retroactive feature, is, I think, a very objectionable one, and one to which this House should not give its sanction. It would have a great effect on the situation

throughout the country, because I presume, if the Act goes into force, the Dominion Government will be demanding from the provinces that they shall pay duty.

Hon. Sir JAMES LOUGHEED: They have always done so, and we have collected duty.

Hon. Mr. BOSTOCK: Up to the present time?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: By what right has that been done?

Hon. Sir JAMES LOUGHEED: By the right that we have, as would appear under the Customs Act. The only difficulty is that the provinces have made their protest against payment; but this Government insists upon payment and has done so since Confederation.

Hon. Mr. WATSON: I think that in at least one case the Government has admitted that the province was right, and after an exchange of correspondence, copies of which were laid on the table of this House a few days ago, the Minister of Customs repaid to the province of Manitoba the sum of $450.

Hon. Sir JAMES LOUGHEED: Yes, but those were not dutiable goods.

Hon. Mr. WATSON: Yes, they were dutiable. It was a gas-producer plant.

Hon. Sir JAMES LOUGHEED: It was a remission of duty that could not and should not have been collected under the Customs Act.

Hon. Mr. WATSON: Evidently the Government thought immediately afterwards that they had better introduce this legislation. The Government of the province of Manitoba has at the present time a claim against the Dominion Government for duties paid. It has paid in the last seven or eight years over one million dollars in duty on telephone appliances. This question was not so important to the provinces until a few years ago, because only in recent years have the provinces been taking over and conducting public utilities. The question is now one in which the people of the different provinces are vastly interested, and if a province has sufficient enterprise to undertake the operation of a public utility for the benefit of the people, why should it have to pay taxes? It seems to me unfair. It seems to me that the words "or have been heretofore" should be struck out. If the Government intend to announce a policy that shall be followed for the future, that is all right; but they certainly should not pass retroactive legislation. The province of Manitoba has asked for a suit against the Dominion Government for the recovery of the duties paid on goods imported into Manitoba for the Crown, and I do not think its case should be prejudiced by the passing of legislation of this kind.

Hon. W. B. ROSS: I think it is worth while looking again at section 125 of the British North America Act, to ascertain what the meaning of the word "property" is as used in the Act, and whether a tax imposed upon goods brought in by a province can be construed as being a tax on its property. The word "property" occurs in section 91, which defines the powers of the Parliament of Canada. The first thing assigned to the Parliament of Canada is "the public debt and property;" then, in paragraph 2, "the regulation of trade and commerce;" in paragraph 3, "the raising of money by any mode or system or taxation." Again, in the third schedule at the end of the Act, you will find an enumeration of "provincial public works and property to be the property of Canada." Then, again, in the 4th schedule you will find "assets to be the property of Ontario and Quebec conjointly." So it is quite clear, I think, if you take the Act as a whole, that the word "property" used in section 125 in connection with the public lands—"no lands or property"—refers to the "property" mentioned in subsection 1 of section 91 and to the "property" mentioned in those two schedules. For that reason I am very strongly of opinion that in no sense can the imposition of a customs duty upon property that is being brought into any one of the provinces be deemed to be a violation of the terms of section 125 of the British North America Act.

With regard to the argument of the honourable leader of the Opposition (Hon. Mr. Bostock), that where the Crown is not mentioned it must be assumed that the Crown is exempted, I think that is perfectly true so far as legislation within the jurisdiction of this Parliament is concerned; but it must be remembered that the provincial legislatures are organizations entirely distinct from the Federal Parliament; and I would submit that while the rule referred to by my honourable friend is quite sound with regard to the legislation of this Parliament, it has no application at all to the Crown as it is represented in the different provinces.

That that must necessarily be so is made very clear when we endeavour to find out what would happen if the contrary construction were put upon the rule; and if what my honourable friend from Portage la Prairie (Hon. Mr. Watson) says is a correct opinion of the matter, if the property brought into the provinces for the Crown were not susceptible of taxation, or were exempted in any way, it is conceivable that the customs might cease altogether to be a source of revenue, because it is possible that, if not absolutely, yet to a very great extent, all the provincial governments might go into public business, or make public business of what is now private business. Suppose a province went into agriculture: it would bring in all agricultural implements. The provincial government could engage in any kind of business; and, according to the argument set up by either the honourable leader of the Opposition or the honourable gentleman from Portage la Prairie, there would be nothing left upon which the customs law could operate. So, after all, what we have to do is to treat the Act as being a working constitution; and, in order to work it out, it is absolutely necessary that this word "property" should be given the meaning that it gets in other sections of the British North America Act, and that the rule with regard to the naming of the Crown should be confined to our own constitution and to Federal legislation, and should not apply at all to the provinces.

Hon. Mr. BEIQUE: I am not disposed to quarrel with the honourable gentleman from Middleton (Hon. W. B. Ross) as to the meaning of section 125 of the British North America Act. I have not examined the question, but my first impression would be that taxes on "property" would not refer to customs duty. But the honourable gentleman goes further. He admits that, although the provinces might not be exempt from paying customs duties under section 125, they might be exempt from having to pay duty on property imported by them, for the reason mentioned by the honourable leader of the Opposition, namely, because the Crown is represented by the provinces as well as by the Dominion. He disposes of that argument by stating that it would be true if we were dealing with an Act of this Parliament, but that, as we are dealing with an Act passed by the Imperial Parliament, the doctrine does not apply. I could understand that the doctrine would not apply if the Imperial Act had stated in express terms that duties could be levied on property of the Crown as represented by the provinces; but, in the absence of any legislation on that point, I submit that the presumption which is admitted by the honourable gentleman from Middleton applies in the present case, and therefore, that any property belonging to the Crown as represented by a province would not be subject to duty. That, I think, would dispose of the argument of the honourable gentleman.

But there is more than that. The honourable leader of the Government has stated the reason why this Bill should be passed: it is merely for the purpose of declaring what is the interpretation given by this Parliament to the law as it stands. I doubt if the honourable gentleman will maintain that reason as one to be stated in the courts. However, the question is raised. Surely we are not going to enact a law merely for the purpose of saying what is the interpretation of Parliament of its own legislation. Laws are passed by Parliament and the interpretation of them is left to the courts, and it is for the Attorney General or the Minister of Justice to urge before the courts what is the interpretation placed by the Federal Parliament on the law as passed. There must be some other reason for this extraordinary law. We should hesitate, as on every occasion we have hesitated, to enact any retroactive legislation. Either the property imported is subject to duty or it is not. If it is subject to duty, we cannot affect it. The honourable leader of the Government admits that. If it is not, any declaration which we might make, in one direction or the other, would have no effect. If the property imported can be taxed, then why attempt to make a declaration which would be illegal? But we go further: we do not merely make a declaration for the future, but we declare that from the time of Confederation the imports of the provinces are subject to duty. That is clearly retroactive, and it is retroactive, as I understand, in the face of claims made by two different provinces. But even if there had been no claims made, I would for my part object to that kind of legislation.

Hon. Mr. POWER: The honourable gentleman from Middleton (Hon. W. B. Ross) seemed to think that under section 108 of the British North America Act this Bill was legitimized, so to say. Now, section 108 says:

The public works and property of each province, enumerated in the Third Schedule to this Act, shall be the property of Canada.

We look at the third schedule, and we find certain provincial public works and property to be the property of Canada. Those were canals, public harbours, and so on. Now, those were all works which had belonged to the separate provinces before Confederation, and the object of section 108 was to declare that the works which had belonged to the provinces before the Union were after the Union to be the property of Canada. They were, then, from the 1st of July, 1867, the property of Canada. Consequently, section 125, which says:

No lands or property belonging to Canada or any province shall be liable to taxation—

could not refer to the property mentioned in section 108, because that property after the Union did not belong to the provinces. So I do not think there is very much weight in that particular argument.

I quite agree with the honourable gentleman from De Salaberry (Hon. Mr. Béique) in the view that ex post facto legislation as such is most objectionable and should be refrained from. As I think I said at the second reading of this Bill, such an Act as this could not be passed by the Congress of the United States, because it is forbidden by the United States constitution, and I think it is to be regretted that it is not forbidden by our constitution.

There is also the point referred to by the honourable gentleman from De Salaberry (Hon. Mr. Béique), that it is proposed that this Bill shall be effective from the year 1867—that its effect shall extend back 50 years, so that the provinces shall be liable to pay duty on everything which has been imported during those 50 years duty free. I think that is a most extraordinary thing. It is practically putting it in the power of the Parliament of Canada or the Government of Canada to trump up heavy charges against the various provinces. Now, if the honourable gentleman wished to do what was reasonable, even according to his own theory, the reasonable thing would be to recognize the statute of limitations, and say that as to goods which had been imported since the 1st of July, 1911, the duty should be payable; but to go back 50 years seems to me a most extraordinary and indefensible thing.

Hon. Sir JAMES LOUGHEED: While I should be sorry to advocate in a general way retroactive legislation where recognized vested rights were being interfered with or extinguished, I think this is an entirely different case. It may be called retroactive legislation; but here is a condition of affairs that has lasted since Confederation. A few years ago the province of Nova Scotia did raise the point whether or not it was liable for the payment of duty upon goods brought in by that province. It did not assert its claim in more than an academic way. Shortly afterwards the province of Quebec raised the same point. But, notwithstanding the fact that the courts have been open to the different provinces of Canada to assert their claims to exemption, if they had tenable grounds upon which to urge it, they have not done so; they have continued to acquiesce in the payment of duties to the Government of Canada notwithstanding their right to redress in the courts.

It is not desirable that there should exist a condition of things, extending back to Confederation, by which claims may be revived which were never thought of by the provinces during that period of time. This legislation is placed before Parliament on the advice of the Department of Justice, contemplating possibly that the question will be tried in the courts, particularly as to the interpretation of the British North America Act. I cannot very well appreciate permitting, if we can avoid it, an unsatisfactory condition of that kind to continue as between the Federal Government and the different provinces of Canada, in view of the fact that they have acquiesced in it since Confederation. It seems to me that it is not sufficient to justify the position taken by the provinces, to say that they have controverted the right of the Federal Government respecting the question when, as I have already stated, redress was open to them through the Exchequer Court to have a proper interpretation placed upon the Act, and they have not availed themselves of it. It is therefore, in view of that fact, that this, as I might call it, quieting legislation is being placed upon the statute book, and I should be very sorry to see it construed or tortured to mean retroactive legislation. It is simply for the purpose of quieting this question, which has arisen from year to year, which has never been determined by the courts, and which the provinces apparently have no intention of testing in the courts; and it is in the interest of the Federal exchequer that the provinces should pay duty on the

goods which they import, the same as individuals and corporations.

Hon. Mr. BELCOURT: My honourable friend says that this is quieting legislation. It cannot quiet anything. Whatever be the object of this legislation, it is being brought to the wrong door. The right to levy customs duties is created by the British North America Act. We cannot change that, no matter how often we pass an Act similar to this; so the proposed legislation is useless in that regard, not only as affecting past claims or present litigation, but also for the future.

Hon. Sir JAMES LOUGHEED: My honourable friend will, I think, concede that this legislation will not influence that contention.

Hon. Mr. BELCOURT: I argue that it cannot. It cannot affect the question one way or the other; it cannot affect the British North America Act or the claims before the courts; so the Bill is utterly and absolutely useless. If it is intendet as a declaration for the future—to use my honourable friend's own words, to quiet claims in the future—it is absolutely useless. We cannot make any declaratory statement in regard to an Act over which we have no control. We cannot by legislation interpret any Imperial Act. This is absolutely useless legislation, notwithstanding any view that my honourable friend wishes to take. It is not worth the paper on which it is written, it does not matter what the object is. Consider the position in which this Parliament would be placed if this question were litigated and went before the courts. They would not look at this Act, and, if they did, it would be simply to say that Parliament had dealt with something that it had no right to deal with.

Hon. Mr. WATSON: It might be interesting to put on record some of the correspondence in connection with this matter. I find that on February 6, 1917, the Attorney General of Manitoba addressed the Minister of Customs as follows:

Winnipeg, Man., Feb. 6, 1917.

Re Pay Stations and Customs Duty.

Sir,—I have the honour to acknowledge receipt of your letter of the 31st ulto., addressed to Mr. Allen, my deputy.

I take it you will have no objection to having the point in dispute decided by the courts.

On the 26th ulto., Mr. Allen wrote your Commissioner of Customs asking that the matter be referred to the courts by yourself under the provisions of the "Exchequer Court Act." I enclose you a copy of said letter of the 26th ulto. to the commissioner, which explains itself.

On page 643 of Clement's Canadian Constitution published in 1915 there is the following paragraph:

"Taxation of Crown Property:—The constitutional restriction imposed by section 125 applies to both Federal and provincial Governments; but the only cases in which it has been invoked are cases in which provincial taxation, either general or municipal, has been questioned. The section, it is conceived, was unnecessary. It was not intended to affect the general rule as to the exemption of Crown property from taxation as that rule is applied, for example, in England or in a colony under one legislature only. It was inserted by way of abundant caution to prevent the Dominion from levying taxes for federal purposes upon property held by the Crown for provincial purposes and vice versa. It would operate no doubt to exempt from customs duties goods purchased abroad by a provincial government, though there is no reported case on this point."

The Government of this province submits that the property of the province cannot be taxed by way of customs duties and that the pay stations in question here should be admitted free of duty.

I note that you have been advised that the view of this province is not correct. Hence I am sure you will agree with me that the question is one which merits a reference to the courts at once so as to set the point at rest.

Will you kindly advise me as early as possible as to whether or not you will refer the matter to the courts under the above mentioned "Exchequer Court Act?"

If you do not care to refer the matter to the courts will you approve of a flat being granted to enable this province to proceed in the matter by petition of right?

I have the honour to be, Sir,

Your obedient servant,

(Sgd.) A. B. Hudson,
Attorney General.

On January 23, 1917, the following letter was sent to the Deputy Attorney General:

Ottawa, January, 23, 1917.

Re Pay Stations and Customs Duty.

Sir,—I am in receipt of your letter of the 20th instant re the above, and note the Government of Manitoba is importing 25 No. 102 Gray pay stations from Messrs. Kellogg Switchboard & Supply Co., of Chicago.

I note you claim these pay stations should be admitted free of customs duty by virtue of section 125 of the British North America Act.

In reply I beg leave to say that I do not interpret section 125 of the British North America Act in this way, and therefore I cannot permit the articles mentioned to be imported without payment of customs duty as prescribed by the tariff passed by Parliament.

I may say that customs duties have been collected on all importations made by provincial governments since Confederation. A similar claim was made by a provincial government in 1909, under the administration of Sir Wilfrid Laurier, and the view of the Prime Minister of that day was the same as expressed in this letter.

Yours faithfully,

(Sgd.) J. D. Reid.

On February 12, 1917, the Minister of Customs sent this letter to the Attorney General:

Ottawa, February 12, 1917.

Re Pay Stations and Customs Duty.

Dear Sir:

I am in receipt of your letter of the 6th instant, with reference to the above. I am sorry to say that on account of absence from this city I did not receive your reply until after the Prime Minister had left Ottawa for overseas.

I would not care to have any action taken on this matter until after the Prime Minister's return, as of course the matter is a very important one. I would ask, therefore, that under the circumstances you let the whole matter stand until his return. I will then submit all the correspondence in connection with it to him, and have an immediate reply sent to you.

Yours faithfully,
(Sgd.) J. D. Reid.

The only reply to the Attorney General of Manitoba is the Bill which is now before this House. I do not think it is fair, and I do not think that we should attempt to settle this matter in this way. It is claimed by legal gentlemen here that this would have no effect on the British North America Act; but it seems to me that if Parliament expressed an opinion on what should have been done, it might have weight and might prejudice the claims of the province of Manitoba. I mention Manitoba because I am particularly interested there; but other provinces, namely, Nova Scotia and Quebec, have taken the same view. If the Government wanted to make the provinces pay duty on all goods imported in the future, that would be all right; but I think it would be unfair to make this legislation retroactive.

Hon. Mr. BEIQUE: I may draw the attention of this honourable House to the fact that this legislation—as I stated the other day—is not only retroactive, but is retroactive in the face of the protest made by one of the provinces. That aggravates the position.

Hon. Mr. Watson moved to strike out section 1.

The motion was negatived.

Hon. Mr. POWER: I appeal to the honourable the leader of the House to make an amendment in the 12th and 13th lines of the Bill so as to remove the retroactive effect of the measure by substituting the words "one thousand nine hundred and seventeen" for the words "one thousand eight hundred and sixty-seven."

Hon. Mr. WATSON.

The Bill was reported without amendment.

CONSERVATION OF CANADIAN TRADE.

REPORT OF SPECIAL COMMITTEE.

Hon. Mr. NICHOLLS moved that the third report of the special committee appointed to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, etc., be concurred in.

He said: Honourable gentlemen, the report, which has been published in the Proceedings of the Senate, speaks for itself. It is quite full and specific in its recommendations, and I venture to hope that the subject matter dealt with will receive full consideration at the hands of this House, and will be discussed by those gentlemen most competent to give their opinions on the various subjects. The recommendations are:

1. That the Government should, without delay, endeavour to encourage the breaking of a large acreage of wild lands in order that such new soil may be ready for cultivation next year and our productive capacity thereby increased;

2. That if it is found necessary, in order to encourage farmers to bring additional acreage under cultivation, that a bounty of a certain sum per acre be paid for each and every acre of wild land put under cultivation and off which a crop is raised during the next ensuing two years;

3. That consideration be given by the Government to the advisability of requesting the co-operation of the several provinces, so that any amount paid out in bounties would be shared by the Dominion Government and the provincial governments respectively.

It has been thought by some members of the committee who listened to certain representations that the breaking of wild land and placing it under cultivation would add largely to the wealth of the country. It would also be a boon to the Allies, and in my judgment would go very largely towards preventing the balance of trade receding, which has been in our favour during the last few years. I have no doubt that honourable gentlemen of this House are aware that the balance of trade for the twelve months ending June 30, 1917, receded to the extent of $25,000,000 below that of the preceding twelve months. We must realize that the prosperity which we are at present enjoying is largely due to the manufacture of munitions and other war supplies, and the exportation of a very large tonnage of grain at very high prices, all of which cannot continue. Therefore it has been suggested, more particularly by

the honourable gentleman from Kingston (Hon. Mr. Richardson), that the Government should favourably consider the paying of a bounty on all new wild lands brought under cultivation.

Another fact which is dealt with in the report is that it is almost impossible to secure labour for farming purposes; and it is felt that the proposed bounty would largely absorb the difference that the farmers would have to pay in the way of higher wages in order to secure the necessary help. Probably two weeks ago I, in common with other manufacturers, received a letter from Sir William Hearst, Premier of Ontario, urging all manufacturers, if at all possible, to allow as many of the members of their staffs, both office and operative staffs, to go to work on the farms in order that the crops might be saved and that a great deal of our produce should not be wasted. Unfortunately, I have not that particular letter with me, as I mislaid it. I will read an item from the Montreal Star, in reference to the number of hands that are required in the Northwest:

Harvesting to start on August 20.

James Morrison, assistant general passenger agent, to-day received the following advice from Winnipeg, following a meeting held there this morning between representatives of the Dominion, Provincial Governments of the West and the railways:

"The harvest will commence throughout all the Provinces on August 20. The meeting to-day decided 36,000 harvesters are required from Eastern Canada to arrive in Winnipeg, August 20; 20,000 for Saskatchewan, 9,000 for Manitoba, 7,000 for Alberta. Wages will be from $3 per day up with board."

Another item, which is from a Toronto newspaper, reads as follows:

A significant statement was made by Hon. W. J Hanna, Dominion Food Controller, yesterday at a meeting of manufacturers from all parts of the province, called by the Organization of Resources Committee of Ontario for the purpose of placing before the manufacturing interests the seriousness of the farm help problem, and the immediate necessity of securing men to save a large part of the 1917 crop from destruction, which is feared if volunteer workers are not forthcoming within the next week or so.

Mr. Hanna said:

"We don't want to say 'must' if you will get the men to the farms. It is imperative that every ounce of the crops shall be saved. In order to accomplish this I am appealing to every employer of labour to release all the men possible without detracting from the immediate work of war. The Government desires to avoid compulsion, if it is possible to obtain the services of ten thousand men voluntarily."

In response to that appeal a meeting was held, which was largely attended, and one of the first questions that came up for discussion was as to who should pay the difference between what the farmer felt himself able to pay and the amount of the volunteer's ordinary wages. The volunteer would have to sacrifice the difference or would have to receive it from some other source if the farmers were unable to pay it. It was suggested that the Ontario Government should pay the difference, but I believe that finally the manufacturers agreed to absorb the difference, notwithstanding that they are rather heavily taxed in the way of special taxation at the present time.

Now, we are dealing with a very big question, honourable gentlemen, and it seems to me that this method by which we expect to reap our crop, by getting clerks not accustomed to farm labour and every other class of the community to volunteer to go out and reap the crop, will provide us at the best with labour that will be inefficient. I think it should be the duty of some central authorities, either the Federal Government or the Provincial Governments, to deal with such an important question and to deal with it promptly and in a decisive way. After all, agriculture is the foundation of our prosperity. We are reading about our crops, and expect a great harvest that will add materially to the wealth of the country; and yet we are delaying until within two or three weeks of the time that these crops must be gathered before making any provision for harvesting them, and then our method is to hold a few meetings of manufacturers and others and ask that their clerks and other employees shall rush out to the farm lands and do work to which they are entirely unaccustomed, otherwise the crops cannot be saved and there will be a tremendous wastage. In that connection your committee went further and suggested some alternatives. We say:

As alternatives to the payment of a bounty, your Committee advise that the possibility of adopting either or both of the following methods of coping with the shortage of farm labour be considered by the Dominion and Provincial Governments:

1. That where an owner or tenant of wild lands is willing to cultivate the whole or a portion thereof, but is debarred from so doing by reason of lack of capacity to pay for breaking the same or his inability to secure the necessary labour, that the Governments break the land with traction engines, charging a moderate price therefor and extending the payment for such breaking over a term of several years;

2. That as a war measure only and for a period to be limited to the duration of war, Asiatic labour be imported under Government control and supervision, that is to say, that during the period from seeding to harvesting farmers shall be furnished by a central authority at a fixed charge, with such imported labour as they may require.

The report of the committee further says:

Your Committee realize the objections that may be raised and with which under normal conditions they would be in accord. Present war conditions, however, call for heroic remedies. The shortage of farm labour must be met and the method of meeting it must be prompt and decisive, if our present production of wheat and other cereals is to be maintained, let alone increased. It would be found that such imported labour by aiding increased production would greatly assist the Allies in the prosecution of the war to a successful conclusion and would be a vital factor in obviating the threatened food shortage in Great Britain and would by reason of a great increase in the area of agricultural lands brought under cultivation, add greatly to our national wealth and become a prime factor in absorbing the national debt—largely increased by reason of the war. Proper provisions could be made that imported labour would be restricted to such localities and be availed of only at such times as would not interfere with the employment of white labour whenever and wherever such was available.

This is not the only country which has experienced a similar condition. South Africa, after the war, experienced the necessity of importing labour, and I have before me a volume, which I will not read, but to which I will simply refer. It is a publication by the Imperial Government, volume 14 of Accounts and Papers, dealing with "Colonies and British Possessions." It contains a document entitled, "Convention between the United Kingdom and China respecting the Employment of Chinese Labour in British Colonies and Protectorates." The information can be gathered by any honourable gentleman who is interested; but the fact remains that the question was very fully debated by various authorities—the Transvaal Government, the Cape Colony Government, and other governments in South Africa; and finally the principle of employing Chinese labour was adopted, under, however, special restrictions, which provided that every Chinaman must be registered, and track should be kept of him, that he should be brought over for a specific purpose, and that after his special contract had been completed he should be returned to the same port of entry in China from which he had started.

I know there is a great deal of objection to contract labour or Chinese labour; but I know also that these are special times, when all precedents fail, and I think that the most important matter that this Government can possibly have before it at the present time is not only to save the harvesting of the crop from the area cultivated, but to increase the acreage under cultivation to the greatest extent that labour can be procured to cultivate it. To-day there is a shortage of labour. Next year, with conscription in force, or some other method of adding to the number of our men to be withdrawn, and rightly withdrawn, for the defence of the Empire, the importance of the consideration of such a question as this will be even more obvious.

I may point out that France is at present importing tens of thousands of Chinese labourers, under a special contract, as was done in the Transvaal, and as it is suggested should be done here. I may tell this honourable House also, if honourable gentlemen are not aware, that not only have many tens of thousands of Chinese labourers already passed through the country, but I am given to understand that thousands of them are at present in camp in this country waiting to be sent over to France, and are detained here simply owing to lack of transportation, and that they will be forwarded as quickly as they can be.

Here we have this state of affairs. We have thousands of willing and energetic labourers being housed and fed here, when they could do the necessary work—when 36,000 harvesters will be required in the Northwest within the next few weeks. The possibility occurs to me that the services of these Chinamen, who are now being housed and fed at great expense and until such time as they can be forwarded across the Atlantic, might be utilized in this country.

In closing, I may say, so far as the bounty is concerned, that the principle has been recognized in Bill No. 116, which was passed in this House last week, entitled "An Act to assist returned soldiers in settling upon the land and to increase agricultural production." I notice that section 5 of that Bill says:

The Board may loan to a settler an amount not exceeding two thousand five hundred dollars for any of the following purposes:

(a) The acquiring of land for agricultural purposes;

(b) The payment of incumbrances on lands used for agricultural purposes;

(c) The improvement of agricultural land;

(d) The erection of farm buildings;

(e) The purchase of stock machinery and equipment; and

(f) Such other purpose or purposes as the Board may approve.

(2) The money loaned shall be expended under the supervision of the Board.

It is true that this Act applies only to returned soldiers, but so far as it goes it will aid in increasing production while aiding the returned soldiers. But the report of the committee, honourable gentlemen, is brought forward for the purpose of inviting discussion, and in the belief on my part, as chairman of the committee, and, I think, on the part of other members of the committee, that we can give attention to the present needs of the country in no better way than by considering what are the best methods, not only of taking care of our present areas under cultivation—by intensive cultivation—but also of doing what can be done to increase that area, so that we may increase our national wealth, that we may keep our bounds of trade more stable, and that we may be of assistance to the Allies in increasing our supply of the food products which they need so much.

I may also use another argument, although I prefer to allow most of the arguments to be advanced by other honourable gentlemen in this debate. We shall shortly have in this House a Bill for the acquisition of the Canadian Northern Railway. That means that this Government will own and control between nine thousand and ten thousand miles of operating railroad, for which the country is to be responsible. Nothing would better help the railway, and to the same extent the country, than that it should have ample traffic at the earliest date possible. That is a new railway, running through a new district. There are on either side of it hundreds of thousands, if not billions, of acres of wild lands. Now, if those lands can be brought under cultivation under some system as that of granting a bounty for the breaking of new land, or of providing imported labour for the period of the war, it will not only add directly to the wealth of Canada, which is the production that comes from the soil, but it will lessen any losses or add to any profits made by the Government railway to be, that will serve very largely the new districts in which these wild lands are situated.

Honourable gentlemen, "on our own head, in our own hands, the sin or saving lies." I am making that quotation because it is the quotation made by the Lieutenant Governor of Cape Colony when introducing the Bill for the utilization of imported labour.

Hon. H. W. RICHARDSON: Honourable gentlemen, we can all foresee that when this war is over we shall be confronted with great difficulties. When the war will end none of us can foresee. It may be years hence. Anyhow, it will be, I fear, some time later than is generally anticipated. To-day Europe is dependent on North America alone for its grain supply. It is not depending upon South America, or upon Australia or India, because the freight charges from those countries are prohibitive. Europe's dependence upon North America will last, not for one year only, but for many years to come—until the ocean vessels that have been lost are replaced; and every one can foresee that this will be years hence. So within the next few years North America will have to stand a greater strain in providing food for the European nations than ever before. How are we going to do it? Are we going to do it with profit to ourselves? We all know that agriculture is the source of our great wealth in this country. If we can improve the fertility of our soils by cultivation, so that they will become more profitable, it is our duty to do so. Not only is it to our interest to increase the productivity of our lands, but it is our duty to the Allies to do so. I know of no better way than to agitate, and to keep on agitating, that our waste lands should be cultivated. Our farmers in the west can do only a certain amount of work, with what help they have and what means they have to plough and cultivate. If we can by any mechanical means increase the acreage under cultivation, I think we ought to do so. The granting of a bonus in connection with agricultural production may be new to every one; but bounties on products considered to be necessary in this country have been well known in the past, and at the present time particularly, a bounty or assistance in some form to agriculture would be very advisable, and in the interest not only of this country but of our Allies.

We have in Canada vast tracks of land which have never been ploughed, and some of which will not be ploughed for years to come unless some special means is devised. I proposed two means whereby we might promote this object. Encouragement should be given the farmer to cultivate his lands during the summer months—what is called summer fallowing; because we have learned by experience that a summer fallow rarely, if ever, is followed by a bad crop of wheat. Further than that, I have suggested that our Government should give to the farm-

ers in the Northwest a bounty of a certain amount per acre for every acre of new land that they break up. We cannot, of course, get that land cultivated this year, and sown next year, but we can prepare to canvass the farmers and find out how much more land they can cultivate, and encourage them to cultivate as much new land as possible by granting them a bounty or assistance in some other form. If this question is taken up in the right way and with the eenergy which it deserves, we can within three or four years double the production of wheat in our Northwest. The price of wheat is going to be maintained at a high level for the next three or four years. That is so for many reasons. The principal reason is that our stocks are practically exhausted. The world always had a large surplus of wheat for the coming year. We never went into a new year without supplies for four or five months ahead. But it is not so to-day. Our supplies to-day are practically consumed. I shall surprise you, honourable gentlemen, when I tell you that I could not find enough good milling wheat in Fort William this week to load one small steamer of 127,000 bushels capacity. That shows how closely the supply of wheat has been shipped out. Similar conditions prevail all over the world except in the Argentine Republic and Australia; but the stocks will remain in those countries unless the neutrals send boats for them, because the Allied Governments cannot afford to send the tonnage down to the Argentine Republic or to Australia for those supplies.

The honourable gentleman from Toronto (Hon. Mr. Nicholls) has stated that we are to-day owners and operators of railroads, and we expect soon to have another large system in our hands. The Canadian Northern railway will shortly be owned by the Government. In connection with that railway there is a fixed overhead expense which has to be met. The bonds have to be paid, the road has to be kept up, the officers and agents have to be paid. Is there any better way of doing this than by doubling the quantity of grain which will be handled by that road? To do this it will be necessary to put more land under cultivation. This is only one point in favour of cultivating wild lands. I do not know that I could mention anything that would have more influence than to say that we are going to help to feed Europe—and Europe absolutely needs our help—and that we are going to enrich this country, for we certainly will, and the bounty which will be paid to the farmers will be very small compared with the benefit which will result. Suppose it cost $5.50 to cultivate an acre of land; if you give the farmer a bounty of $2.50 that would bring the cost down to $3 an acre. In the first year, if there were an ordinary crop, there would be a yield of 20 or 25 bushels to the acre, and grain to-day is worth $2.30 a bushel in Fort William. Perhaps next year it will be worth $2, and the following year it may be $1.75; but I do not know of any better plan of building up this country than breaking up those wild lands.

There is another point to be considered in connection with this matter. If the West becomes settled the people there are going to require products which are manufactured in the East. No matter what we do to improve export conditions, we shall have to compete to a large extent with other countries, and we shall be under the disadvantage of paying a higher price for labour. Therefore I think we should look at home for our source of wealth. We have to-day a tremendous war debt; we are mortgaging this country for the money that we are borrowing, and every acre of land that is broken will be worth twice what is was worth before. With the exception of one or two years, Australia has exported from 25 to 50 million bushels of grain per year. To-day Australia has in her granaries wheat that is deteriorating, and why? Because it is not possible to maintain the rate of freight from Australia to England; it is prohibitive. We pay $2.40 for wheat at Fort William and take it to Europe; but freight rates are so high from Australia that it is not profitable to buy wheat there at $1 a bushel. Every business man tries to build up his business in times of prosperity so that he may meet adverse conditions which are sure to come. There has never been such a prosperous period for our agricultural population; there has never been a time which was so advantageous for tilling every acre of land in Canada; and for that reason I agree with the honourable gentleman from Toronto that Asiatic labour should be brought into the country. The investment of $1 or $1.50 a day will bring a farmer $10 in return. This would increase manufacture in the East, and the labourers of the East would obtain better wages than they otherwise could.

Hon. HEWITT BOSTOCK: Honourable gentlemen, I give every credit to the honourable senator from Toronto (Hon. Mr. Nicholls) for the trouble, time, and energy which he has given to the work of this

committee, and for the way in which he has dealt with this matter; but the recommendations made by the committee do not, in my opinion, accord with the resolution passed by this House authorizing the establishment of this committee. In the Minutes of Proceedings of the 11th July, you will find this:

Pursuant to the order of the day the Senate resumed the adjourned debate on the motion of the Hon. Mr. Nicholls:

"That, in the opinion of this honourable House, it is expedient to appoint a Committee to inquire into and report upon the best method or methods of conserving and increasing our domestic and overseas trade, to the end that our present prosperity may not unduly suffer when the stimulus resulting from orders for munitions and other war supplies is removed."

The report that has been brought in by this committee deals with the question of increased production from the land. I fail to see how that comes within the four corners of this resolution as a matter of overseas or domestic trade.

The first clause of this report deals with the question of the Government taking hold of these vacant lands—I presume in the Northwest, as that is the only part of the country where the Government owns land. The idea of the Government starting to break up a large tract of land not at present under cultivation is a very difficult one to carry out, in view of the fact—which the honourable gentleman himself admits—that at the present time there is a great shortage of labour and great difficulty in getting men to go on the farms to deal with the crops, not only in the Northwest, but throughout the country at large. I cannot see how this problem is to be dealt with when the shortage of labour is so great that at the present time the farmers from one end of the country to the other are calling out for help. We should have had some other intimation from the Government with regard to this matter. Personally I have never heard any request or any statment made that would lead me to think that at the present time it was necessary for the Government to break up these lands for the purpose of raising crops. At the present time, if there is an average crop throughout Canada, and if we can get sufficient labour to harvest that crop properly, we shall be in as good a position as can be expected.

The second clause of this report deals with the question of giving a bounty to farmers to increase production. I think that every farmer to-day, at the present prices of farm products, is quite ready to increase the production of his land as far as it is possible for him to do so. I presume that every farmer is in business for the purpose of getting as much profit out of it as he can, and will increase his production to as large an extent as he is able. The suggestion of paying a bounty to farmers is not one that appeals to me, and I do not think it will appeal to the farmers of the Northwest. I am not prepared to say whether this suggestion would appeal to farmers in other parts of the country or not. The farmers of the Northwest would much prefer that the Government should deal with the question of the customs duties on agricultural implements and other supplies that they use, and bring about a material reduction in those duties. This would be a much greater encouragement to them, and would help them more largely in the greater production and further development of their farms, than what is proposed in this report. I think I am right in stating that the duty on farm implements, such as tractors, coming into the country at the present time amounts to something like 40 per cent. That is a great drawback to the purchase of this class of machinery. We have seen statements made by the farmers of the Northwest at meetings, in which they have asked the Government, as they have done for years, to reduce the duty on farm implements and give them opportunities to buy them at a lower price. Only the other day a resolution was passed by a convention in Winnipeg which reads as follows:

Resolved, that as the present high cost of farm machinery is one of the great factors in the increasing cost of producing foodstuffs, the Canadian farmer is paying more for such machinery than does the farmer of most other countries. We believe that the Dominion Government should immediately provide for an inquiry into the different factors which constitute the price to the farmer; such an inquiry to embrace the cost of manufacture, cost of transportation, distribution, collection, and any other factors. with a view to such action as may be possible to bring about reduction when the facts are ascertained.

A large number of the men present at that meeting were practical farmers, and we must presume that they knew what they were talking about in dealing with this question.

With regard to the question of tractors, I may say that a great many of the farmers throughout the western provinces have not found them to be as great a success as they thought they would be. To-day they are looking for a light tractor that will do the work required at a reasonable expense. They have found that the cost of running the tractors has been very considerable, and,

in view of the increased cost of gasolene and coal oil, which are used for fuel, this question has become one of great importance. I cannot agree with the recommendation embodied in this report that farmers should be given a bounty at any rate until other steps have been taken to remove the burden placed upon the farmers by the duties on machinery and other supplies which they are using.

The question of bringing in Asiatic labour is one that I think we should not deal with at the present time. I do not think that the necessity for this radical step, in order to carry on agricultural cultivation and production in this country has yet been shown. As honourable gentlemen know, in the West especially, this question has for many years been a very serious and contentious one; and, until it is absolutely proven that we cannot get the products of the mine and of the land that are required in order to carry on properly the affairs of the country, I do not think that we should sanction the bringing in to this country of Asiatic labour. This is a very difficult question, and the experience which we have had in the West has not been such that we want to see more of those people brought into this country until it has been definitely shown that we cannot get along without their assistance. I think that a great deal could be done at the present time by proper organization. The whole of the country should be properly organized, so that the labour required in the mines, in the fisheries, in the lumber camps, and in agriculture would be made available at the most convenient points. I think there is a great deal of labour that is not in the place where it is most available. I am not prepared to give any sanction to this idea of bringing in Asiatic labourers at the present time.

Hon. J. J. DONNELLY: Honourable gentlemen, I have listened rather carefully to the speeches delivered by honourable gentlemen in support of this report. I have also read the report, and I must say that I do not altogether agree with the conclusions arrived at in it. Apparently the main object of the report is to devise some means which will increase production. I think we all agree with that; but the proposal apparently is to break wild lands. There are two methods advocated by which we might increase production—one, by the granting of bounties, and the other by the Government breaking the lands and charging the cost to the land owners. But to me it seems that the great difficulty is the scarcity of labour, and I do not think that the breaking of a large area of wild lands at the present time will at all improve the labour situation. I have had some experience with breaking wild lands in the West, and I think it is very necessary that when lands are broken they should be properly cultivated; otherwise, they become a place from which weed-seeds are spread over the surrounding country.

I am disposed to think that the better method would be to encourage a larger percentage of our people to become engaged in agricultural pursuits, and, instead of breaking an increased area of wild lands, that we should give more attention to the cultivation of the lands now under cultivation. I sometimes hear people in the city complaining about the high cost of living. I know that there are many, not only in the city of Ottawa, but in other cities, paying a rental of over $25 a month for a very ordinary house. That means $300 a year. If the same people will come to western Ontario, I can assure them they will get a better house to live in, with 100 acres of arable land and good outbuildings, for $300 a year. What really is wanted is that many of the people now in our cities should go back upon the land. They might not be able to attend picture shows and things of that kind very often, but the elevating influence which would come to them by the close contact with nature would more than make up for any disadvantages in that respect. I think a campaign along that line would perhaps be the most beneficial. The men who are on the land do not require any particular encouragement to produce; they are quite willing to produce as much as they are able, and the present prices will induce them to produce to the limit of their ability. What we really need is that a greater percentage of our people should become engaged in agricultural pursuits, and I think a campaign along that line would produce good results.

Hon. W. B. ROSS: Honourable gentlemen, the honourable leader of the Opposition sought to put a very technical meaning on the words "domestic trade;" but I have always thought that the shipping of butter and cheese and wheat to foreign countries, as well as supplying our own market, was a distinct part of our domestic and overseas trade. I think that if a fair interpretation is given to those words, the honourable gentleman from Toronto (Hon. Mr. Nicholls) is quite in order with regard to this report, and that it does not go in any

way beyond the terms of the reference. This is not the first report we have had on the subject of agriculture, and I do not think it will be the last. We had a report on this subject, I think, last session. My experience is that after a report is made it is simply filed away, and I do not see that we get any definite, practical results. I do not know that if we adopt this report anything will be done with regard to it. What we want at the present time is not writing or talking; what we want is some specific thing done, and in that way we shall get ahead.

Now, I do not intend to say anything with regard to this report so far as it affects the West. There is a great difference between production on the farms in the West and production on the farms in the Maritime Provinces. In the first place, the western fields are larger, and, in the next place, the question of fertilizer in the Maritime Provinces is all-essential, while it is not yet a live question in the West. So honourable gentlemen will understand that any remarks that I have to make with regard to this report are made from the point of view of the Maritime Provinces.

There is one way of ascertaining the troubles of the farmer, and that is by going to a farmer and asking him whether he is cultivating as much land this year as he cultivated last year, and, if not, to give you the reason why. I find almost without exception that there are two reasons given by the farmers in the Maritime Provinces why they do not produce as much or more than they did in past years. The first reason is the question of power, which includes both machinery and man-power. The other question is the question of fertilizer. The question of fertilizer is, of course, all-essential in the Maritime Provinces. The price of fertilizers has advanced at least 50 per cent. Potash has gone out of sight altogether. Now, the difficulties that we have to deal with in the Maritime Provinces are in respect to two questions, and perhaps we may couple with them a third, that is, the question of instruction. You may give a man machinery and may give him fertilizer, but if you are not careful they are simply thrown away. I think the province of Ontario probably leads all the provinces in respect to the provision of farming instructors, and I hear that they have had good results.

Now I wish to refer, perhaps at some length, to the question of power on the farm. Our farms as a rule are small, and the farmer has only one pair of horses. All a farmer can do is to work those horses every day that is fit for work, and you will find that he is doing that. It is of no use to tell that man to cultivate more acreage or to cultivate his present acreage more intensely, because he is at his maximum. If you suggest to him that he should get another pair of horses, there would be the difficulty about man-power; he would require another man, that is, if he is single-handed. Of course, if he has boys he may use them. But horses are used on our farms for only a couple of months in the spring of the year, and then again in the autumn, and more than one pair of horses is not wanted on the farm during the winter. If the farmer had a second pair of horses, they would in the winter time eat away all the profit that he could make out of them by using them in the summer.

That brings us up against the question whether or not it is possible to use tractors, and whether there is a tractor yet found that can be worked successfully on the fields in the Maritime Provinces. They are smaller than the fields in the West, and a machine which might be very successful in the West would be a total failure in the Maritime Provinces; that is to say, if it were a machine that is hard to turn, while it might do very well on the very large fields of the West, it would be a financial failure on our small fields. What I should like to see in connection with this question would be an investigation by some one man, a young, active man with some knowledge of mechanics, to whom would be assigned this question of tractors, and who would examine all the tractors now in the market, see them work, and be able to give first hand, honest, intelligent information to the farmers as to what tractor, if any, they should buy. He would advise them, first, whether or not a tractor has been found that would take the place of horses—any machinery that could be worked in the spring of the year, put away in a shed during midsummer, brought out again in the autumn and used, and then put away in a shed during the winter; machinery that would not be expensive for the time during which it was used and that would take the place of horses, which eat their heads off during our long winter.

There has been formed recently an association which includes in its membership a large number of leading men all over the United States, for the study of advanced agriculture, and for the publication of information connected with it. I happen to

be a humble member of that society. One of its publications is known as The Field, illustrated. In the July number I find this statement with reference to tractors, which is not very long, and which I shall read to the House:

In response to a questionnaire sent out by the Bureau of Crop Estimates of the Department of Agriculture to 32,000 selected correspondents as to the number of gasolene and kerosene tractors to be used this year, a total of 34,371 was reported.

That is a pretty large number—the number that was used last year in the United States.

As this questionnaire was sent out early in the year and the total did not include tractors not delivered, the number in use probably exceeds the above figure. Naturally the corn belt and prairie states showed by far the greater number of machines in use, but the other states are increasing their count rapidly. A tractor analysis recently published by the Capper publications states estimates of the total number that will be in use in ten years vary from 500,000 to 2,000,000. Any estimate is only a guess, but these do not seem extreme in view of the strides the automobile industry has taken. The present manufacturing equipment of the country is capable of producing under governmental aid 75,000 tractors a year. Seventy-five thousand additional tractors would cultivate sufficient land to produce one billion bushels of small grains, giving a 50 per cent increase over the present crop. Last year 35,000 tractors were manufactured and it was hoped 70,000 would be produced this year, but shortage of men and material have cut down this figure. State and county tractors have been purchased this year in considerable numbers in order that the crop acreage might be greatly increased, and co-operative and night ploughing has been reported. Companies were organized for contract ploughing where such a thing was undreamed of a year ago.

Another writer in the same paper says this:

The tractor presents another possibility of placing a large amount of power under the control of one man. No one will deny the fact that it is here to stay and it is destined to be used in ever-increasing numbers, as time goes on, on farms at all adapted to its use. Not all farmers will find the tractor a profitable investment, but many will not only be able to decrease considerably the amount of expensive labour formerly required in the operation of their farms, but will, through its use, be enabled to get their crops in in better season.

Now, the little I have seen of the tractor would lead me to believe that, assuming that you get a tractor that will plough eight acres a day and at a cost of not more than about one dollar per acre, it would be possible, in the first place, to increase the acreage under cultivation, and, in the second place, to give more cultivation than we do give to the number of acres we now cultivate. Instead of ploughing the field once, we might be able to plough it twice, to harrow it more, and get a better seed-bed. I find from other papers that I have that in England the Government has a very large number of tractors. They travel along the country and take orders for ploughing from farmers, charging the farmers only the actual cost. That is one of the means taken in England. Now, I should like to see this question of the tractor taken up in earnest, in order that we may come to either a favourable or unfavourable conclusion upon it, because the next best thing to having a tractor doing your business successfully is to know that the tractor will not do it at all, because you then stop fooling over the thing and direct your energies into some other channel.

I agree with what may be called the general intent of the report of the honourable gentleman from Toronto (Hon. Mr. Nicholls), that is, for increased production on our farms; but at the present moment I do not quite see my way clear to accept his suggestion with regard to bonusing farmers. As a matter of fact, owing to the present labour situation, your bonus would be eaten up. If bonuses were given to-night, they would be all gone by to-morrow morning; they would disappear like a mist before the wind. The greatest gain would come from putting it within the power of the farmer himself to work out the problem. He has a good market now, and if you give him more power and enable him single-handed to do as much work as two men could do without machinery, you will have made a decided gain.

I think that it is only fair to the farmer that we should not expect him to lose perhaps his farm in speculating as to what is the best form of tractor to buy. A huge sum of money is voted by the Parliament of Canada to the Department of Agriculture, and I should think that the farmer would be justified in saying: "You have no right to say to me, 'Do this thing yourself; you are getting good prices.'" I submit that he could fairly say: "Why should I buy a machine that would cost me anywhere from one thousand dollars to fifteen hundred dollars and that may not work?" It is, in my view, the duty of the Department of Agriculture to solve this question and to give some practical advice to the farmer with regard to what tractor, if any, he would be justified in buying. How that tractor should be got, whether by reduction of duty, or by giving a bonus to

the manufacturers, is another question that might well be looked into; also whether for, say, five years they should not be put entirely on the free list. Of course, I do not know that that would be of very much practical relief, for our information on the subject is that the manufacturers of tractors in the United States cannot supply their present demand. It is quite within the bounds of reasonable business that some of our manufacturers might be induced to take up the manufacture of tractors in our own country, and I do not know that it would be bad business, even for a short period of time, to grant a bonus on tractors, with a view to inducing manufacturers to go into the business.

Some few years ago there was a great propaganda in the United States carried on through the columns of agricultural papers, for the use of lime on the farm. Some of the railways carried lime free for a number of years, and the president of one company, which operated in Illinois—I do not remember the name of it—said that for every dollar they lost in carrying lime free they made three dollars on the increased freight carried by that road. I should like to see the Department of Agriculture take this matter up with the railway companies, to see if the cost of fertilizers could not be reduced to something like the prices which existed before the war. I am not putting forward any proposition to give the farmer something for nothing. So far as my experience goes, it is not asked; but the difference between a farmer getting fertilizer for nothing and paying two prices for it is very great. I do not think the farmers would complain at all if they could get fertilizer to-day at a price something like 25 per cent more than they paid prior to the war. When prices are advanced 50 per cent, the farmer does not get an adequate return for his money, unless the fertilizer is purchased by the Department of Agriculture in large quantities and distributed direct to the farmers thus cutting out the profit of the middleman, which, in the Maritime Provinces amounts to something like ten or fifteen dollars a ton.

Then, there is the question of instruction. I do not think I need dwell on that, as probably most of the members of this House know as much about it as I do. However, I wish to say that I admire the work that is being done by the province of Ontario along this line. We all know the value of a man who knows his business going on to a farm and telling the farmer what is wrong —that the soil is short in phosphate, or potash, or nitrogen, as the case may be. A man of that kind can do more good in half a day on the farm than all the agricultural institutions do in ten years, because he gets at the farmer. I do not want to find fault with the agricultural stations. They have done a great deal of good work. In the province of Nova Scotia there are two Dominion stations and a provincial institution. The provincial institution, which is largely a teaching institution, is spreading knowledge every year.

There is a station at Nappan and one at Kentville, and there is a horticultural substation in the Annapolis valley to guard and protect agriculturalists against different troubles. This work is doing incalculable good. I believe, however, that knowledge along these lines is confined too much to the colleges. What we want now is the men who will take the knowledge that they have gained and go on to the farms and impart that knowledge first-hand to the farmers of the country.

The only other matter to which I will refer, is foreign labour. I do not know that any honourable gentleman in this House, or perhaps any one else, is qualified to give an offhand opinion as to whether we should or should not bring in Asiatic labour to work on the farms. I have seen Indians working in the tropics. I think that they come in under a five-year indenture bond, and that at the end of that time they are entitled to go home. Some of them take up land. There is a large colony of them in Demarara, where they have introduced rice-growing. In my opinion, if, after a proper investigation has been made, it is found that we are short of labour, there is no insuperable obstacle in the way of bringing in Asiatic labour on a one, two, or three-year contract. Of course, we would have to be very careful that these men would work on the land, and that at the end of their contract time they would be taken back to the country from which they came.

I want to protest against committees making investigations and reports, and not getting anything done. What are we going to do? I think something might be gained by going to the Department of Agriculture and asking them to appoint a man and to give him power to do something; but if something definite is not done the recommendation of the committee is only a pious wish.

Hon. ROBERT WATSON: As a member of the committee, I must apologize for not being able to attend all the meetings. I cannot concur in all parts of the report.

The honourable gentleman from Middleton (Hon. W. B. Ross) and the honourable gentleman from South Bruce (Hon. Mr. Donnelly) have pretty well expressed my sentiments. The farmer of the West has no desire to be spoon-fed. All he wants is a fair field and no favour, and he will make a success. We had before the committee of which my honourable friend (Hon. Mr. Nicholls) is chairman, a gentleman well versed in these matters, Mr. Crerar, president of the Grain Growers' Grain Company. He was asked what might be done to assist the farmer. He said that two things had to be done: first, the farmer must have a market which would guarantee to him the best possible price; and, next, he must get his farming implements free of duty. He said that if those two things were accomplished the farmer would want nothing else to help him to increase production.

My honourable friend (Hon. W. B. Ross) has suggested the gas-tractor. It is in common use in the West to-day. The only objection to it is that it costs too much money. I think he is wrong when he suggests going to the Agricultural Department to get some information about this question. He should go to the Customs Department and get them to take off the duty, and then the farmer will buy the best gas-tractor on the market. For a number of years the tractor used in the west was too heavy, injuring the soil. Some of the tractors weighed as much as 10 tons. The farmers now realize that the best tractor is one which weighs about 5,000 pounds, and which pulls three ploughs. It ploughs about 8 or 9 acres a day at a cost of about 40 cents an acre for fuel, including lubricating oil.

Hon. Mr. ROSS: Is that at present prices?

Hon. Mr. WATSON: That is with kerosene oil at 17 cents a gallon. I think it is now about 19 cents a gallon. It is a very cheap oil. Gasolene costs about 40 cents a gallon. In a gas tractor gasolene is only used for starting the machine, and then kerosene oil is used. The gas tractor, I may say, can only be used on fairly level land. It requires all the power that it can develop to climb a hill without pulling anything behind it, but I have no hesitation in saying that under fair conditions the gas tractor is almost a necessity on the western plains. If the tractor which now costs $1,100 or $1,200 could be purchased for $700 or $800, I venture to say that almost every farmer who owns a half-section would have one. When it is not in use it costs nothing, whereas horses are eating their heads off, and with fair usage it ought to last about as long as a pair of horses. One of these small gas tractors will do the work of eight horses quite easily. In addition to ploughing it is used very often for threshing, and instead of waiting for the big machine to come along and do his threshing in the fall—and probably losing valuable time and neglecting his ploughing—a farmer can start threshing immediately and is able to do much more work than he does under other conditions.

I have no sympathy with the idea of bonusing the farmers. As the honourable gentleman from South Bruce has very well said, it is not a question of breaking land, but of keeping under good cultivation the land that is already broken. Within the last week I have seen thousands of acres that were once cultivated and which are now covered with noxious weeds, the seeds of which are being blown all over the surrounding country, and the land is in worse condition than if it had never been cultivated.

Hon. Mr. RICHARDSON: Why is that?

Hon. Mr. WATSON: Because the man could not afford to buy seeds and pay wages. The land was owned by a man living in town, and the cost of labour was so great that he could not make a profit. If any recommendations can be made by this House or by any committee, whereby a free market can be given and the duties taken off implements, these things will increase production in the West as nothing else will. Under the system of bonusing you may get men to take up land who will not be able to cultivate it afterwards, and it would be simply a nuisance.

Hon. Mr. NICHOLLS: I do not wish to close the debate at the present time; but, with the permission of the House, I should like to ask the honourable gentleman a question. The honourable gentleman claims that wild land might be broken and then not cultivated. If he had read clause 2 of the report he would see that is covered. Clause 2 says:

> That if it is found necessary, in order to encourage farmers to bring additional acreage under cultivation, that a bounty of a certain sum per acre be paid for each and every acre of wild land put under cultivation and off which a crop is raised during the next ensuing two years.

Hon. Mr. WATSON: At the present time the farmer is working to the limit, and is paying as high as $50 a month for a man

for the whole season. Even with that labour employed, he is not able to keep under cultivation the land that he has broken at the present time. So, until there is more labour available, there is no use in breaking the land.

Hon. W. B. ROSS: Does the honourable gentleman know of any authoritative report upon the use of the gasolene plough in the West? Have any of the provincial governments made any report as to the work which is being done, and as to what is the best type of tractor to get. A plough might work very well in the large fields of the western plains, but in our small fields in the East a plough that would be difficult to turn might break down in that respect. The plough that I have seen in the fields here has a wheel in front, and is constructed apparently so that it can be turned quickly. My honourable friend suggests going to the farmers in the West instead of to the Department of Agriculture; but my idea is that there ought to be some place here where I could get authentic information.

Hon. Mr. WATSON: There are probably eight or ten different makes of tractors on the market in the West at the present time, and they are all giving fairly good satisfaction.

The tractor is now getting to be almost like the binder: it does not matter what make you buy, because all kinds work fairly well; it is simply a question of the style of engine. So far as the turning is concerned, they are all about the same. It does not matter whether they have one wheel or two wheels at the front; the machine works just as well with two wheels as with one, and all the machines are made about the same size. I may say, for the information of honourable gentlemen, that a few weeks ago a provincial ploughing match was held in Manitoba, and it happened to be in the vicinity of my town, on Portage la Prairie plains. One day was devoted to horse-ploughing and the next day to the gas-tractors. I think there were about fifteen gas-tractors competing in the match, and they did the work just as well as the horses. The farmer there had the opportunity of choosing his machine. The Manitoba Agricultural College has a class in which boys are taught during the winter months how to run gas-tractors, and as a result the young boys are becoming very expert. A good means of encouraging the boy to stay on the farm is to give him a gas-tractor, or some machinery in which he can take an interest. The training given to the young fellows at the Manitoba Agricultural College makes them very efficient. Of course, they do much more work with the gas-tractor than could be done with a pair of horses, and they prefer the gas-tractor to the horses, because it does not require any grooming at night.

Hon. W. C. EDWARDS: If my honourable friend from Toronto (Hon. Mr. Nicholls) had accomplished nothing more by his committee, he certainly has done a great deal in bringing about this afternoon one of the most interesting debates that has ever taken place in this House on the most important question affecting the whole Dominion of Canada, namely, that of agriculture. When my honourable friend from Kamloops (Hon. Mr. Bostock) referred to the question of domestic trade, it occurred to me that there is no greater means by which the domestic and foreiegn trade of Canada can be encouraged and developed than by the development of the agricultural resources of this country. So I am not at all surprised that my honourable friend from Toronto, after looking around to see what he might suggest, suggested, after all, that which is most important and always will be most important to Canada.

My honourable friend (Hon. Mr. Bostock) referred also to Asiatic labour. Well, he lives in British Columbia, and I am a little surprised that he does not realize that there would be no British Columbia but for the Asiatic labour they have had there. If by contracting, say for three years or more, for a number of Asiatics, a large number of men in Canada could be liberated for the various undertakings which Canada has in project, I think it would be a great thing for the country.

This question of agriculture is one of the questions which interests me most. I have all my life taken a great interest in agriculture, and have attended a great many farmers' institute meetings and other agricultural gatherings; I have also for a long time had much to do with agriculture, having a number of farms; and my observation is that over the entire area of Canada there are a certain number of farmers who make a great success of agriculture, and a very large number who do not. Just as in all other lines of industry, there are a certain number of men who get ahead of their fellows because of their application and ability. In my humble opinion, the best means of developing the agricultural interests of Canada is illustration. Illustration farms distributed

throughout the country would do more than anything else for the promotion of agriculture. There are many men who cannot learn by their own initiative, but who can imitate what they see other men do. May I give an instance of that, which a speaker at one of our institute meetings in Ontario years ago used to cite? There was in a certain part of Scotland a group of about two dozen farmers who made it a practice to meet once a month at each other's farm and give their experiences, and the result was that those farmers went ahead of all the other farmers in the community. As to the methods which my honourable friend the Chairman of the committee (Hon. Mr. Nicholls) has suggested, and which he may suggest, I think that if he can do anything which will help to promote agriculture, he will do one of the greatest things that can possibly be done for Canada.

Hon. F. L. BEIQUE: I do not know if it is because I am, like the honourable gentleman from Middleton (Hon. W. B. Ross), a lawyer-farmer, but I must say that I agree entirely with everything that he has said. The honourable gentleman from Portage la Prairie (Hon. Mr. Watson) speaks more for the West than for the East. He says that so far as the West is concerned, they are now certain they have the proper kinds of tractors; but he acknowledges that great mistakes were made at the outset and a great deal of money was wasted for want of proper information. The farmers bought large tractors at great expense, and those tactors had to be thrown into the scrap-heap. Well, if the idea which has been suggested by the honourable gentleman from Middleton had been applied, a great deal of that money would not have been wasted, and much of the energy and time spent would have been saved. I understand that the suggestion is that the Government, whether the Federal Government only or the Fed ral Government in conjunction with the Provincial Governments, should arrange to determine whether there is on the market tractors suitable for the farms in the East as well as those in the West. The tractors used in the West may not suit the eastern farms. But, although agreeing with the honourable gentleman in the valuable suggestions he has made regarding the appointment of an expert by the Department of Agriculture, I would suggest further that the Government, through same or another expert should go a step further after the idea has been matured, and buy a certain number of tractors, at least one for each province, one for each of the different localities, and have the tractor tested by the expert, not only for the purpose of better ascertaining that it is the proper thing, but also as a means of educating the farmers of the province. If the Government proceeds in that way the mistake which was made by the western people will be avoided, and a great deal of expense and energy will be saved that would otherwise be lost.

I entirely agree with the other suggestion of the honourable gentleman from Middleton, that what we want is education for the farmers. For my part, I have an ordinary intelligence. I have given a great deal of attention to farming; I was brought up on a farm, and when I was young did all the work on the farm; in late years I have farmed quite extensively and have made it a practice to spend my evenings and Sundays in reading literature on farming.

Hon. W. B. ROSS: What? Does the honourable gentleman mean to say that he reads farming literature on Sunday?

Hon. Mr. EDWARDS: After mass.

Hon. Mr. BEIQUE: After mass; and I must confess that there are many problems which I have been unable to solve. I agree with the honourable gentleman that the farmers would be greatly helped if experts were sent into different parts of the country for the purpose of ascertaining what kinds of fertilizers should be bought, because it depends largely upon the nature of the soil, and an ordinary farmer has not sufficient knowledge to enable him to make the proper choice, and much money and time are wasted because he has not used the proper kind of fertilizer for his soil. I believe that the experimental farms are doing good and valuable work, but mainly in experimenting. I think that what we now require is a demonstration farm in each locality, similar to those which were established in Belgium and Holland, and which in the course of twenty-five or thirty years, revolutionized agriculture in both those countries. A demonstration farm may comprise ten or twenty acres, and may be conducted at very little expense. A farmer in each parish or locality may be chosen—and progressive farmers will be found everywhere, who will be ready to undertake the work, and may be induced to culitvate ten or fifteen acres of land under the control of an expert. That expert could control a dozen, or perhaps two dozen, small farms of that kind

in different localities and see that the ten or fifteen acres are cultivated under his instructions. Each of those farms will serve as a demonstration, not only for the farmer who owns it, but also for all his neighbours.

I agree with the honourable gentleman (Hon. Mr. Ross) also in his suggestion that the Government should, as far as lies in its power, help the farmer in procuring the proper kind of fertilizer. It is suggested that fertilizer should be admitted free of duty. I think the Government should go a long way—should not only free it from duty, but also try to devise a means whereby the production of fertilizer may be encouraged. I read the other day that in England the problem had been solved; that England is now able to produce all the fertilizing material required in that country, and will not have to depend upon Germany for a supply. If that progress has been made in England, the Government of Canada should learn all about it and take steps to encourage the manufacture of fertilizers in this country.

Coming back to the question of tractors, it is a matter of the utmost importance in the eastern provinces as well as in the west. In the eastern provinces a great part of the country is growing wild with weeds, and the only practical way to eradicate them would be cultivation by means of tractors.

Hon. Mr. EDWARDS: Summer fallowing.

Hon. Mr. BEIQUE: Yes; summer fallowing could be practised. By ploughing five or ten acres several times during the summer you would destroy the weeds and also prepare the land to give double the crop the following year; but that cannot be done with horses, because it must be done when the weather is very hot, and also because the ground is too hard; it can be done only with tractors.

I have only one word to add, as regards the report which is now before this honourable House. As the honourable gentleman from Rideau (Hon. Mr. Edwards) stated, the honourable member from Toronto (Hon. Mr. Nichólls) is to be congratulated upon having brought to the attention of this House the very important question of agriculture. I am sorry, however, that I cannot concur in some of the suggestions which are made in the report.

I agree with the criticism which has been made as regards the proposed bonus. I do not believe in the efficacy of bonuses. I think it has been stated that there is under cultivation more acreage than can be properly tilled under the present labour conditions, and if the suggested bonus were granted it would encourage the opening up of wild lands for the purpose of getting the bonus, and the land already under cultivation would be left to run wild. I do not believe that that is a good remedy.

As far as the importation of labour is concerned, I am altogether in accord with the suggestion that, in view of the present shortage of labour, and of the greater shortage which will exist if another 100,000 men are sent to the front, it would be very important to procure Chinese or Oriental labour; but it should be procured, not, as stated, only for the season between seeding and harvest time. A contract would have to be made for a period of two or three years, as is done in France. France has arranged to import at least 20,000 Chinamen on a three-year basis, and the United States, I understand, is doing or is about to do the same thing. I do not think that Chinese labour should be brought into the country for part of the season only.

Hon. Mr. BLAIN: May I ask the honourable gentleman from Portage la Prairie what is the life of a tractor working under ordinary conditions?

Hon. Mr. WATSON: I think a gas tractor ought to last for eight or ten years, with some slight repairs.

Hon. A. E. PLANTA: Honourable gentlemen, I have listened with a great deal of interest to the discussion which has taken place on this report, and I am sure that even if no definite conclusions are arrived at the discussion has at least been of very great interest. It has occurred to me that if the provisions of the Act to assist returned soldiers in settling upon the land could be applied in assisting the farmers we have heard of who are to-day living in the cities, something could perhaps be accomplished towards obtaining increased production. I do not think it is necessary to assist the farmers, already well-to-do, who are engaged in farming pursuits. What we should do is to encourage others to go onto the land. I am sure there are many who have drifted to the cities simply for the lack of funds with which to properly equip a farm and make their work less arduous.

What I wished to refer to particularly was the most remarkable statement which fell from the lips of the honourable member from Ottawa (Hon. Mr.Edwards) when he

said that if it had not been for the Asiatics there would be no British Columbia. Having lived in British Columbia nearly all of my life, I can assure all honourable gentlemen present that if ever a curse fell upon a fair province of this Dominion of ours it was when the gates were thrown open to the hordes of Chinese which overrun our province. Instead of having to-day a happy, prosperous community of working people as we should have, we have hordes of these Asiatics who are in keen competition with our own race. The result has been that the workingmen of our province have not had a fair show, except in cases where Asiatics have been excluded, as, for instance, in coal-mining operations. The milling industry is entirely in the hands of Asiatics.

Hon. Mr. WATSON: Could the mills be operated without them?

Hon. Mr. PLANTA: I was just coming to that point. It has been argued by gentlemen engaged in milling operations that they could not carry on that industry without Asiatic labour. The answer to that is that in the State of Washington, as I understand, the mills are entirely operated by white labourers. So the contention, I think, is not well founded. I could not sit still and allow the statement made by the honourable gentleman from Ottawa (Hon. Mr. Edwards) to go unchallenged, and I can assure honourable gentlemen that I know what I am talking about.

Hon. G. G. KING: Honourable gentlemen, it was not my intention to take part in this debate. I have listened to the remarks of honourable gentlemen who have spoken, and it occurs to me that there is something much more important than any of the questions touched upon during the debate this afternoon. If I remember rightly, Canada has been served with notice by Lord Rhondda that Great Britain is looking to Canada for her supply of bread. We have 300,000 or 400,000 men across the water now, and 100,000 to go, and this country is under the responsibility of producing bread to take care of our Allies and our men on the other side. It is all very well to talk about the farmer, but this is a much more important view of the question. I am not in favour of subsidizing the farmer. So far as removing duties is concerned, that is all right as far as it goes. What have we to-day? We have a Food Controller. What is he telling the people? He is telling them to eat whole-wheat bread. Why? To save wheat. For what? To have a surplus to send across the seas. Am I right or am I wrong? Personally, I do not believe in whole-wheat bread, but if the Food Controller thinks it is right, I have no objection to it. Although I am not a farmer, I have an idea that if the people of this country are compelled to use whole-wheat bread, the price of butter and cheese will advance very quickly. There will be nothing to support the dairy interests of this country. I come from the Maritime Provinces which, year after year, make use of a million barrels of flour. It used to be that Ontario supplied us with bread; now we subsist largely upon flour made from Manitoba wheat. We are interested in seeing flour cheaper than $14 or $17 a barrel, and if the Government can do anything to keep up the supply and to send a supply across the water, I think the money will be well spent. I hear my honourable friend say it only costs a dollar to break an acre of land, but I think the Government ought to be willing to give some encouragement to those farmers who have not enough money to take the risk of breaking up lands. If it was to be done, it should have been done early in the spring. It has not been done. Something could be done yet, but I fear not very much. There is one thing about breaking up virgin prairie—and when I say this I speak with some knowledge, because I have been across this continent forty-six times in seventeen years. I say that it is the duty of the Government, and it is our duty to advise the Government so far as this matter goes, to take the best means possible to increase the production of wheat in Canada, so that the people on the other side of the water will not suffer. Some provision should be made with regard to next year's crop, so that the people on the other side of the water shall not suffer, and so that we shall have something at home. If the war were to stop to-morrow and wheat went down below $2.50 a bushel, it would not hurt the people of this country. I think we owe something to the consumer as well as to the farmer of the West, and the only way to reduce the price of wheat is to increase production. England is not looking to Australia, New Zealand, nor South America for bread; she is looking to Canada and the United States. The Government can afford to risk something by way of bonuses. I should say that $5 an acre would not be amiss. It would put the farmer in a position to employ high-costing labour, and he has to have labour no

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matter what it costs. We have to have food in this country and we have to supply the Allies and our Mother Country.

I have not spoken in this House for ten years, simply because my hearing is not very good. Perhaps I am doing an injustice to some honourable gentlemen in saying that this matter has not been referred to before. If so, I am very sorry. I could not let this opportunity pass without calling the attention of the leader of the Government to what I think is the duty of the Government, in which they should not lose a day. This matter is as important as conscription. To my mind it is important that Canada should do her share towards providing food for the Allies and for her own people in Canada.

On motion of Hon. Mr. Robertson, the debate was adjourned.

CRIMINAL CODE AMENDMENT (INSURANCE) BILL.

FIRST READING.

Bill 54, an Act to amend the Criminal Code (respecting Insurance).—Hon. Sir James Lougheed.

PROVINCIAL PROHIBITION ACT AMENDMENT BILL.

FIRST READING.

Bill 121, an Act to amend an Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors.—Hon. Sir James Lougheed.

PROVINCIAL PROHIBITION ACT AMENDMENT BILL.

FIRST READING.

Bill 124, an Act to amend the Criminal Code and the Canada Evidence Act.—Hon. Sir James Lougheed.

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

THE SENATE.

Thursday, August 16, 1917.

The Senate met at Three o'clock, the Acting Speaker (Hon. T. S. Sproule) in the Chair.

Prayers and routine proceedings.

MILITARY DECORATIONS.

On the Orders of the Day:

Hon. Mr. CLORAN: I rise to a very high question of military privilege. Of course. I am addressing the Government of the day in its absence. The Government of the day is represented here by one of the most brilliant men in the Cabinet; but, after all, brilliancy cannot fill the place of seventeen or nineteen departments. While addressing the leader of the Government, I wish him to understand that no reflection is to be cast on him personally. I have every admiration for the honourable gentleman who leads this House on behalf of the Government. I want to know from the Government, through him, by what right does the Minister of Militia or any of his subordinates, on the public streets in the capital of the Dominion, tear colours off the arms of returned soldiers who have fought the battles of the Empire in France and Flanders? I have absolute proof that within the past week colours have been torn from the arm of a Canadian officer who has gone through battles in France and Flanders, on the ground that these colours should not be worn in Canada. This officer returned from the front maimed and blinded. On Sparks street, in this city, a superior officer tapped him on the shoulder, and he came to a standstill and saluted. "You cannot wear these colours in Canada"——

Hon. Mr. CASGRAIN: What colours?

Hon. Mr. CLORAN: The colours of the Somme battle, the battle of Ypres and the Vimy Ridge battle. These colours were torn off his arm. I have evidence of that fact.

The Hon. the ACTING SPEAKER (Hon. Mr. Sproule): Order. The whole question is as to whether these inquiries are appropriate just now. I am not aware of any rule which justifies putting questions across the floor of the House and debating them at this stage of business.

Hon. Sir JAMES LOUGHEED: If my honourable friend will give me the particulars of the case to which he has referred, I shall be very glad to make inquiries and give him an answer.

Hon. Mr. CLORAN: I am going to accept the decision of His Honour the Speaker that a matter of national importance cannot be discussed.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: I move the adjournment of the House, seconded by the honourable gentleman from Portage la Prairie (Hon. Mr. Watson). It is a shame that in this honourable House a member

cannot present to the people what they desire to know. We are compelled to move the adjournment of the House. It is a limitation of free speech. It is not the closure, but it is next to it.

The Hon. the ACTING SPEAKER: Order. Is it your pleasure, honourable gentlemen, that the motion be carried? Those in favour of the motion will please rise.

Hon. Mr. CLORAN: On that motion I desire to say——

The Hon. the ACTING SPEAKER: Order.

Hon. Mr. LANDRY: The honourable gentleman has the right to speak on this motion.

Hon. Mr. CLORAN: You are forgetting your own rules. I have a right to speak to this motion and I speak with a heart—

The Hon. the ACTING SPEAKER: Order. I am not familiar with the rules of the Senate, but the rule laid down in the House of Commons is that the question is put to the House, and, if a certain number stand, it is admissible.

Hon. Mr. LANDRY: Rule 25 says:

No notice is required for any of the following motions:

For the adjournment of the Senate for the purpose of bringing up a question of urgent public importance (which the mover shall state on rising to speak) before the House proceeds to the Orders of the Day.

Hon. Mr. POWER: I should like to say a word on this question of order. The paragraph which the honourable gentleman has just read covers the ground, and the honourable gentleman from Victoria would have the right to move this motion if it comes under that rule, "for the purpose of bringing up a question of urgent public importance." Now, what is the question which the honourable gentleman from Victoria proposes to bring up? He draws attention to the fact that an officer spoke to another officer on Sparks street and asked him something about a decoration. Is that a matter of urgent public importance? If the honourable gentleman wishes to bring that matter up, I think he should do it in the regular way by giving proper notice. It is simply abusing one's position as a member of this House to undertake to precipitate a debate under the circumstances.

Hon. Mr. PROWSE: Honourable gentlemen, I do not want to cast any reflections upon any honourable member of this House; but I really think that there is too much time wasted in arguing points of order instead of using a little common sense. I happen to be familiar with the case mentioned by the honourable gentleman from Victoria (Hon. Mr. Cloran), and every honourable gentleman in this House. whether Liberal or Conservative, should be familiar with it. I think it is a duty which we owe to ourselves to listen to the honourable gentleman from Victoria.

Hon. Mr. CLORAN: This is a matter of high military importance, in the face of the Conscription Act and the voluntary system that will come into force if the Conscription Act fails. This matter of high military importance is whether a returned officer should be insulted in the public streets of Canada.

Hon. Mr. McSWEENEY: Who was the officer?

Hon. Mr. CLORAN: Please do not ask. He is an officer who has come back from France.

Hon. Sir JAMES LOUGHEED: The point of order has been raised whether this is a question of urgent public importance, and the honourable gentleman having stated his object, it is for the Speaker to decide whether it is a matter of urgent public importance. If the ruling is not satisfactory, the honourable gentleman can then appeal to the House. I ask the ruling of the Speaker, whether this comes within paragraph g of rule 25.

The Hon. the ACTING SPEAKER: No senator has a right to address the House unless there is a question before the Chair, or on certain motions that may be made under certain rules. So far as I am familiar with the rules, it would at least require the assent of the majority of the Senate before the adjournment motion could be gone on with. I put the question for the purpose of determining whether in the judgment of the majority of this House it was a question of urgent public importance or not, when an honourable senator raised the point of order, and I desisted. I still hold to the opinion that it would not be permissible for the honourable gentleman to take advantage of the privilege of addressing the House without being in order. In my opinion the question is not a matter of urgent public importance at the present time, or one of such a nature that the usual notice should not be given.

Hon. Mr. PROWSE: This matter is absolutely urgent. When a returned soldier,

as I know for a positive fact, can produce the proof that he has been actually insulted on Sparks street, and the stripes showing the different battles through which he has been have been torn off his arm and a public exhibition has been made—

The Hon. the ACTING SPEAKER: Order. The honourable gentleman, having spoken on the point of order, is not permitted to speak again.

Hon. Mr. MURPHY: In cases of this kind I think the easiest way is the best. This is an unfortunate incident, which would not have occurred if the officer who committed the insult had known what he was doing. The honourable the leader of the House has asked the honourable gentleman who raised this question to give him the facts and allow the matter to stand over until to-morrow. I would advise my honourable friend to accept the offer. I feel just as keenly on this matter as anyone could, but under the circumstances I would advise my honourable friend, as it comes so near to himself, to accept the advice of the honourable the leader of the House and let the matter stand until tomorrow.

Hon. Mr. CLORAN: I am not going to say any more about it. I give notice of motion to that effect. I will call the attention of the Government to this incident and ask whether, on the authority of the Minister of Militia or any of his subordinates, a man has the right to tear the French colours off the arm of a British soldier—colours won in France and Flanders—on the ground that they should not be worn in Canada. Secondly, I will ask, is that blind-eyed soldier who wore a soft cap obliged to wear a stiff one on the order of that officer?

Hon. Sir JAMES LOUGHEED: Can my honourable friend give the name of the officer?

Hon. Mr. CLORAN: I was not present, but I know the victim of the insult. Here was an officer on Sparks street, and it is put up to me to find out who he was.

Hon. Mr. LANDRY: The best way to get the information the honourable gentleman wants is to allow the minister to inquire into the facts.

Hon. Mr. Cloran, by leave of the House, withdrew his motion for adjournment and gave notice of his inquiry.

TREATMENT OF DISABLED SOLDIERS.

SIR HENRY NORMAN'S REPORT.

Before the Orders of the Day:

Hon. Mr. BOYER: On Thursday last there was a discussion in this honourable House on the Returned Soldiers Bill. I had the honour of addressing the House, and I called attention to a report of Sir Henry Norman on the treatment of disabled soldiers in France. I wanted that report printed in Hansard, and with that end in view I handed it to one of the reporters. Later it was returned to me. I said in my speech that this report read like poetry, that the information it contained was most valuable, and I am sure that every honourable gentleman here would read it with the greatest pleasure. Is there any possible means of my getting this report printed, in Hansard or otherwise, so that it may be circulated amongst us and amongst the public?

Hon. Sir JAMES LOUGHEED: I would suggest to my honourable friend the undesirability of a pamphlet so large as the report which he holds in his hand being placed on the Hansard. It would establish a very bad precedent. Interesting as the report is, I should not like to see it placed on Hansard; but I would suggest to my honourable friend that the Joint Committee of both Houses on Printing might sanction the printing of it, and if he will be good enough to lay it upon the Table I shall be very glad to take the matter up with the Chairman of the Senate section of the Joint Committee on Printing, and shall strongly urge upon him the desirability of having the report printed.

QUESTION OF PRIVILEGE.

CORRECTION OF NEWSPAPER STATEMENT.

Hon. T. J. BOURQUE: I rise to a question of privilege. I have seen in the Ottawa Evening Journal of August 15 the following article:

> Senator Bourque is in receipt of the news that one of his nephews has been awarded the Military Cross. Dr. Bourque has three sons and one daughter on active service, a good example of the way in which Acadians have come to the colours.

I desire to explain this matter so that there may be no misunderstanding, and so that credit may be given to the person who is entitled to it. In New Brunswick there are two Dr. Bourques; I am one of them and the other is Dr. L. N. Bourque of

Moncton, who is my cousin. I am sorry that I have no sons. My family is composed of three daughters. Dr. Bourque of Moncton is the Dr. Bourque who has three sons and a daughter at the front.

CRIMINAL CODE AMENDMENT (JURORS) BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 97, an Act to amend the Criminal Code (respecting jurors).

He said: This legislation is introduced in pursuance of the authority of Parliament to deal with procedure in criminal matters. There has been more or less diversity of legislation on this subject among the different provinces of Canada—not as to the number of stand-bys, but rather as to the size of the juries which are empanelled from time to time. It would seem that in some of the provinces the jury panels have been limited to a certain number; in other provinces legislation has been introduced by which the jury panel for the trial of criminal cases is practically unlimited. The consequence is that, in the absence of a limitation upon the number of jurors who may be called to stand by, the Crown is permitted to ask practically all the jurors who may be empanelled to stand by, which is manifestly unfair. It is therefore proposed that the Criminal Code should be amended to provide, in the language of the Bill, that "the Crown may not direct any number of jurors to stand by in excess of forty-eight, unless the judge presiding at the trial, upon special cause shown, so orders." That will give uniformity to our criminal procedure throughout the Dominion, and at the same time will not interfere with the action of those provinces that may choose not to place a limitation upon their jury panels.

Hon. Mr. ROCHE: May I ask the honourable leader of the Government if under that a certain number of jurors challenged by the prisoner or defendant could be brought in again?

Hon. Sir JAMES LOUGHEED: The Bill does not in any way deal with the right of challenge. The challenge of jurors remains the same as it is to-day in the Criminal Code. This amendment will certainly be an advantage to the accused, inasmuch as it places a limitation upon the Crown in asking jurors to stand by. It seems to me manifestly unfair and not in the interest of the accused that the Crown prosecutor should have the right to call up an unlimited panel of jurors, and ask the whole of that panel to stand by until he can practically procure a jury which he himself may know will be adverse to the prisoner. It is manifestly in the interest of fair play that this legislation should be passed.

Hon. Mr. BOSTOCK: I am inclined to think that this Bill is a move in the right direction; but I do not quite see why the matter has been allowed to stand as long as it has. The old clause in the Criminal Code which deals with this question says:

> The Crown shall have power to challenge all juries peremptorily and may direct any number of jurors not peremptorily challenged by the accused to stand by until all the jurors have been called who are available for the purpose of trying that indictment.

Now, it seems to me that we are curtailing the power of the Crown in that matter.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: My honourable friend has referred to the legislation of the provinces. I understand that the provinces have the power of passing legislation for the purpose of constituting the courts, and they pass laws regulating the number of jurors on the panel. This Bill has, I understand, been introduced at the present time because of legislation enacted by some of the provinces increasing the panel of jurors to a considerable number.

Hon. Mr. WATSON: One hundred.

Hon. Mr. BOSTOCK: An honourable gentleman says one hundred. I have not seen the Act myself, and do not know exactly what the number is. The honourable leader of the Government has not given any particular reason why it is necessary to bring this legislation down now.

Hon. Sir JAMES LOUGHEED: The honourable gentleman has just stated the reasons.

Hon. Mr. BOSTOCK: But we have had section 933 in the Criminal Code for a good many years.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: The honourable gentleman did not mention any actual hardship that had occurred as a result of the Crown having this unlimited power. The legislation under which we have been working for a great many years has also, I understand, been the law in England, I think for more than a century. Therefore it seems to me rather curious that, unless

some particular case of hardship has arisen, this legislation should be introduced at the present time.

Hon. Mr. WATSON: I come from a province which is a storm-centre in matters of legislation. We had before us yesterday a Bill which was introduced because of the action of the province of Manitoba in claiming that goods imported for the Crown should be free of duty. This legislation also is no doubt introduced for the purpose of interfering with the action of the province of Manitoba. The Legislature of Manitoba at its last session decided on a panel of, I think, 100 jurors. The Bill now before us, as the honourable leader of the House states, is for the purpose of favouring the accused. We have had a good many accused in Manitoba. The defence for the accused ex-ministers asked for and received a list of jurors, and it is well known in the province that counsel betrayed the trust reposed in them and actually canvassed the whole of the fifty jurors empanelled; so it appeared to the legal department of the province of Manitoba that it was not possible to get a fair jury to try those ex-ministers. Consequently the number of jurors was increased, and it seems to me that the province was fully justified in making that increase in order to obtain a fair jury to try those ex-ministers. That was the occasion of the increase. I may say that since that time those ex-ministers have been excused from going to trial again on account of having doctors' certificates, though I do not know that they are very sick. So there is to be no trial for the present, and probably there will be no trial in the future. At the trial they did have, when the jury disagreed, there was a verdict of nine to three against the accused; a new trial was ordered, and the Attorney General of the province, acting on the knowledge he had of what was being done, increased the jurors to 100. I have no doubt at all that this Bill is now introduced particularly for the purpose of giving an advantage to the accused—the accused in Manitoba.

Hon. Mr. CLORAN: I have had considerable experience in the matter of juries, having been for thirty years Crown prosecutor, and being Crown prosecutor still. I may say at the outset that for the past thirty years I have always felt that it was unfair for the Crown to have the right, especially in murder cases, to challenge the entire jury panel, leaving the accused, whether for murder, arson, or other crimes, the right to challenge twelve. I have always felt as a Crown prosecutor that I was not dealing fairly by the accused, because under British law every man is held to be innocent until the Crown proves him guilty, and I have always felt that it was mean, to say the least, that the Crown should take advantage of the accused. I may tell this honourable House, and it is well known, that while acting as Crown prosecutor I very seldom put a juror aside —probably not one out of ten whose names were called; but I have seen some prosecutors put aside ten, fifteen, or nineteen out of twenty so as to secure a certain juror to find that the prisoner was guilty. I have denounced the practice in open court. But I never availed myself, as Crown prosecutor, of the privilege of setting an entire panel aside; there was in my heart too much justice, too much fellow-feeling. But I tell the Government that, in introducing this Bill, and attempting to have it passed by Parliament, they are doing so, not for the welfare or the comfort or solace of the accused; they are attempting to put this Bill through Parliament for party and political purposes and those alone, and those party and political purposes exist, fortunately, only in one province—the province of Manitoba. If that dispute had not arisen in Manitoba, this measure, which the honourable the leader of the Government has stated is for the relief of the accused, would never have been introduced; therefore, it is a party and political measure. On the merits of the Bill, I am prepared to vote for it, so that the Crown may have no more rights of challenge than the attorney for the defence. Still this Bill would give the Crown four times more opportunity to pack a jury than the defendant or the accused would have. Now, while I am in favour of the relief of the accused, I am not in favour of the Government's object in having this Bill passed for the relief of accused men in Manitoba at the present moment; and, if the Government were wise and heeded public opinion, they would hold this Bill over until after the Manitoba case is tried and adjudged. That would mean the six months hoist, and, of course, the Government will not accept that because it would look like a vote of want of confidence. I am throwing out to the Government the Christian suggestion to keep this Bill in mind, but not to pass it at present. Is not that a fair proposition? What is the need of hurry in

putting it on the statute book? To prevent justice being done according to the laws of Manitoba. I ask that this bill be postponed to another parliament, because it is presented now only for political and party purposes.

The Hon. the ACTING SPEAKER: May I remind the honourable gentleman that it is not permissible under the rules of the Senate to impute motives for what has been done.

Hon. Mr. CLORAN: If a member of Parliament cannot challenge the conduct of the Government on public questions, then I, as a Canadian, want to know where I stand in public discussions? I charge the Government here to-day with introducing this Bill for party and political purposes.

The Hon. the ACTING SPEAKER: Order.

Hon. Mr. CLORAN: Then I charge that this Government has introduced this Bill for non-party and non-political purposes. Which is true? I leave it to the general public to decide. I cannot leave it to this honourable House, because I know how they would decide it. If it were not for that fact, I would vote with my whole heart and soul for the principle of this Bill; but under the existing conditions I am opposed to it, and I ask the Government to withdraw it. If they do this, it will not make many people suffer. During the next three or four months this Government will cease to live; but the Bill can be brought again before Parliament and can be enacted, and the honourable the leader of the Government will not need to look for a seconder on his side of the House, for I will second the motion.

Hon. W. B. ROSS: The honourable gentleman from Portage la Prairie has stated that the number of jurors is 100; but I understand that it is 250. That statement was made over and over again by the Minister of Justice and it was not contradicted. Formerly the number of possible stand-bys was 48; now the Crown can stand by 250.

Hon. Mr. WATSON: I think the number of jurors who may be summoned is 250, but that is for three different courts to be held at one time in Winnipeg.

Hon. W. B. ROSS: That would not be possible unless there were 250 on the panel. There is a long history attached to this custom. It was not originally part of the jury system of England; it was an abuse that grew up under the Tudors. It was one of the things that were changed after the revolution of 1688. In the province of Nova Scotia the number is down to 48, because there they had two panels of 24 each. When one was exhausted they would go on with the other. I think this is very good legislation, because it makes the number of stand-asides 48 in all the provinces, and I think it is essential in many cases to protect the prisoner from getting an unfair trial at the instance of the Attorney General if he chooses to stand aside the whole panel.

Hon. Mr. POWER: I have not any strong feeling with respect to this matter. I think that perhaps on the whole the Bill goes in the right direction; but I wish to call the attention of the honourable the leader of the Government to the question of its constitutionality. Amongst the matters that are left to the exclusive jurisdiction of the provinces by the British North America Act, section 92, I find this in paragraph 14:

> The administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.

Is not the question of deciding upon the number of jurors one that deals with the constitution of the court?

Hon. Sir JAMES LOUGHEED: No, it is procedure.

Hon. Mr. POWER: In criminal matters the court is not constituted until there is a jury. The jury is as essential—in fact, almost more essential, than the judge; and until the court is constituted it cannot proceed. Paragraph 14 of section 92 of the British North America Act says that the constitution and organization of provincial courts, both of civil and criminal jurisdiction, is a matter within provincial powers.

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at paragraph 27 of section 91 he will find: "The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters" appertains to the Parliament of Canada. This is purely a matter of procedure. We do not assume to fix the number of the panel. It may be contended that the panel forms part of the constitution of the court, but the number of stand-bys does not. That is purely a matter of procedure.

The motion was agreed to, and the Bill was read the second time.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 118, an Act to amend the Government Railways Act.

He said: The object of this Bill is to put the Government railways under the Railway Commission in the same way as the other railways of Canada. Exceptions are made as to claims against the railway, as to expropriation clauses of the Railway Act, and as to the imposition of fines as against the Crown. The question was raised in another place as to why the penalties which are imposed under the Railway Act should not be imposed against the Government railways. That, of course, would be a departure that is entirely uncalled for. I think it is unnecessary for me to enlarge upon the policy of placing the Government railways under the authority of the Railway Board. I think public opinion throughout the Dominion has been expressed very strongly in that direction for some years, particularly since the organization of the Railway Board. I know that on several occasions this House has expressed itself very strongly on this matter. We have now reached the point when we think we can bow to public opinion in that regard, and that idea is crystallized in this Bill.

Hon. Mr. BOSTOCK: The object of this Bill may possibly be a good one, but I do not understand exactly how far the board is going to have control over the Government railways. The Government railways at the present time are being administered under the department—directly under the charge of the Minister of Railways. I presume that up to the present time there has been no authority to deal with the question of rates charged by Government railways. If my impression is right, I suppose that now it is going to be possible for the public to appeal to the Board of Railway Commissioners to deal with questions regarding traffic which now arise between them and the Minister of Railways. I presume that it is not intended that the administration of the Government railways should in any way be taken out of the hands of the minister.

Hon. Sir JAMES LOUGHEED: No.

The motion was agreed to, and the Bill was read the second time.

CONSERVATION OF CANADIAN TRADE.

REPORT OF SPECIAL COMMITTEE REFERRED BACK.

The Senate resumed from yesterday the consideration of the third report of the special committee appointed to inquire into and report upon the method or methods of conserving and increasing our domestic and overseas trade.

Hon. GIDEON ROBERTSON: Honourable gentlemen, the object of the report of the committee being, I believe, to promote a discussion as to the methods which ought to be pursued with a view to increasing the production of wheat and foodstuffs in Canada, I take it that it is the opinion of probably all concerned that this is desirable, not only in the interests of our own people, but in the interests of the people inhabiting the countries with whom we are allied in the prosecution of the war, and who are looking to Canada to assist in feeding them. It is desirable from the standpoint of the welfare of all the people that the wheat production should be increased. The recommendations of the committee referred to certain things which might be done to assist toward this end.

Without entering into a debate or discussion of the various sections of the recommendations, I should like to call the attention of this honourable House to two of the main suggestions contained in the report, and to offer some suggestions of my own as to what, in my humble opinion, would perhaps meet the need.

I think that every Government in this country since Confederation has to a greater or less extent assisted in the protection of industries which it was desired to encourage. We seem to be all in accord in the view that agriculture at the present time ought to be encouraged, fostered and protected; and to that end it seems to me that anything which would tend to increase the number of acres ploughed, and the number of bushels raised, ought to be done. A farmer with a team of horses in Eastern Canada can do a certain amount of work in the course of a season. If by means of machinery he can greatly increase the production resulting from his labour, it is, I think, the duty of the Government to assist in bringing it to him and placing it at his disposal. I would therefore respectfully suggest to the House that, as a matter of expediency, as a war measure, for the purpose of bringing about the end which we all desire to be accomplished, the re-

strictions or duties upon agricultural implements ought to be at least temporarily abandoned. In that way more would be done, in my humble opinion, to encourage farmers to increase production than by any bonus system which could be devised. The farming problems of eastern and western Canada are not at all similar. In Eastern Canada most of the land that it is possible to cultivate is now being cultivated, and it is not profitable or proper for the farmer to devote all of his attention to one particular line of agriculture. In Western Canada, however, where there are millions of acres of arable and untilled land, there is room for tremendous development; and it seems to me that if it is imperative that more wheat should be produced in order that our own people and the allied countries should be fed, the matter ought to be undertaken on a large scale rather than by encouraging the individual. I think that the individual farmer would be very materially encouraged if the suggestion which I have just mentioned were adopted. But if that is not sufficient to meet the requirements, so far as production is concerned, surely the Government is able to farm as well as the individual. It would seem to me to be practicable in our Northwest Provinces, where we have millions of acres of uncultivated land, for the Government itself to undertake the work of farming. The Government might employ a thousand men, with machinery, if you like, as an experiment. At the present time there is probably not more than one farmer to each 100 acres in the West; that, to my mind, is about the average. A thousand men could cultivate 100,000 acres, with the use of modern machinery. At an average yield, that would mean in the neighbourhood of 2,500,000 bushels of grain. It seems to me that a plan of that sort would do more to increase the quantity of wheat raised than the system of paying a bounty for the breaking of a few additional acres of wild land which may be adjacent to a section that a farmer is now cultivating. Then, when the war is over we shall have hundreds of thousands of men coming back to this country, whom this Government is proposing to assist as far as possible in taking up land. Would it not be a golden opportunity to say to them: "Here is the machinery; the land is broken and tilled; we have prepared it for you and made it productive during your absence, and have raised food to feed you while you were away." It seems to me that some competent gentleman or some committee of competent gentlemen could sit down and work out a scheme on a basis of that sort, on an even larger scale than has been proposed by the Committee, and that it would more nearly meet the requirements than anything else that could be done.

I desire to touch briefly on one other point which was referred to in the Committee's recommendation, namely, the importing of Asiatic labour. I have no objection whatever to all the labour that is necessary being brought into this country; but I must respectfully dissent from the view, which is implied in the recommendation, that there is at the present time a dearth of necessary labour. In the month of October of last year I was in the city of Winnipeg for a considerable period. It was at a time when the farmers of the Northwest urgently required help; they were very short of help; and yet there were walking the streets of Winnipeg at that time hundreds of men who would not go on the farms. Now, honourable gentlemen, before importing Asiatic or Oriental labour into Canada, which would create additional unrest amongst the working classes in this country —for it would meet with their disapproval and even resentment—we ought to take steps to force into active and productive employment the alien enemies of our country, who are now within our borders and are being fed, and decline to work on the farms. During the pre-war days, when railway construction was at its height and thousands of men were engaged in that occupation, many men from foreign lands came to us and were employed at that kind of work. They have the idea that that is the only kind of work which they desire. Therefore, I say that before importing, or even considering the question of importing, any Oriental labour into Canada, everything possible ought to be done to employ profitably all the available labour that we have in this country, whether willing or not, to work on the farms.

The chairman of the committee, the honourable gentleman who introduced this resolution (Hon. Mr. Nicholls), stated yesterday that Oriental labour had been introduced with apparent success into South Africa. I desire to point out to this honourable House that there were unpleasant and even disastrous results from that experiment. It is true that Asiatic labour was taken to South Africa. It is also true that after the close of the South African war there were many thousands of soldiers who

decided that they would remain in South Africa and attempt to grow up with that new country, but they were unable even to obtain employment, and subsequently many of them trekked back to England. The matter became the subject of consideration in the British Parliament, and it was only upon the urgent demands made upon the floor of the British Parliament that those Orientals were finally shipped back to their homeland. We cannot afford, in these days of stress and industrial unrest in this country, to take the risk of further aggravating the situation by even suggesting the importation of Asiatic labour into Canada at the present time. All honourable gentlemen know that prior to the outbreak of the war a shipload of British subjects, if you please, were detained in Vancouver harbour and were not permitted to land. They would never have been permitted to land by the people of British Columbia. I feel sure that our people in the provinces east of British Columbia are not fairly familiar with all the disadvantages and undesirable features of having an Oriental population in this country. But I feel that I am within the bounds of truth when I say that in all probability, if Asiatics were scattered over this country in farm service, they would in a short time be driven off the farms by the owners, because they are not a desirable people; their moral standard is not high enough to justify us in permitting them to mingle with our people—our wives and daughters. Because of many things which I have seen in British Columbia and know of, and because of the inferior standard of living which they invariably follow, I think it is not desirable that we should consider for one moment the importation of Asiatic labour until the need of it becomes very much more acute than it is at the present time.

Hon. JOHN MILNE: I listened with interest to the report presented by the honourable gentleman from Toronto (Hon. Mr. Nicholls), and I think the honourable gentleman and the committee have done a god service in suggesting to us what ought to be done. To my mind it is at the present time almost impossible to get farm labourers to go to the West. I know that for the last ten years, when the western crops were ready, both the Canadian Pacific and the Canadian Northern railways have had harvesting excursions to carry the farmers' sons to the West to help in gathering the harvest. So the shortage of labour is not exactly new. The fact of the matter is that we are short of labour all over this country, in the factories as well as in the farming communities, and the farmers are not worse off than we are.

One thing I have observed is that the farmers of Ontario, and probably those in the West do not encourage their sons to stay on the farms as they should. I know for a fact that a great many farmers' sons have left the farms and gone in to the cities to work in factories simply because they did not get proper encouragement at home and because they could make more money in the city and get a better start for themselves. I do not think the farmer has much more to complain of than we have. There is no doubt that the farmers in the West are doing all they can to raise the crops. They have a better crop this year than they had in 1916. Formerly a good many young men came over from the United States to help in gathering the harvest; but that will not continue, because the United States has entered the war and will want all the labour it can obtain to take care of its own affairs.

There is another matter, one which was referred to by the honourable gentleman from Portage la Prairie (Hon. Mr. Watson) and by the honourable gentleman from Welland (Hon Mr. Roberston). I do not think it would be in the interest of this country to do anything in the way of giving free agricultural machinery to the people in the West. I know, and I think most of you honourable gentleman are aware, that millions of money has been sent to this country by United States capitalists for the erection in Canada of factories for the manufacture of agricultural implements. There are the Deering Company, the Oliver Plow Company, the Sawyer-Massey, and many more companies all making goods for the West. Do you suppose that those people from the United States who have invested their money in Canadian factories will sell goods direct to the West and thus lose the capital which they have invested in Eastern Canada? I say it would ruin the whole of that industry and would mean the loss of all that money which has been invested here; and I cannot see why the Government, at this particular time, should remit the duties when they are so badly in need of money as they are to-day. Therefore I think the proposal ought to be considered very carefully. It is the thin edge of the wedge. The farmers are not treated any worse than, or even as badly as, the manufacturers are. Honour-

able gentleman are aware that Sir Thomas White, the Minister of Finance, has not been satisfied merely with taking so much from business profits, but is also proposing to tax the manufacturers' incomes. In fact, the manufacturers are bearing the biggest burdens in this country, and the farmers have practically nothing to pay; but I believe that some day or other the farmers will have to pay their proper share. As I understand, the Government has no money for the purpose of bonuses or bounties on anything at the present time; they need all the money they can get; and therefore they have need of customs duties to help them to meet their enormous expenditures. All classes must share equally in bearing the burdens of this country. The manufacturers and merchants have at the present time the heaviest load to carry, and the farmers are left practically free. If the farmer is to-day getting $2.30 a bushel for his wheat, he is making more money than he ever made before. It must be remembered, as I stated the other day, that iron is worth at least $55 a ton. Probably it was worth $60 at that time. Hon. ourable gentleman are aware that agricultural implements are for the most part made of iron and steel. The cost of labour also is higher than has ever been known before in this country. How, then, can the farmers in the West expect to buy their machinery at the prices which they paid for it in 1915? It cannot be done. The cost of raw materials has advanced so much that the price must be increased in proportion. The farmers who are judiciously looking after their farms are making more money, in proportion to the capital invested, than any firm I know of.

I feel that the honourable gentleman from from Toronto and his committee are doing all they can; but we must look at the facts as they exist to-day, and not go beyond them. There is no doubt that the farmers in the West want free machinery, but it is impossible for them to get that, and they cannot buy machinery at the price for which they bought it in 1915. Honourable gentlemen, I will not take up any more of the time of this honourable House. but I am speaking from experience, as I myself have a branch in the West and know the conditions existing there.

Hon. E. D. SMITH: Honourable gentlemen, the question under consideration is a very important one. The committee which was appointed for the purpose of considering the matter have brought in a report with which not every one can agree entirely; but it has started a discussion which ought to be productive of good results. The report referred particularly to the means of bringing about greater production, and I submit that that is exactly in accordance with the reference which was made to them—that it is something which would improve our domestic and foreign trade.

Surely there is nothing that will do that to a greater extent than increased production. There are two methods suggested in the report. The first is that the Government should assist in the breaking up of new land. One honourable gentleman has urged that the Government should do this on its own account, while an other thinks that the farmers should be bonused in order to induce them to do so. I would agree with that on one condition, namely, that a farmer should prove that he had already cultivated all the land previously broken up on his farm before receiving any bonus. Otherwise he might say: "This is an opportunity to get the Government to pay for breaking up new land for me; I will leave the old land this year." The second method suggested for getting greater production is the importation of oriental labour.

There is no doubt in my mind that there is just one thing which will cause greater production on the farm, and that is to make the business more profitable to the farmer. We have high prices at the present time, but this condition is only temporary. The farmer may say: "This profit will last for only a year; probably the war will end in another year, and then prices will go down, and I cannot afford to enter into any expensive experiments, or to invest in new and expensive apparatus to bring about greater production on my farm." If the Government could see its way to offering the farmers a minimum price for their products for three years to come, as has been done in Great Britain, I think it would give a permanency to the profit of the farmers, and they would feel justified in going to expense in order about greater production.

Of course, the great difficulty is the question of labour. How can we increase the labour to assist the farmer? There is no doubt that at the present time every farmer is straining every nerve, and doing everything he possibly can with the labour that he has at his disposal, to produce the greatest quantity of foodstuffs that can possibly be produced on his farm. He is

impelled by two motives patriotism and profit. He can do no more than he is doing unless he has the labour. How can we supply him with labour? The report brought in by the Committee suggests bringing Oriental labour into Canada. I have no objection to Oriental labour being brought in temporarily. I would be quite prepared to cast aside all personal feelings in order to help to win the war, and in order to do that it is necessary to feed our troops at the front. The great objection to bringing in Oriental labour is the fact that contracts would have to be made for a term of years, and in the winter months we have nothing for the labourers to do on the farm. It has occurred to me that it might be possible for the Government to make some arrangement with France, if she imports through Canada a large number of Orientals, whereby they could stop off for a couple of months during harvest time and help us out? I have no doubt that some arrangement of this kind might be made to assist the farmers in the West. Of course, these Orientals would not be engaged singly and scattered all over the country, but would be divided into groups on the large farms of the West. I am sure the question of skill would not enter very largely into the matter. If one-quarter of the farmer's staff is trained, he can easily make use of the other three-quarters who are untrained men. My own suggestion, in order to increase production, is to get tractors at work. Tractors have been common in the West for a great many years. They are not common in the East. The honourable gentleman from Middleton (Hon. W. B. Ross) asked if it would not be the proper thing for some of the provincial Governments to undertake to test out tractors and inform the farmers as to the best kind, and so on. I may say that Ontario has been doing this very thing during last year. The province of Ontario bought seventy-five tractors and scattered them through the province, where they are being used to plough the land. I have no doubt that if the honourable gentleman would write to the Ontario Governement, he would get a report on this work, which would be very useful to him. If it is not yet in print I am sure that it will be this fall. Tractors cost a good deal of money.

The remedy proposed by the honourable gentleman from Portage la Prairie (Hon. Mr. Watson), which was seconded by the honourable gentleman from Welland (Hon. Mr. Robertson), is to allow tractors to come in duty-free. That is the panacea which my honourable friend from Portage la Prairie has for all the ills which flesh is heir to. I would not have any hesitation, at a time like this, in admitting agricultural implements free if that were the only remedy; but it strikes me that there is a much better and fairer remedy, one which will not injure business in this country, but which will effect the same result. If implements were brought in free, it would mean that manufacturers in this country would be handicapped, because they have to pay duty on their raw materials.

Hon. Mr. WATSON: Take it off.

Hon. Mr. SMITH: There is no end to that; you go on and on. To my mind the remedy is to give a bonus to farmers who buy a tractor and who will break a certain quantity of land within twelve months. I suggest that the bonus might be as much as $250 to a farmer who breaks up 250 acres of land.

Hon. Mr. WATSON: Who pays the bonus?

Hon. Mr. SMITH: The Dominion Government. A great deal of this money would come from the duty paid on the tractors coming into the country. The honourable gentleman spoke of 40 per cent duty on tractors. I find that previous to the war the duty was only 20 per cent, if my honourable friend will only stop to reckon it.

Hon. Mr. WATSON: Add 7½ per cent war tax.

Hon. Mr. SMITH: Yes, add 7½ per cent on everything but fertilizer. A tractor ought to plough from 250 to 300 acres in a year; perhaps it could be made to plough three times that much; and it will last ten years. On that basis it will plough 3,000 acres. The duty on the tractor and the plough and the whole outfit would be about $300, or 10 cents an acre, and I do not think my honourable friend would suggest that any enterprising and energetic farmer in the West would be deterred from buying a tractor because of a tax of 10 cents an acre.

Hon. Mr. WATSON: Spread over the next ten years.

Hon. Mr. SMITH: As I was saying, I would suggest a bonus to the farmer who buys a tractor and who ploughs up a given quantity of land within a year. That would be one means of helping the farmer out with his labour. It takes only one man to operate a tractor. If we got even 10,000 tractors into operation, it would require 10,000 men to operate them, whereas to do

the work with horses would require 40,000 men. This would effect a saving of 30,000 men.

Hon. Mr. WATSON: Does the honourable gentleman think the Government should pay the duty on the tractors?

Hon. Mr. SMITH: I suggested a bonus.

Hon. Mr. WATSON: Why not give the farmers enough money to pay the duty?

Hon. Mr. SMITH: It is approximately that. This is a time when we must do things that we would not do in times of peace. My suggestion, if carried out, would solve the difficulty to some extent. It seems to me that either we must import labour or by means of machinery enable the farmers to do more with the labour that they have at the present time.

Hon. H. W. LAIRD: Honourable gentlemen, I wish to commend the energy of the committee which prepared the report now before the House for consideration. I have some comment to make upon certain features of the report, some of which I as a Western man feel that I can approve of, while others strike me as being objectionable. In clause 1 and clause 2 reference is made to operations which it is thought desirable to start this year and mention is made of the large acreage of land that would be necessary for increased production next year. In another place reference is made to the crops to be raised within the next ensuing two years. Whatever action the House may take on this report, it is quite certain to my mind that it is impossible to carry out the suggestions made so that they will be effective this year. The recognized rules of agriculture in Western Canada do not provide for breaking land and raising a crop on it in the same year; so that anything that might be done by way of preparation during the coming year would be of no use until the following year.

Hon. Mr. RICHARDSON: The report is simply agitating so that something may be done.

Hon. Mr. LAIRD: It says that the Government of Canada should, without delay, endeavour to encourage the breaking of a large acreage of wild lands in order that such new soil may be ready for cultivation next year. I read that as meaning that grain would be grown next year.

Clause 2 of the report suggests the payment of bounties for the cultivation of wild lands. That is a principle with which I cannot agree, because the western farmer does not approve of the payment of bounties to bolster up other industries, and I do not think he could be expected to permit of the same principle being applied to himself. Farming is on a paying basis to-day, and the larger acreage a farmer has under cultivation the greater is his profit. The farmer is able to earn his own bounty without any artificial assistance.

It seems to me that the clause providing that tractors should be furnished for the purpose of breaking up wild lands might be considered favourably by this House. This involves an entirely different principle from that of paying bounties. The transaction would be between the Government and the farmer. The farmer would pay for the service furnished, and that would close the transaction. There has been some question raised as to the practicability of tractors, and their ability to perform this work. I remember when the large tractors were first introduced into Western Canada. They cost a great deal of money, $4,000 each, and very often they were put into the hands of incompetent operators. At that time the tractor business was in somewhat the same position as the automobile business; it had not been reduced to a science, and the result was that with imperfect machines and incompetent operators difficulties were bound to be met. I have seen as many as one hundred of these large tractors being scrapped and sold as junk in the yards at Regina. Since that time, like the automobile business, the tractor business has been reduced to a science. As the honourable gentleman from Portage la Prairie (Hon. Mr. Watson) said yesterday, anyone could see hundreds of these machines in use throughout Western Canada. I may say that there are ten or a dozen different kinds of these machines giving perfect satisfaction in the hands of competent operators. The class of operators has been inproved by reason of the schools of instruction which are held during the winter months.

If tractors are satisfactory implements, the question then arises whether the farmers would be disposed to take advantage of what is suggested in this report. In my opinion, they would be. There would be hundreds, if not thousands, who would be only too glad to have the Government break land for them in addition to that which they already had under cultivation, and they would willingly pay for the service. It may be asked, why does not the farmer do it himself? The reason is that the

season is so short. From the opening of spring until frost comes in the fall, the farmer's whole plant—horses and machinery—is kept busy every moment of the day in carrying on the ordinary operations of the farm; therefore he cannot break additional land unless he provides himself with extra men, teams, and machinery. For this reason he would welcome the opportunity of utilising the service of Government tractors if they were placed at his disposal on reasonable terms.

I recall the time when the breaking and back-setting of new land could be done in Western Canada for the sum of $4.50 per acre. That service now costs at least $7 an acre, and it is very difficult to get it done even at that figure. So that if this work could be undertaken under a government system of tractors, and the farmers were charged, say, the actual cost, which would probably be in the neighbourhood of $3 per acre, I am quite sure there would be a very large number of farmers, in Western Canada particularly, who would be glad to avail themselves of the privilege.

It seems almost a paradox to suggest increasing the area of production while there is admittedly a shortage of labour. The present shortage is probably more acute now that it ever has been. No one realizes it more than I do myself; but during the long period in which I have lived in Western Canada there has never been a single season when the question of shortage of labour has not been raised, and there has never been a single year in which the crop has not been successfully gathered, whether the supply of labour was great or small; and I believe that if the production were increased by means of an increased acreage, the question of harvesting the crop, even under conditions such as exist at present, would solve itself in some satisfactory way.

This brings up the question of the importation of Asiatics to assist in that work. The importation of Asiatic labour has always been in such disfavour in this country that we hardly dared to consider it for a moment; but these are times when we do things which we consider to be expedient but which we would not do under other circumstances. When the allied forces required additional labour at the front they did not hesitate to contract for 160,000 Chinese labourers. These labourers are being put at work behind the lines and are releasing so many soldiers, who are thus able to take their position in the trenches; and there is ample scope for hundreds of thousands of those Asiatics to work behind the lines. They can do such work as well as white men. The Allies have not hesitated, in an emergency, to adopt that system; and, while it may not be at present necessary for us to do likewise, it may become necessary for us in the future to do things which at present we would probably not think of doing. In any case, if the acreage under cultivation could be increased by one hundred thousand, two hundred thousand or five hundred thousand acres, and if it were necessary to secure additional labour in order to harvest the crop of grain on that increased acreage, I do not think anybody in this country would stop to consider whether the help obtained was red, black, or yellow.

Different opinions, which have been very interesting, have been expressed during the course of this debate. We have had many criticisms, but not a great deal of constructive criticism, and very few suggestions which would take the place of those made in the report of the committee. One honourable gentleman suggested a movement to get the people back to the land. That suggestion is to my mind a mere platitude. We cannot get people back to the land unless they want to go. Another honourable gentleman doubted the practicability of the tractor. He can satisfy himself on that point by seeing hundreds of tractors in operation in Western Canada, used for the very purposes mentioned in the committee's report. Another honourable gentleman advocated the establishment of demonstration farms. They are very good institutions in their way, but they would not provide immediate relief for the present situation. Another honourable gentleman threw up his hands in holy horror at the idea of bringing Asiatics or Orientals into Canada.

The honourable gentleman from Portage la Prairie (Hon. Mr. Watson) has the idea that all that is necessary to do is wipe out the customs duties on agricultural machinery, and give the farmers wider markets. Well, the honourable gentleman had the opportunity for sixteen long years to carry into effect, when his party was in power, the very proposal he now suggests, so that he cannot blame this House if it now receives with incredulity the suggestions to do today what he failed to do in the past when he had the opportunity.

However, these are days of changing and conflicting views. Political ideas are now in the melting pot, and my own opinion is that the day is coming when in response to public opinion of Western Canada the Government of the day will be compelled

to reconsider and reconstruct the present duties on agricultural machinery. If we are to ask the farmer to increase production for the welfare of the state, we should at the same time put him in a position to best carry that work into effect by reducing the cost of his implements of trade.

It may be considered political heresy for me to advocate such a change, but no one can live in Western Canada and disregard the strong demand for the abolition of customs duties on agricultural implements, such as is being made to-day by the man who rides the plough and has the votes.

I am not narrow enough to say that the reduction of the tariff should be confined, by any means, to agricultural implements at the demand of the western farmer. The present tariff is antiquated and out of date and needs revision along scientific lines to conform to conditions which have changed so much since the last revision. The western farmer knows what he wants and will not be satisfied until he gets it, but at the same time he is broad enough to support a tariff which gives justice to the other interests of the country while demanding justice for himself. A scientifically readjusted customs tariff may be too much to expect in the throes of the present struggle, but the Government which fails to keep its ear to the ground and refuses to hear the rumbling of public opinion for tariff revision after the war, would be out of touch with the people and its usefulness might well be questioned.

Out of all this discussion I should like to see something tangible result. I would suggest that preparations be made during the winter for the carrying into effect of some of the recommendations of the committee during the spring of next year. I would eliminate the bounty feature, because I do not think the farmers would be in favour of it; I do not think they would accept it. I would eliminate the recommendation with regard to Oriental labour, because I do not think we are prepared to accept the services of that class of labour at the present time, and it will be time enough to meet the situation when it arises. But if the Government started to put into effect the recommendation of the committee by purchasing even 25 tractors and distributing them at strategic points throughout the three western provinces, at an expenditure of from $50,000 to $100,000, we should at least get the benefit of whatever increased production resulted from the operation of those machines—which would be an important factor—and we should, above everything else, prove the utility of such an enterprise. That to my mind, would be one of the great advantages in at least making a start during the coming year. Besides proving the utility of the tractors, it would demonstrate whether or not the system of having government-owned tractors could be made effective and of advantage to the country. It may be that the utilization of even a small number of these machines would be the means of enormously increasing production in Western Canada, and thus enable the western farmer to assist the country to a great extent in liquidating its rapidly growing war debts.

Hon. F. NICHOLLS: Honourable gentlemen, in rising to close the debate, I desire first of all to thank the honourable leader of the Opposition (Hon. Mr. Bostock) for his kindly remarks in regard to the industry which has been shown by myself in the preparation of the committee's report. I desire to say, however, that those commendations are due entirely to the members of the committee, who have been ready to meet at all times, even at unseasonable hours, in order that something might be prepared at this late stage of the session to submit to this honourable House.

The honourable leader of the Opposition stated that the committee was hardly empowered by the resolution appointing it to deal with these questions; but I take it that the wording of the resolution gave us full power to deal with them. After all, the question of production is one that concerns overseas and domestic trade very closely. At all events, even if the committee exceeded their powers, I am glad that we took that risk, because it has been the means of bringing about one of the most interesting debates that I have listened to during the present session. I may say also —and I am giving away no state secret in saying it—that the committee, in presenting this report for your consideration, did not expect—in fact, I may say they did not desire—that it would be concurred in. We feel that these are great questions. Every member of the committee believes that the question of agriculture is one that deserves the very best consideration at the present time. We know also that the labour situation requires very close consideration; and, while we as a committee did not propose that any decisive action should be taken in connection with the employment of Asiatic labour, we felt that it was a matter which should be brought to the at-

tention of this honourable House and of the country, so that, if it were not considered —as I have no doubt it will not be considered—a satisfactory means at this time of overcoming the shortage of labour, better methods might be adopted than the present practice of arranging every year at the last moment for the reaping of the crops. I make no apology for having brought before the House this report on behalf of the committee, because it was felt that it might lead to some action being taken, either in this House or elsewhere, which would tend towards the improvement of the unsatisfactory conditions which we have set forth.

My honourable friend from Kamloops (Hon. Mr. Bostock) probably, like myself, can cast his mind back to his childhood, when he heard nursery rhymes at his mother's knee. I remember one which has been more or less a watchword to me during life; it is very short and simple; it is:

Tender-handed stroke a nettle
And it stings you for your pains;
Grasp it like a man of mettle
And it soft as silk remains.

These questions must be dealt with by this honourable House, which is the senior legislative body in this country. If we grasp them tender-handed, we shall feel the sting, because we have taken no decisive action. We want to grasp them like men of mettle, and I believe that the debate which has occurred on this report has been productive of good, not only for the present, but also for the future.

With reference to the remarks of the honourable gentleman from Portage la Prairie (Hon. Mr. Watson), I quite realize that there would be a great difference of opinion if the question of protection versus free trade were submitted to this honourable House, and the members of the Committee, on the whole, felt that that was a question entirely beyond their purview. It is a national question. It is a fiscal question. It is a question of party politics. The electors are the only people who can decide it. Therefore a committee, or this honourable House, would be wasting time in making suggestions, because the question of the tariff is one of the great dividing lines between the political parties to-day and any suggestion on our part would have no effect. The question will be decided by the voice of the people when they next have the opportunity of expressing their opinion, and whatever view the majority of the people take on this great question is, no doubt, what the Government of the day will loyally carry out.

The honourable gentleman from South Bruce (Hon. Mr. Donnelly) stated that many people had left the farms in the province of Ontario. Strangely enough, I happened to notice in yesterday morning's Toronto Globe an article which is very pertinent to the question and which I shall read to this honourable House.

Ontario's Rural Problem.

The immediate need of the hour is to see that emergency help is sent from the cities to the country, and in sufficient volume to insure the saving of the whole of this year's harvest. Behind the question of the moment, important as that is, there looms up a problem of infinitely greater importance. This problem has to do with the maintenance of a sufficient and permanent population in rural Ontario. We are not providing for that now. For years past the townships of the province have been going back in the matter of population. They have been going back not only relatively as compared with urban centres, they have actually lost, and lost heavily, in point of numbers.

The case mentioned by Mr. Elmer Lick, in the article in Country Life department of to-day's Globe, of one concession line from which nine families have disappeared within a distance of five miles, does not stand alone. The case mentioned by Mr. J. J. Morrison, of one township which has lost seven hundred people in the last twenty-five years and fifty in the last year, is not an isolated one.

Nor are these losses natural ones, that is they are not the result of a lessened need for man-power on the land. It is not farming, it is a tragedy, when six men are found alone on nine hundred acres of good land. Such a condition spells wellnigh unbearable hardship for those directly affected and economic loss for the whole country. As Mr. Lick points out, an addition of fifty per cent to the number of workers on the farm would not only make it easier for those now there, but it could be made the means of doubling the agricultural output of the province, because all this extra labour would be available for actual production.

How is the situation to be met? The recommendation of a committee of the Senate that, as a war measure only, Asiatic labour be imported to assist in the work of tilling the soil, is a counsel of despair. If such labour is imported at all the innovation will not be of a temporary nature. The Asiatics will become a fixture in the North as blacks have remained a fixture in the South, and we shall have in Canada the same sort of problem as that by which our American neighbors are confronted.

Besides, the question of rural population is not a temporary one; it has been with us for a quarter of a century at least, and it is yearly growing more acute. It is a great deal more than a question of securing a sufficient supply of foodstuffs for this year and next, and the year after that again; it is a question of maintaining a rural population of a quality equal to that which laid the foundations of this province—the finest community of the kind the world has ever known.

If the whole character of rural Ontario is to be radically changed, and changed it will be if conditions are not altered so as to hold on the land a fair proportion of the people born

there, one of the most tragical failures in the history of civilization in North America will be recorded.

Honourable gentlemen, the case cited there is very pertinent, but you will notice that while the conditions are referred to as being lamentable, there is not one word of suggestion as to how those conditions can be overcome. We have listened to several speeches in the debate on this question, and in those speeches not one word of helpful criticism has been advanced—although some of the latest speakers have really advanced suggestions which I believe to be worthy of consideration by the committee.

The honourable gentleman from Middleton (Hon. W. B. Ross) advanced very cogent reasons why the question of fertilizers should be given greater consideration. He claimed that the use of fertilizers would add very greatly to the production of a given area of land. If my memory serves me correctly, he mentioned that it would almost double the output; but, waiving that aside, if it would increase the output of the soil by even a small percentage, we can imagine what would be the aggregate result of that increase upon the hundreds of millions of bushels of cereals produced in this country. An increase of even 10 per cent would mean a very great addition to our national wealth. I think that the question of fertilizers, which was not dealt with in the report of the committee, is a useful and helpful suggestion that may well be considered.

In conclusion, may I say, to sum up, that the views which the committee tried to bring before this honourable House in a fair and businesslike way, in order to get the benefit of suggestions, were the following:

(1) This is primarily an agricultural country.

(2) We have vast areas of wild lands available for cultivation.

(3) There is a material shortage of farm labour to care for the acreage at present under cultivation.

(4) If production is to be increased some productive plan for providing the necessary labour must be adopted.

(5) Increased production would be a boon to the Empire and its Allies, would increase our national wealth, reduce the cost of living, and also increase the traffic for Government railways, in which the public are now and will hereafter be so largely interested.

Hon. Mr. NICHOLLS.

The committee, in presenting this report, has achieved its object. An explorer generally opens up a new country by following the rivers from their mouth to their source. In following up those rivers, explorers have sometimes ascended a tributary and have had to retrace their steps until finally they have reached the source. Then the mapmakers have been able to plot out the explored territory, so that the world's commerce may follow in the track that has been made by the pioneers.

In making this report we are simply following up the stream; we may have gone up one tributary or another, but we are willing to retrace our steps until we finally reach the source. Therefore, honourable gentlemen, after having expressed, on behalf of the committee of which I have the honour of being a member, the great appreciation they feel for the very interesting and intelligent manner in which this question has been discussed, I would, with the leave of the House, withdraw my motion for the adoption of the report, and move that it be referred back to the Committee for further consideration.

Hon. P. TALBOT: Honourable gentlemen, I did not intend to take any part in this debate; but during the last few moments I have considered that I would be remiss in my duty if I did not say something in connection with this great question, as I am perhaps the only representative from Western Canada who lives on the farm, who works on the farm, who entered for his homestead nearly thirty years ago, and who has made his living from it since. I want to say, if I express the opinion of the farmers of Western Canada, that we ask no favours; we do not want anything but fair play. Let us sell our goods in the best market, let us buy what we want in the cheapest market, and Western Canada will be able to look out for itself.

For years the people of this country have been saying, "Back to the land, back to the land." We have all heard this matter discussed; but I fail to see how a bonus for ploughing, a bonus on machinery, or anything of that kind will induce the people to go back to the land. There is only one thing which will induce them to go back to the land, and that is to make farming the most profitable industry in the country. The people will go back to the land of their own accord and they will remain on the land if they can have the benefits of modern civilization and the advantages enjoyed by

the people who are wealthy and who live in luxury.

The motion for concurrence in the report was withdrawn, and the motion to refer the report back to the committee for further consideration was agreed to.

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

THE SENATE.

Friday, August 17, 1917.

The Senate met at Three o'clock, the Acting Speaker (Hon. T. S. Sproule) in the Chair.

Prayers and routine proceedings.

CUSTOMS ACT AMENDMENT BILL.

THIRD READING.

Bill 67, an Act to amend the Customs Act.—Hon. Sir James Lougheed.

CRIMINAL CODE AMENDMENT (INSURANCE) BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 54, an Act to amend the Criminal Code (respecting Insurance).

He said: We have in the general Insurance Act to-day legislation of a somewhat similar character to that embodied in this Bill; but, owing to certain questions which have arisen as to the authority of this Parliament to legislate for the enforcement of penalties regarding companies other than those coming within the authority of the Parliament of Canada, the provisions are very largely abortive. It is proposed, therefore that this legislation should be incorporated into the Criminal Code, so that it may become enforcible against all companies. The matter is one not only affecting insurance companies, but peculiarly affecting the public. As a matter of fact, the public are more interested in this subject than the companies themselves. It is unnecessary to point out the undesirability of unauthorized agents, or even agents with limited authority, canvassing for insurance from the public, when there is no guarantee that the contract of insurance, which they may represent as that which they wish to have entered into can be enforced in favour of the beneficiary. That is very often the case.

Hon. Mr. McSWEENEY: Does this cover fire insurance as well as life insurance?

Hon. Sir JAMES LOUGHEED: Yes, all insurance. The details of the Bill are fairly numerous. When we go into committee we can consider them with greater particularity than I can discuss them with at this time. I simply point out the policy of the measure.

Hon. Mr. BOSTOCK. I think this Bill is a move in the right direction; but I will point out to the honourable leader of the Government that this Bill was introduced into the House of Commons at the same time as the Insurance Bill, which so far has not reached this House. I presume that the House of Commons was able to consider this legislation along with the legislation contained in the Insurance Bill. I do not know how far this one bears upon the other, but I think we ought to have some idea as to whether we shall be able to consider the Insurance Bill before we finally deal with this matter. The clause affecting the acts of agents, and requiring them to do a legitimate business, is a good one. I do not quite appreciate the value of the clause which deals with the question of the agent's fee. I think the practice has been followed by agents of foregoing a portion of the fee to which they are entitled on the first premium, for the purpose of writing the insurance. I do not quite understand why we should pass legislation to prevent their doing that if they want to. As I understand, it does not in any way affect the premium which is paid to the company, and therefore does not affect the liability of the insurance company to the insured. However, these matters can be dealt with in committee.

Hon. Mr. ROCHE: If this Bill tends to prohibit agents from deceiving the public in negotiating insurance, it will be a very valuable measure. Some of the companies, particularly life insurance companies, in order to induce people to insure with them, make prospectuses showing the value of policies and showing much larger profits than they afterwards pay to the insured. I think that if an agent shows a printed prospectus of the value of a policy after a certain term, the company ought to be held responsible for the terms on which the insurance is affected. The companies excuse themselves on the ground that their investments do not realize the rate of interest which they state in the prospectus. If there is any provision in this Act that would make a company liable for prospectuses that are put out to the public with

their authority, I would approve of it very highly. There are agents all over the country constantly making false representations and inducing people to insure, and when they come to realize on the policies they find that they are not worth what they are said to be.

The motion was agreed to, and the Bill was read the second time.

PROVINCIAL PROHIBITION ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 121, an Act to amend an Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors.

Hon. Mr. POWER: Explain.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, this is a Bill further to restrict the use of intoxicating liquors as a beverage. It will be within the recollection of honourable gentlemen that at the last session of Parliament we passed a fairly drastic measure making effective the legislation that might be passed by the provinces in the direction of prohibition. This is further legislation in that direction. I may, however, point out that certain sections included in this Bill were considered by the Senate last session and this House did not see eye to eye with the House of Commons with regard to the desirability of giving effect to them. They are now before us for consideration.

Hon. Mr. BELCOURT: Which sections are those?

Hon. Sir JAMES LOUGHEED: My recollection is that sections 2 and 3 were before us last session.

Hon. Mr. McSWEENEY: Were not those drastic enough?

Hon. Sir JAMES LOUGHEED: One deals with the circulation of newspaper advertisements and circulars in the different provinces; but that legislation would have effect only in those provinces that had passed legislation to meet the provisions of this particular clause. Of course, if a province exercises its discretion in a contrary direction, and does not place upon the statute book legislation dealing with the circulation of newspapers and the distribution of circulars advertising liquor, this section would not be effective in that particular province. Section 3 of the Bill may be said to be somewhat drastic in its character; but it is regarded by the Department of Justice as necessary for the proper enforcement of the Act, and representations have been made by the different provinces as to the desirability of this provision. It would permit of the accused being taken from one province to another in the event of its being desirable to prosecute him, say, in a province other than his own, or in the province in which the offence was committed.

Hon. Mr. DANIEL: Is that one of the clauses which the Senate refused to ratify?

Hon. Sir JAMES LOUGHEED: Yes. There is another clause giving constables or officers of the law additional authority in the matter of search. There is a further clause dealing with the operation of the Canada Temperance Act in provinces in which certain prohibitive or restrictive legislation may be in force.

Hon. HEWITT BOSTOCK: As the honourable leader of the Government has stated, this Bill places before us again certain clauses which we discussed at considerable length last session and to which the Senate did not agree. The minister in the other House has thought it well again to bring in legislation along these lines. It seems to me a little unfortunate that he has taken the matter up in this way, because, as far as I can learn, he has not given any satisfaction to the people whom he is apparently trying to benefit by this legislation. I have received a letter—and probably other gentlemen in this House have received similar letters—pointing out that this Bill is of no value—that it does not accomplished what is desired by the persons who are very anxious for legislation along these lines. They apparently wish the Dominion to take much stronger steps and act much more drastically—to deal with the whole question in a manner different from the way in which it is being dealt with in this Bill. I have always taken the stand that this matter is a question more for the provinces to deal with than for the Dominion. I believe I am correct in stating that the question of prohibition is actually being discussed in the legislature of the province of British Columbia. I have seen in one of the papers that the Bill to deal with it has been read a first and, I think, a second time. The present position is that seven out of the nine provinces have dealt with the matter and the eighth is dealing with it. I presume that the British Columbia Bill, having received its second reading, will

probably be passed. If legislation of this kind is required, I think that this Bill is the right way of dealing with the matter; but when we come to the committee stage we shall have to consider very carefully the clauses which have been referred to in order to decide whether we are going to change the opinion which we expressed last year.

Hon. Sir MACKENZIE BOWELL: The objection taken to the Bill referred to by the honourable leader of the Opposition (Hon. Mr. Bostock) was that it did not provide that the Act should be enforced by the Dominion, but referred its enforcement to the different provinces. It was argued there should be a Dominion law prohibiting the importation, sale, and advertising of liquors. Well, if a law of that kind were introduced, I do not hesitate to say, speaking for myself, that I would not be in favour of it. I am somewhat at a loss to know how this proposed measure is to be carried out. It places the management of the carrying of letters through the mails in the hands of the local authorities. Let me give an illustration of what I mean. I received the other day a letter from Baltimore advertising where liquors could be obtained in this and other provinces and also in the United States. Circulars were enclosed giving particulars as to prices and all other information necessary for a man to have if he wanted to buy liquor. How is a letter of that kind to be reached through the post office? I put that question the other day to the Minister of Justice. I asked him how he proposed to carry out this provision if it became law. He frankly admitted that there was the difficulty. Further, if this provision became law, it would prevent the circulation of the London Punch in Ontario or in any other province where a prohibitory law has been enacted; it would prevent the circulation of every foreign publication containing a liquor advertisement. It would have the effect of excluding the London Times and all other English and foreign newspapers that contained an advertisement for the sale of liquor, as well as affecting the newspapers published in the province. As this is a Government measure, I intend to ask the honourable leader of the Government (Hon. Sir James Lougheed), when we go into committee, how he proposes that the law shall be enforced, or how it is possible to enforce it without examining every newspaper sent into the country through the mails and every letter that comes from the United States or elsewhere. How is it to be known that a letter contains prohibited matter unless all letters are opened and read? These are some of the difficulties that have presented themselves to my mind with respect to the enactment of a law of this character. Other honourable gentlemen may be able to solve these difficulties; but we must, before passing this Bill, consider carefully the position in which it would place the country with reference to reading matter, whether in the form of circulars, newspapers, pamphlets, or books.

Hon. W. B. ROSS: I wish to say a few words with regard to this Bill. In the first place, I am opposed to section 2. Honourable gentlemen may remember that when a similar Bill was discussed in this House last year I took exception to some of its clauses on the ground that I thought the legislation was malicious, and that is the view which I take with this section 2. For the life of me I cannot understand how or in what respect an advertisement of a certain brand of whisky in the Montreal Gazette or the Star circulating in the country can generate in any person a thirst for that particular liquor. It strikes me that this section is the production of some faddist, some person who simply wants to strike at one of his neighbours, without taking the trouble to consider whether it will do any good or not. He is content provided he can cause some inconvenience or loss or trouble to his neighbour. To my mind that section is not designed to meet any evil really existing in the country, and its effect would be to do a great deal of harm, apart altogether from the question whether or not it can be honestly and fairly carried out. The honourable gentleman from Hastings (Hon Sir Mackenzie Bowell) has expressed exactly my view with regard to that section. I am opposed also to section 3. Paragraph 4A of this section is simply a reprint of a clause which was before us last year and which we struck out. Honourable gentlemen will see that section 4 provides three places where a man may be prosecuted for an offence under this Act: he may be tried at the city, town or other place from which the intoxicating liquor is sent. That is to say, if he lives in Montreal and has a warehouse in Ottawa, if he ships from Ottawa he may be prosecuted in Ottawa; or, if any of the intoxicating liquor is sent to Vancouver, he may be prosecuted in Vancouver—that is the second place; or, in the third place, he may be prosecuted in the city of Montreal

where he lives. Honourable gentlemen may remember that when we got our Criminal Code Sir John Thompson was Minister of Justice, and the Criminal Code for some years permitted a man who had committed an offence in the eastern end of a province being taken from there and tried in any other county in the province; but just as soon as the people became aware of that fact there was an immediate change. The law which had been in effect previously was restored, namely, that the man should be tried in the town in which the offence had taken place. My objection to the second place fixed for the trial of a person charged with selling liquor is that the wording of the clause, as printed, "or in the city, town or other place to or into which such intoxicating liquor is to be sent, shipped, taken, brought, carried or imported," allows any person to lay a charge at the Peace River Crossing or anywhere in British Columbia against a man living in Montreal, Quebec, Halifax or Sydney. What happens if a man is taken out to the Pacific coast to be tried and is found to be innocent?

Hon. Mr. WATSON: He walks home.

Hon. W. B. ROSS: I do not see any need for that provision, and I see in it all kinds of chances for hardship and——

Hon. Mr. MURPHY: And blackmail.

Hon. Mr. ROSS: I see a vista of opportunities for blackmailing a man. When we get to the committee stage I propose to move an amendment to strike out those words. I propose to vote against section 2, and to move an amendment to paragraph 4 A on the lines which I have indicated.

Hon. Mr. WATSON: What about 4 B?

Hon. Mr. ROSS: I would have no objection to 4 B.

Hon. G. D. ROBERTSON: I should like to draw the attention of this honourable House to subsections 4 A and 4 B of section 3, which in my humble opinion would in their application be vicious and unfair. Subsection 4 A provides that "a prosecution may be taken for any offence under this Act at any place from which intoxicating liquor is shipped, or in the city, town or other place, to or into which such liquor is sent, shipped, taken, brought, carried or imported." Subsection 4 B provides that a constable may enter any place to search for intoxicating liquor, and it refers particularly to railway warehouses, stations, and so forth. I should like to bring to the attention of this honourable House two incidents which have occurred within the past few months, wherein most unreasonable treatment was meted out to railway station agents under the provisions of provincial laws similar, I think, to this measure. For example, on the 23rd of December last a shipment of liquor was sent into the town of Matheson, on the line of the Temiskaming and Northern Ontario Railway. The agent, who was going on leave of absence for Christmas, got on the train that the liquor came off. When he returned on the 26th of December the liquor had been seized by the authorities, and the agent was arrested, tried, found guilty, fined $200, and dismissed from the company's service because he, as agent for the carrier, had liquor in his possession contrary to the provisions of the law. In the province of Manitoba a similar case occurred and a similar penalty was imposed. The agents in both cases lost their employment with the railway company, and it took some weeks, in one case a month, before the positions were restored to them, when the facts were brought to the notice of the railway officials. Therefore, were these clauses to be enacted it is possible that shipments might be traced and followed from the point of shipment with the intention of seizure on arrival at their destination, though the agent would have no knowledge whatever of the existence of the shipment. He might even be away from the station when the liquor was seized; but, as happened in one of the cases I have mentioned, he would be liable to be arrested, tried and fined. I think we ought to be particularly careful to see that men, who in the course of everyday business have the handling of shipments of this sort, should not be subjected to unfair criticism or improper prosecution.

Hon. Mr. POWER: Strictly speaking, I suppose this discussion is one which should take place in committee; but I think it is just as well or perhaps better that before that stage is reached the honourable leader of the Government should have some clear idea as to the points in the Bill which are considered objectionable—for instance, the points mentioned by the honourable gentleman from Welland (Hon. Mr. Robertson) and the honourable gentleman from Middleton (Hon. W. B. Ross). I hope the honourable the leader of the Government has a fairly open mind with respect to this Bill. There are one or two points that I think it well to direct attention to now. One is the

clause mentioned by the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) and the honourable gentleman from Middleton, providing a penalty up to $100, or imprisonment up to thirty days, or both a fine and imprisonment, for circulating a newspaper which happens to contain an advertisement of intoxicating beverages. As the honourable gentleman from Hastings pointed out, any one who forwards a copy of the London Times through the mails would be liable to prosecution under this clause, and in the same way any one who sent a copy of the Montreal Star or the Montreal Gazette into the province of Ontario, the province of British Columbia, or any other prohibition province, would be liable to this very severe penalty. Any one can see that the clause is unworkable.

Hon. Mr. DENNIS: Will the honourable gentleman explain how it works in the United States?

Hon. Mr. POWER: I do not know how it works there. I know that in the state of Maine, where they have a very rigid prohibition law, one can get more bad liquor more easily than in any other place that I know of. I think clause 2 is entirely unworkable, tyrannical and absurd. The objects of the people who press for legislation of this kind are undoubtedly good, and I think that these laws on the whole have perhaps served a useful purpose; but there is such a thing as overdoing even the best of things, and we should not seek the best results by improper means. As my honourable friend pointed out, last year we rejected a clause similar to clause 3. I think that clause 4 B is the most objectionable one of all. It says:

When any constable—

It does not say a judge or an attorney general or an officer of that kind; it says:

When any constable or other peace officer has reason to believe that any intoxicating liquor is in any premises or place in violation of the provisions of this Act, he may enter and search such premises or place, including any government railway, vehicle or steamship, and seize and remove any intoxicating liquor and the packages containing the same, which he may find, and which he has reason to believe is there in violation of this Act.

If a constable takes it into his head that some man has in his house liquor that he purposes to offer for sale at a later date, that constable may go into that house without a search warrant or any other authority, and violate the sanctity of the house.

Hon. Mr. WATSON: It need not necessarily be for sale—if he has liquor in his possession in excess of a certain quantity.

Hon. Mr. POWER: Yes, any quantity in most cases. There is a saying that an Englishman's home is his castle; but the defences of the castle are removed by the proposed clause. I think the action of the Senate last year, with respect to the original measure, met with the approval of most of the common-sense people of the country, and I hope the Senate will have the courage and the good sense to treat the measure now before them in the same spirit.

Hon. Mr. McSWEENEY: In the province of New Brunswick we have a prohibitory law and the Canada Temperance Act. Under the Canada Temperance Act any man can put into his house or wine cellar ten gallons of liquor.

Hon. Mr. LANDRY: Is that for a day or for a year?

Hon. Mr. McSWEENEY: Until it is drunk, which might take a month, six months, or a year.

Hon. Sir JAMES LOUGHEED: It would not last that long in New Brunswick.

Hon. Mr. McSWEENEY: Under this provision a man can come in and, if he finds any liquor—it does not specify the quantity—he can bring up the occupant and have him heavily fined. I think it is a most outrageous thing.

Hon. Mr. MURPHY: Honourable gentlemen, speaking for the pioneer prohibition province, I might make a few observations from experience.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. MURPHY: If you wish me to say so, perhaps I might say from experience in every way. There is no doubt that this clause is objectionable. Entering a man's private residence is not in accordance with the British idea of the rights of the individual. So far as the clause affects government railways, it is all right. For years we have been under a handicap because the King owned the Government railway, and we could not seize the contraband liquor which was coming in in violation of our Prohibition Act and destroying our young men. No man will subscribe to the action of the Crown in taking special advantage and supplying liquor to bootleggers who distribute it over the country. That is the reason this provision was

put into the Bill. For instance, a place is started up in Tignish for the illicit sale of liquor. The people in charge of it send to friends of my honourable friend from Halifax, or to friends of my honourable friend from St. John and import it; or, if they cannot import it from them they can send to Montreal and have a shipment of liquor sent down, and under the care of the Government it is sacred and the authorities cannot touch it. If liquor is sent by a private carrier the authorities can attack an innocent man, and fine him or send him to jail, as I was sorry to hear my honourable friend from Welland (Hon. Mr. Robertson) say had been done in one case. I was sorry to hear him say that any company incorporated by the laws of this country could relieve itself of responsibility by dismissing an innocent man. Government railways should stand in the same position as any other common carrier, and any constable should have the right, under the direction of some responsible authority where he lives, to prevent the illegal distribution of intoxicating liquors.

Hon. Mr. TANNER: I do not think the honourable gentleman from Halifax (Hon. Mr. Power) need be very much surprised at the provision with regard to the right of search by officers. My impression is that there is a law in force in Nova Scotia which is quite as drastic. There is really nothing new in that regard in this Bill. The fact that this legislation has again passed the Commons this year, after having been rejected by us last year, appears to me to be a very strong argument in favour of this House accepting it now. I understand that the House of Lords had to be reformed so that the English House of Commons could better assert its right to pass legislation in the public interest. Although this legislation was rejected by this House, the Commons having again passed it, this House ought to be very slow to reject it again, or it may come to pass that the House of Commons in Canada may declare that it is time the Senate of Canada should be reformed in that respect.

Hon. Mr. LANDRY: They have no right here.

Hon. Mr. TANNER: They have all the rights that the people give them. So far as advertising is concerned, my impression is that this Bill is to be enacted only for the purpose of assisting provinces which have similar laws on their statute books. Therefore, these provisions, which will no doubt be discussed in detail, are only to come into operation in provinces which have adopted similar provisions. If that is true, I think the objections which have been made are not very well founded.

The motion was agreed to, and the Bill was read the second time.

CRIMINAL CODE AND EVIDENCE ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 124, an Act to amend the Criminal Code and the Canada Evidence Act.

He said: This Bill is made up of certain proposed amendments of a somewhat minor character to the Criminal Code and the Canada Evidence Act. It is proposed under the first section to make the evidence of the wife admissible in prosecutions for non-support. This is a condition which does not obtain at the present time, but which is very much needed. Step-parents, foster parents, or guardians, who seduce or have illicit connection with their stepchildren, foster children or wards, are being brought under the provisions already in the Criminal Code touching employers who may have illicit relations with their employees. The Bill also places a broader definition upon the term "bawdy house," making it cover certain institutions where indecencies are practised. The section requiring traders to keep books has been redrawn. There is also attached to this Bill a new schedule of constables' fees. As I have said, the Bill is made up very largely, if not altogether, of small details which can be advantageously considered in committee.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until Tuesday evening at eight o'clock.

THE SENATE.

Tuesday, August 21, 1917.

The Senate met at Eight o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

ICE FOR VALCARTIER CAMP.

INQUIRY.

Hon. Mr. McSWEENEY inquired of the Government:

Does the Government still buy ice in Toronto for the use of our soldiers at Valcartier Camp near the city of Quebec?

Hon. Sir JAMES LOUGHEED: No ice has ever been purchased in Toronto by the Department of Militia and Defence for the use of the troops at Valcartier camp.

ALLEGED INTERFERENCE WITH PUBLIC MEETING.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Is it true that at a public meeting, held at Sydney, C.B., to discuss public and national affairs, Canadian soldiers, invalided from England to Canada, jointly, and with the aid of sailors of British ships at that port broke up the meeting by manifestations of physical violence?
2. Is it true that the Mayor of Sydney and Mr. J. C. Watters, President of the Trades and Labour Union of Canada, were pelted with eggs by the said soldiers and sailors and obliged to retire from the platform?
3. Does the Government give encouragement to such conduct on the part of its soldiers and the sailors of the British navy?
4. If not, what measures does the Government propose to take to repress such occurrences in the future?

Hon. Sir JAMES LOUGHEED:

1. The Government has no official knowledge of the alleged acts complained of being committed by men subject to the authority of the Government whose identity is known.
2. Answered by No. 1.
3. Answered by No. 1.
4. Any measures taken will be governed by the occurrence that may happen.

ALLEGED INTERFERENCE WITH LIBERAL CONVENTION.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Is it true that at the recent Convention, in Winnipeg, of the Liberal Electorate from the four provinces of the Northwest, viz.:—Manitoba, Alberta, Saskatchewan and British Columbia, Canadian soldiers, invalided from England to Canada, attempted to tear down and destroy mottoes and banners of Canadian Liberalism?
2. If so, do such returned soldiers remain on the pay-roll of the Militia Department receiving allowances or contributions from Patriotic Fund?
3. Does the Government propose to take measures to prevent military interference with the rights of free speech in the discussion of public affairs and national issues?

Hon. Sir JAMES LOUGHEED:

1. The Government has no official information as to the alleged acts mentioned in question No. 1.
2. Answered by No. 1.
3. Any measures taken will be governed by the occurrence that may happen.

THE CABINET AND PUBLIC RUMOUR.

INQUIRY.

Before the Orders of the Day:

Hon. Mr. CLORAN: I desire to ask the honourable leader of the Government in this House if he can furnish the Senate of Canada with any information regarding rumours which are being circulated in the columns of the press respecting certain vacancies that have occurred in the Cabinet.

Hon. Sir JAMES LOUGHEED: I am sorry I cannot give to my honourable friend the information he desires. I have already laid on the Table the correspondence which has been exchanged between the late Minister of Public Works and the Prime Minister of Canada, and from a perusal of that the honourable gentleman may be able to satisfy himself.

CRIMINAL CODE AMENDMENT (JURORS) BILL

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 97, an Act to amend the Criminal Code (respecting jurors), Hon. Mr. Daniel in the Chair.

The Bill was reported.

PROVINCIAL PROHIBITION AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 121, an Act to amend an Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors, Hon. Mr. Dennis in the Chair.

On section 1—sec. 3, par. a, amended by inserting "for beverage purposes" after "liquor."

Hon. Mr. BOSTOCK: What is the object of that amendment?

Hon. Sir JAMES LOUGHEED: It is to describe the class of liquor that is prohibited. Of course, liquor for industrial, mechanical, scientific, medicinal, and possibly sacramental purposes, may be brought in.

Section 1 was agreed to.

On section 2—liquor advertisements:

Hon. W. B. ROSS moved that section 2 be struck out. He said: I gave my reasons to the House the other day for asking to have this clause struck out. I do not see

any necessity for it or any good in it, and I think a great deal of harm would result from it. It appears to me to be in the nature of malicious and mischievous legislation.

Hon. Mr. NICHOLLS: I should like to ask the honourable leader of the Government if this refers to advertisements not only in papers from other provinces but in periodicals from other countries. Supposing I were receiving the Montreal Gazette, the London Punch, the New York Evening Post, or similar standard periodicals, would they be debarred?

Hon. Sir JAMES LOUGHEED: Provided the province of Ontario passed such legislation. This provision would be simply supplementary to the legislation of the province.

Hon. Mr. CLORAN: The Federal and provincial statutes and the municipal by-laws and regulations concerning prohibition all contain provisions guaranteeing the sale and use of alcoholic liquors for the purposes and needs of medicine and pharmacy, of munitions, of manufacturing of light and power, and for other purposes and needs. How is a dean of the Anglican church away in the wilds, or a parish priest of the Catholic religion, or a Jewish rabbi in the slums, to find where to get wine or liquor for the purposes and needs of religion if the advertisements of wine and liquors are prohibited? If the advertisements of wines and liquors are prohibited by provincial laws, what right has this Parliament on behalf of the people to sanction such laws? Does not Parliament place itself in a stultified position, contradicting by this Act what it guarantees by other Acts? Where are people going to buy these products if they are not told in the press? By the press I do not mean simply the newspapers; I mean all the means and methods by which this class of goods can be brought to the attention of consumers. If a provision such as I intend to move were inserted in the Bill it might be all right:

Provided that no provision in this Act shall apply to any newspaper or other means or method of publication containing wine and liquor advertisements to serve the purposes and needs of religion, of medicine, of pharmacy, of science, of manufacturing, of war munitions, of light, heat and power, and any other interests and purposes authorized and governed by federal and provincial statutes, or by municipal by-laws and regulations.

Hon. Mr. ROSS.

This would protect the rights of manufacturers, doctors, and clergymen, by enabling them to learn where they could buy the goods they wanted.

Hon. Mr. POWER: I am prepared to support the amendment of the honourable gentleman (Hon. W. B. Ross) to strike out clause 2. I think this is one of the most extraordinary clauses ever inserted in a Bill which has become before this Senate.

There is a saying that the greatest good should not be sought by the smallest evil; but this clause reverses that, because for very small good it proposes to do a very large evil. Under the operation of this clause the London Times and all other English papers, which come to this country in considerable numbers, and papers and periodicals that come here from the United States, as well as papers published in the non-prohibition province of Quebec, such as the Montreal Gazette and Star, could not be sent through the mails. If it were attempted to send any of those papers through the mails, numberless censors would have to be employed to open them and find out whether there was any liquor advertising in them. That seems to me to be a perfectly monstrous proposition to submit to any body of reasonable men. And what is the necessity for it? What good would it do? Suppose prohibition is in force in Ontario and liquor cannot go in there, I have no doubt the people of that province are too good temperance men to even read the liquor advertisements which happen to get there. To suppose that all the advertisements that might be inserted in all the newspapers that go into the province would influence the prohibitionists in the way of inducing them to drink, would do violence to one's high estimation of those people. If this clause becomes law it will lead to great inconvenience and confusion, and make the Parliament of Canada an object of ridicule to all reasonable people.

Hon. Mr. BEIQUE: I intend to support the motion to strike out this clause, for the reason already assigned, and for this additional reason, that its enactment would logically mean that the Government of Ontario would be entitled to demand of the Dominion Government that all private correspondence be opened for the purpose of ascertaining whether there were in it any infractions of this Act. Are we really going to adopt a system of that kind, whereby the people of this country would be subject to having all their correspondence

opened to ascertain whether there were in it any advertisements concerning liquors? I think it is a step for which there is no precedent, and I agree with the honourable gentleman who has just spoken (Hon. Mr. Power), that it would be a violation of common sense.

Brigadier-General Hon. Mr. MASON: It is difficult to understand why the promoters of this clause should have entertained the idea of making it a law, because, of the difficulty of its enforcement. To bring the matter home, I hold in my hand a list of the papers and reviews taken in the Senate reading room, and I find that from Great Britain alone there are fourteen papers that would come under the provisions of this law—all papers of great interest and value to the reading public. From France we receive four papers, two which would come under the provisions of this contemplated law. I trust the amendment will be carried.

Hon. Mr. CLORAN: I would like to add one word to my last remarks. God knows that there is darkness enough in Ontario to-day without preventing good papers from going into that province to give them light. If this Bill passes, the people of Ontario will have no papers to enlighten them.

Hon. Mr. DANIEL: I want to bring before the notice of those who propose this legislation the fact that sections 1 and 2 are contradictory. Section 1 prohibits the sending into a province of intoxicating liquor for beverage purposes only; that is, it can be sent in for mechanical, medicinal or sacramental purposes. But section 2 prohibits the sending of an advertisement of intoxicating liquor that might be used for sacramental, medicinal or similar purposes. These sections do not seem to have had in their composition that amount of care which I think such legislation requires. Of course, the chief objection, to my mind, is the cutting off of first-class papers, the best illustrated and other papers that are published in the world to-day, from coming into this or any other province that passes a law prohibiting advertisements for the sale of any kind of liquor. While I would be very glad to assist the Government in any way that they might consider necessary to curb the liquor-drinking habit and assist the provinces in carrying out the prohibition laws, yet I think this section goes a little too far, and I do not think it is really in the public interest to pass it.

Hon. Mr. BOSTOCK: I should like to know from the leader of the Government how it is proposed to enforce this Act supposing this section should be passed. He says that this is simply an enabling clause, and will practically have no effect until a province adopts legislation bringing it into force. The province of British Columbia has adopted prohibition since this measure was brought down, and it might go on and pass legislation next session bringing this Act into force. We would then be placed in the position that my honourable friend from De Salaberry (Hon. Mr. Béique) stated, of having all our letters opened in order to find whether any advertisements of intoxicating liquors were coming through the post.

Hon. Mr. POWER: It is not a suspensory law; it goes into operation at once.

Hon. Mr. BOSTOCK: I thought this was only an enabling clause.

Hon. Sir JAMES LOUGHEED: Yes. My honourable friend will observe in line 18 the words: "the publication or circulation of which is prohibited by the law of such province." This is an enabling clause to permit or give effect to any legislation of this character that may be passed by a province. If a province should pass such legislation prohibiting the circulation of literature and liquor advertisements in that province, then this law, if enacted, would automatically apply. It is only right for me to say to honourable gentlemen that there is a similar law in force in the United States. I cannot say whether it operates satisfactorily to the public of the United States or not, but Congress has apparently exercised its discretion in this same direction, and the section now under discussion is practically taken from the language of a similar law in the United States.

Hon. Mr. BEIQUE: When was it passed?

Hon. Sir JAMES LOUGHEED: Only recently, I believe. I have a copy of the law. It is known as Senate Amendment No. 34, and the provisions of the Act would be, I should say, even more stringent than the clause now under consideration. This is a matter entirely within the discretion of the provinces. The principle is well worth considering, and it is for this House to exercise its discretion as to its soundness whether the provinces should not be permitted to pass legislation of this kind so as to prohibit the circulation of literature containing liquor advertisements.

Brigadier General Hon. Mr. MASON: Has any province asked for that legislation?

Hon. Sir JAMES LOUGHEED: Yes, representations have been made in that direction. Now, if a province should exercise its discretion in that way it is for the people of the province to pronounce their judgment upon its soundness, and if it should do so it would not be unreasonable for a province to say to the Federal Government: "You should give us machinery supplementary to our legislation so as to secure its enforcement." As the Federal Government is charged with postal administration, it is quite obvious that legislation passed by a province would not be effective without the co-operation of this Government. In view of these considerations, this measure has been framed as submitted to you.

Hon. Mr. BEIQUE: But I understand that the legislation of the United States known as Senate Amendment No. 34 was passed after Congress had decided to prohibit the manufacture and importation of intoxicating liquor in the United States.

Hon. Mr. MURPHY: No, nothing to do with it.

Hon. Sir JAMES LOUGHEED: I understand that law is in operation now.

Hon. Mr. BEIQUE: But they had first decided to prohibit the manufacture and importation of intoxicating liquors into the United States with the exception of wine and beer, and Amendment No. 34 is an adjunct to that law. We have not the same condition of things in this Dominion.

Hon. Sir JAMES LOUGHEED: This section only anticipates the passing of such legislation by a province.

Hon. Mr. BEIQUE: But because a province chooses to pass a prohibition of that kind, does it follow that all the provinces should be interfered with?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. BEIQUE: If the newspapers and correspondence will be interfered with, I do not think it is reasonable to propose this clause.

Hon. Mr. POWER: I did not notice that the publication and circulation should be prohibited by the law of such province; but that really does not materially alter the case. If, for instance, the province of Ontario would itself undertake to see that newspapers did not publish liquor advertisements, or would exclude such newspapers as did publish such advertisements, it might not be so unreasonable; but they practically ask this Government to censor all newspapers and correspondence going into the province of Ontario. What is the object of it? There is really no specific object whatever to be gained, and I think it would be highly discreditable to the Senate to pass such an enactment as this.

Hon. Mr. DANDURAND: Is there any province that has thus far passed legislation absolutely prohibiting the importation or use of liquor within its borders?

Hon. Mr. MURPHY: No.

Hon. Mr. DANDURAND: Is there any province in which it is absolutely prohibitive to buy liquor from outside?

Some Hon. SENATORS: No.

Hon. Mr. DANDURAND: If I am well informed, no one in Ontario can sell liquor but any one living in Ontario can buy liquor from outside the province.

Hon. Sir JAMES LOUGHEED: There is a limitation on the quantity, that is all.

Hon. Mr. DANDURAND: Is there any law in any of the other provinces more advanced than that of Ontario? Is there any province where any individual is prohibited from keeping under his own roof a bottle of wine or of Scotch whisky?

Hon. Sir JAMES LOUGHEED: Only to a limited quantity. For instance, legislation was passed at the last session of the Alberta Provincial Legislature limiting the quantity of intoxicating liquor that a householder could carry to a quart of spirits or a gallon of beer, I think. It is considered that it is safe for the citizens of that particular province to have that quantity in their possession. Apparently greater confidence is placed in the people of the province of Saskatchewan, where I think it is considered safe for a householder to have at least two quarts in his possession. Whether he is able to carry his liquor better than the Alberta man I cannot say, but that limitation prevails. I think that along those lines the western provinces have been more drastic than other provinces in looking after the welfare of their people.

Hon. Mr. DANDURAND: I put this question because it seems to me that if an individual anywhere from the Atlantic to the Pacific has a right to buy liquor for himself, he should have the right to read advertisements indicating the place where he can buy such liquor. This legislation seems to me to be much ahead of the times.

It may be quite a discussible matter even when the provinces have gone a step further; but taking the legislation as it is in each province, and finding that every individual has a right to purchase liquor, I wonder what is the utility of passing this legislation.

Hon. Sir MACKENZIE BOWELL: The difficulty that presents itself to my mind in regard to this section is that it will be placing in the hands of each province some control over the Post Office Department. How is the clause to be made effective if the provinces which have prohibitive legislation have not the power to examine the letters and papers that are mailed into the province, to ascertain whether or not they come within the provisions of this law? Would it be necessary, under circumstances of that kind, for the Dominion to enact another law in order to take from the provinces the power to interfere with the mails, and in order to assume the responsibility of examining the mails and the newspapers that come into the prohibitive province? That is, to my mind, the greatest difficulty that presents itself with respect to the adoption of this clause if it is to be made at all effective or useful. The only conclusion to be arrived at is that if we adopt this clause and thus affirm the legislation of the province the Dominion Government surrenders to a certain extent the control of the mails of the province; and, while that may have effect in one province, how is it to be given effect in another province? Here is a specimen letter sent to me from Baltimore, containing an advertisement of a sale of liquor and stating where I can obtain liquor in Canada. The letter is dated at Montreal. The liquor seller in Montreal may send to the United States—say to Baltimore, whence this letter came—and order printed 10,000 circulars and have them mailed from there to different parts of the Dominion. He saves one cent on every letter, or $100 in the way of postage by mailing them in the United States instead of in Canada. That is one of the effects which this section would have upon the revenue of the country. I would go any length to prevent the indiscriminate use of liquor in any of the provinces or in the Dominion, but it does seem to me to be absurd to put upon the statute book, or to give the provinces the power to enact, a law which it is impossible to carry out.

Hon. Mr. BEIQUE: If I may be allowed to add a word to what I have already said, I would draw the attention of the committee to this further point. Of course, the law would have effect only within the Dominion of Canada. It would be open to any citizen of Canada to go across the frontier into the United States and do from there the very thing which he is prohibited from doing on this side of the line. The newspapers published in Montreal might be sent to Rouse's Point and be mailed from there to Ontario, which would not be an infringement of the law.

Hon. Sir JAMES LOUGHEED: It would. I would point out to my honourable friend that the law would come into play at the point of distribution in the province.

Hon. Mr. BEIQUE: It might come into play, but there is nothing in the text of the law to cover that. It would be merely an inference, and possibly the postmaster might think himself warranted under this Act in interfering. But I am speaking of the action itself, which would be a crime if committed in Canada, but if done on the other side of the line would not be against the law at all. The more we examine this Bill the more we see that—

Hon. W. B. ROSS: The worse it becomes.

Hon. Mr. CLORAN: I desire to call the attention of this honourable committee to a declaration of policy by the honourable leader of the Government to which I take serious objection. He told this honourable committee that this Bill was for the purpose of enabling provincial legislation to be carried out. To that principle I take formal exception. Is this Parliament going to be the handmaid of provincial legislatures? Is this Parliament going to do what I would call the kitchen work of legislation? If this Parliament is going to be called upon to pass laws to enable a province to carry out its own measures, where are we going to stop? This is an enabling measure to help the province to carry out its own legislation. If the provincial legislature passes an Act which it cannot enforce, what right has it to call upon the Parliament of the Dominion of Canada for aid in enforcing the law? Cannot the honourable leader of the Government seize that point? I believe that he does. If this Parliament is to be called upon to pass laws to enable provincial legislation to be carried out, where will the matter end? In the provision of good roads? In the supply of electricity, or matters of that kind? Simply to mention these things shows the absurdity of the position. The honourable leader of the Gov-

ernment has given this honourable committee a false notion of the rights and prerogatives of this Parliament. If a provincial government cannot carry out legislation by themselves, they should not have here at their beck and call men who, though not representing the people of their province, will force legislation upon them. I hold that the reason given by the honourable leader of the Government is no ground upon which to base a request that this honourable committee will approve of this section.

The motion of the Hon. W. B. Ross to strike out section 2 was agreed to: yeas, 22; nays, 13.

On section 3—places where prosecutions may be taken:

Hon. W. B. ROSS: I move:

That subsection 4A be amended by striking out the words: "or in the city, town, or other place to or into which such intoxicating liquor is so sent, shipped, taken, brought, carried or imported."

These are the words which designate one of the three places at which it is proposed the offence may be tried. In the first part of the subsection it is provided that an offence may be tried at the place from which the liquor has been sent. At the end of the clause the third place at which an offence may be tried is designated—the place in which the accused resides. The second place mentioned in this section, the place to which the liquor is sent, is the one referred to in my motion. I do not want to argue this question again. It was discussed last year.

Hon. Mr. BEIQUE: Would the honourable gentleman please read the clause as it would stand.

Hon. W. B. ROSS: It would read:

4A. A prosecution for an offence under this Act may be brought and carried on and a conviction had in the city, town or other place from which any intoxicating liquor is unlawfully sent, shipped, taken or carried as aforesaid, or in the place in which the accused resides.

As the Bill stands now, it is provided, first, that a prosecution may be brought against a man at the place from which he shipped; or, secondly, he may be taken across the continent to the place to which the liquor was sent and may be tried there; or, thirdly, he may be tried at the place in which he resides. It is number 2 that I am moving to be struck out. It was pointed out last year, and it was pointed out the other day, that if the proposal contained in this Bill were adopted, it would be possible for a man living in Montreal, or Halifax, or Quebec, to be accused by some one living on the other side of the Rocky mountains of having violated the Act. He could be taken there under a warrant and tried, and if he were found innocent and discharged he would have to find his own way home as best he could. If my amendment is adopted, I think ample scope will be left for the carrying out of the Act by permitting of the prosecution of a man in Montreal, for instance, if his warehouse is in Montreal and he ships liquor from there, or of prosecuting him at the town or village where he resides, if he resides outside of Montreal.

Hon. Mr. BEIQUE: I would like to ask the honourable leader of the Government, since section 2 is struck out of the Bill, if he thinks it is well to insist on passing section 3. It seems to me it would be merely to supplement the statute of 1916.

Hon. Sir JAMES LOUGHEED: Section 2 relates to the circulation of literature. Section 3 relates to the handling of intoxicating liquor where it is unlawfully sent, shipped, taken or carried. So the subject-matter is absolutely distinct.

Hon. W. B. ROSS: Section 2 of this Bill is for the purpose of amending section 3 of the Act, and section 3 of the Bill is for the purpose of amending section 4 of the Act. There is no connection between sections 2 and 3 of the Bill.

Hon. Mr. POWER: I think that this clause was in the Bill last year.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. POWER: And the motion to strike it out was made by the honourable gentleman from Middleton (Hon. W. B. Ross). He has not moved this year that it be struck out, but his motion takes the poison out of it, and the reasons for the amendment are just as strong as they were last year. It seems to me to be contrary to all our ideas of British fair-play to take a man perhaps across the continent to try him. Under the amendment he would have to be tried where the offence is committed.

Hon. Mr. BEIQUE: Section 4 of the Act of 1916 says:

On any prosecution for the violation of section one of this Act the accused person shall be deemed to have known or intended that such intoxicating liquor would be thereafter dealt with in violation of the law of the province into which such intoxicating liquor was sent, shipped, taken, brought, carried or imported, unless he proves that he had good

reason for believing that the intoxicating liquor would only be dealt with in a lawful manner.

Then, section 5 provides that the provincial law shall be judicially noticed. Section 6 defines what shall be deemed to be "intoxicating liquor." Then we come to section 7, which says:

When it is brought to the attention of the Minister of Justice that an offence against any of the provisions of this Act has been committed outside the boundaries of any province which has enacted legislation prohibiting or restricting the sale of intoxicating liquor, he may, if the evidence put before him be in his judgment sufficient, take such steps as may be deemed necessary to prosecute any person charged with such offence.

Well, is not that the proper machinery? If I understand the purport of the motion to amend section 3, it provides that if the liquor were sent, say, from the province of Quebec, or from one of the Maritime Provinces, into the province of Ontario, the prosecution would have to take place at the place of residence of the party sending the liquor. Is there anything to repeal section 7, to which I have referred?

Hon. Sir JAMES LOUGHEED: Would not my honourable friend consider that section 7 was simply an additional power given for the enforcement of the Act? That is to say, it is not necessary for the Minister of Justice to take proceedings. They can be taken by the authorities of the particular province which has enacted the legislation outside of the boundaries of the province.

Hon. Mr. BEIQUE: Would section 3, if amended as suggested, add anything to the Act of 1916? I would think not. I purpose to support the motion of the honourable gentleman from Middleton (Hon. Mr. Ross), but I think we should strike out the clause altogether, because it is unnecessary.

Hon. Sir JAMES LOUGHEED: I think that, under paragraph b of section 1 of the Act of 1916, a prosecution would successfully lie in a province beyond the boundaries of the province enacting the legislation in question because it is made an offence to:

Sell or cause to be sold any intoxicating liquor, knowing or intending that such intoxicating liquor will be sent, shipped, taken, brought or carried into any such province from any other province, or from any place outside of Canada, and thereafter dealt with in violation of the law of the province into which such intoxicating liquor is sent, shipped, taken, brought, carried or imported, as aforesaid.

Hon. Mr. BEIQUE: The offence is the act of sending. It starts in the province from which the liquor is shipped.

Hon. Sir JAMES LOUGHEED: It is therefore an offence in that province.

Hon .Mr. DANDURAND: If the amendment of the honourable gentleman from Middleton carries, will not the rest be unnecessary?

Hon. W. B. ROSS: The general criminal law already applies.

Hon. Mr. TANNER: If I understand it correctly, under the existing law it is an offence to ship liquor into a province which prohibits the sale of intoxicating liquors. The intention of the Bill, as I understand it, is that any person who unlawfully ships liquor into such a province may be prosecuted for that offence either at the place from which he ships the liquor, the place to which the liquor is shipped, or the place of residence of the shipper. If I apprehend the amendment, it is intended that the prosecution shall take place at the place of shipment, or the place of residence of the shipper. During the discussion to-night I have been reflecting on this rather important subject, and I regret to observe that the Senate seems to be unaware of the very pertinent and potent effect of temperance reform, and that it is one of the biggest questions in the world to-day. The Senate appears to be lagging behind in regard to its information and its action on this question. Some years ago the Parliament of Canada, after due consideration, came to the conclusion that it would not be wise to introduce a Dominion prohibitory law, and put upon the provinces the responsibility and duty of dealing with the question, and it has been left to them to deal with it at the present time. In 1908 the Government introduced the policy of supplementing any legislation which the provinces might put upon their statute books in that regard. We have now these two principles before us: the principle of leaving the provinces to deal with this matter, and the principle introduced in 1908 of assisting by Dominion legislation in any legislation which the provinces may put upon ther books. If I understand this Bill, it comes within the policy which was deliberately adopted by this Parliament in 1908; and, in view of the tremendous advance which has been made in temperance reform the world over, it appears to me that honourable gentlemen have their ears

very far away indeed from the ground, and that, instead of endeavouring to keep themselves in the forefront, they are endeavouring to get in the rear. Eight provinces out of nine have adopted prohibitory laws. I understand that certain legislation, including this clause, sent down last year from the House of Commons was rejected by this House. If I understand the temper of this House to-night, this body is proposing to overrule the deliberate judgment of the representatives of the people as expressed in the House of Commons last year and again expressed this year. They are going to do worse than that. In 1908 the Senate and the House of Commons, in an amendment to the Canada Temperance Act, put upon the statute book the identical language which is contained in the Bill before us to-night. Under that legislation power was given to enforce a penalty either at the shipping place, the place where the goods were received, or the residence of the accused. Not only is this Senate proposing to reject the knowledge that should be flowing into the minds of honourable gentlemen as to the necessity of dealing promptly and vigorously with this question, but it is going to emasculate the Bill and stultify itself. I hope that this House will have some respect for itself and for the Parliament of Canada.

Hon. Mr. POWER: We shall stand by what we did last year.

Hon. Mr. TANNER: I can only say that if honourable gentleman can change their minds in the face of that authority, they can do anything. This is the legislation that was passed in 1908 amending the Canada Temperance Act and making it unlawful to ship liquor from one province to another. Subclause C referred to in the clause which I am about to read is the clause prohibiting the shipment from one province into another in which prohibitory legislation is in force. Section 2 is as follows:

> Prosecutions for any offence under paragraph (c) of subsection 1 of this section, or under paragraph (c) of subsection 2 of this section may be brought and carried on and a conviction had in the city, town or other municipality, from which any intoxicating liquor is sent, shipped, brought or carried as aforesaid, or in the city, town or other municipality to or into which such intoxicating liquor is so sent, shipped, brought or carried.

If a man at Montreal, for example, is in the business of selling liquor, and he knows that in the province of Nova Scotia it is unlawful to sell liquor or have it for sale, but in spite of that chooses to ship liquor to Nova Scotia, it is right that the authorities should have the privilege of prosecuting him at Montreal, Halifax, Sydney, or New Glasgow, as the case may be.

Hon. Mr. BEIQUE: I desire to call attention to the fact that chapter 71 deals with prohibition in different counties. The intention of that Act was that if a man living in one county offended against the Act he could be prosecuted in an adjoining county. There is a vast difference between passing a law of that kind and passing one whereby a man who lives in Prince Edward Island might be taken to British Columbia and prosecuted there. That question was very fully discussed last year, and this House, by a very large majority, came to the conclusion that it was not a law which should receive its sanction.

Hon. Mr. DANDURAND: I should like to draw the attention of the honourable gentleman from Pictou (Hon. Mr. Tanner), who was not here last year, to the vast difference between the legislation passed in 1908 and that of last year. In the legislation of 1908 there was nothing of the nature of clause 4 of chapter 19 of 1916, which reads as follows:

> On any prosecution for the violation of section one of this Act the accused person shall be deemed to have known or intended that such intoxicating liquor would be thereafter dealt with in violation of the law of the province into which such intoxicating liquor was sent, shipped, taken, brought, carried, or imported, unless he proves that he had good reason for believing that the intoxicating liquor would only be dealt with in a lawful manner.

We were confronted with this difficulty, that a person could send liquor into a province without violating the law of that province; but, through misrepresentation on the part of the person ordering that liquor, the sending of it might become an illegal act when the liquor was turned to an illegal use in the province. The person selling the liquor could then be dragged from the place from which he had shipped the goods into a community hundreds of miles distant, where his standing was not known, to face an accusation of having sent goods with the intention of violating the law, or knowing that it would be violated. We felt that a person who sent liquor to a province where he had the legal right to send it, under the conviction that it would be used legally, should not be dragged hundreds of miles from his own jurisdiction to answer such an accusation.

Hon. Mr. MURPHY: Did we not decide that question last year?

Hon. Mr. DANDURAND: We did.

Hon. Mr. MURPHY: Then what is the use of arguing it?

The amendment of Hon. W. B. Ross was agreed to, on division: yeas, 20; nays, 12.

Subsection 4 A, as amended, was agreed to.

On subsection 4B—constable may seize liquor and may search for same:

Hon. Mr. BOSTOCK: I think this clause was not in the Bill we had before us last year. I would like to know from the leader of the Government what is the object of it? Does this mean that a constable is to be allowed to search any person's house without a warrant or any other authority? Can he walk in at any time and look through everything in a man's house merely on suspicion that the owner of the house has something in it which is contrary to this law? It seems to me that would be giving a constable tremendous power, and he has sufficient power under the Criminal Code.

Hon. Sir JAMES LOUGHEED: He would probably have to get a search-warrant

Hon. Mr. BOSTOCK: Under the Criminal Code?

Hon. Sir JAMES LOUGHEED: Yes. This section proposes to give the peace officer the widest possible range on search, provided he has reason to believe that intoxicating liquor is to be found in any of the places mentioned.

Hon. Mr. BOSTOCK: But I do not see why it should be necessary. Why should he not proceed in the ordinary way and get out a proper search-warrant? If he suspects that liquor is there, the procuring of a search-warrant would not interfere very much with his operations. To say that a constable may walk into anybody's house of his own volition and examine into everything, turn everything upside down would be to pass legislation in which I do not believe.

Hon. Sir JAMES LOUGHEED: Of course, the presumption is that liquor is made for consumption, and it is consumed very quickly sometimes; it disappears very rapidly; and, while a search-warrant was being secured the liquor might disappear, and thus the object of the Act would be defeated. Of course, it is for the committee to consider whether this right of search should extend to the dwelling-house of the man, or to such private premises as he may occupy at the time. He may be a traveller on a railway train, or he may be occupying an apartment. I think it is a very proper subject for serious consideration whether the right should be given to any constable or peace officer to search premises of that character. I think the provisions of the Bill are sound in giving him permission to search any public place —for instance, such places as are mentioned in the Bill, "including any Government railway, warehouse, vehicle, or steamship, and seize and remove," etc. It seems to me that this right of search should be given to a police officer or a constable in relation to any public place, including hotel premises.

Hon. Mr. DANDURAND: But will not the honourable gentleman admit that this clause goes much further?

Hon. Sir JAMES LOUGHEED: It does.

Hon. Mr. DANDURAND: It allows entry into any private residence.

Hon. Sir JAMES LOUGHEED: Yes. It might seem out of place for me, having charge of the Bill, to criticise it; but I reserve to myself the right to differ from any provisions of this kind, and I am bound to say that I am not in favour of giving unlimited power to a constable to enter a private residence or the private premises of an individual, entirely irrespective of his having any authority so to do, and I think the clause should be limited to places such as those I have mentioned.

Hon. Mr. POWER: Perhaps the Government will amend the clause themselves at the third reading.

Hon. Sir JAMES LOUGHEED: How would honourable gentlemen suggest that effect should be given to what I have suggested?

Hon. Mr. BEIQUE: It would be done by adding, after the words, "premises or places," the words, "other than a private residence."

Hon. Mr. BEAUBIEN: What about a private vehicle?

Hon. Mr. DANDURAND: What about passengers on trains?

Hon. Mr. CASGRAIN: Or in private yachts. There is generally liquor on a private yacht.

Hon. W. B. ROSS: You will oftener find it on board schooners.

Hon. Mr. MURPHY: A schooner is a vehicle.

Hon. Mr. BEIQUE: I suggest that this clause be allowed to stand.

Subsection 4B stands.

On subsection 4C—operation of Canada Temperance Act may be suspended upon petition:

Hon. Sir JAMES LOUGHEED: The object of this section is that where petitions have been circulated, as provided, for the adoption of the Canada Temperance Act, and it is found that there is a prohibitory measure in the province, there may be a suspension of the proceedings which have been taken to bring into effect the Canada Temperance Act, because in some provinces —I understand in Ontario, in New Brunswick, and some other provinces—we have the anomaly that where there is a prohibitory liquor law of the province certain sections of that province are carved out, and the Canada Temperance Act is in force therein, thus placing in operation two different sets of machinery for the enforcement of liquor laws in that province. This is not desirable. Consequently it is proposed that uniformity should prevail in the province, and that the Canada Temperance Act should eventually be superseded by the prohibitory law of the province.

Hon. Mr. POWER: It simply means you avoid the necessity of having a Scott Act election in a district. While I believe in the liberty of the subject, and in the popular vote and all that, I think that as a rule the provincial laws are more effective than the Scott Act, and if the people feel that they wish to have that repealed and to come under the provincial law there is no reason why they should not do so without having an election.

Hon. Mr. MURPHY: I am sorry to disagree with my honourable friend from Halifax, because advantage has been taken by people in Halifax and also in my own province, by going behind the provision that made it illegal to sell in the province as an excuse for refusing to pay for liquor which they had purchased and brought in. I do not think my honourable friend from Halifax understands the conditions. For instance, it is unlawful for dealers to buy whisky and take it into Prince Edward Island or New Brunswick; but they can come to Quebec and buy one or two thousand dollars worth of liquor, and then repudiate payment because it is illegal to send liquor there. I do not think that is good ethics. If a man buys liquor he should pay for it, whether it is bought for the purpose of demoralizing the country, or for medicinal, sacramental or mechanical purposes, and the purchaser should have no right to repudiate his responsibility to pay for it by setting up the law prohibiting its entry.

Hon. Mr. NICHOLLS: Do I understand that this clause provides for retroactive legislation? In certain parts of Ontario the Canada Temperance Act has been adopted by the vote of the people. The present prohibition law in Ontario was placed on the statute book by Order in Council, and was never voted on by the people. As I read this clause, it overrides the vote of the people, who decided the particular form of temperance Act they required. I know that in the county of Peel, Ontario, the Canada Temperance Act is in force, and I should like to know whether, if this clause passes, it would override the vote of the people in that county.

Hon. Mr. BEIQUE: It seems to me that when a law is passed for a whole province, declaring that it is illegal to sell liquor, it would supersede the Canada Temperance Act, but for my own part I do not see any objection to the clause as it stands.

Hon. Mr. DANIEL: I think this is a very good clause. The province of New Brunswick has recently passed a prohibition law. Some counties there are under the Canada Temperance Act, but they would rather be under the provincial prohibition law.

Hon. Mr. CASGRAIN: They are, are they not?

Hon. Mr. DANIEL: In order to get under that law, they would have to hold an election, but with the Scott Act they would not. This will save the expense and trouble of that election.

Hon. Mr. CASGRAIN: Surely the honourable gentleman will not say that the Legislature of New Brunswick did not pass a law for the whole province.

Hon. Mr. DANIEL: They passed a law for the whole province, but their law is overridden by the latter law, the Canada Temperance Act, and until the counties which have that do away with it—and they can do away with it only by another election—then the prohibition law of the province cannot come into force in those towns. This will save the trouble of the

elections. and the Order in Council will take them from under the action of the Canada Temperance Act and put them, by that same motion, under the prohibition law of the province.

Hon. Sir JAMES LOUGHEED: That is the outcome of certain petitions which have been received from the province of New Brunswick asking for a revocation of the order bringing the Canada Temperance Act into force in the particular district within which it may have been voted. Under the Canada Temperance Act, as I understand, certain petitions are presented to the Governor in Council, and then the Governor in Council causes a vote to be taken. This makes provision that where petitions are presented to the Governor in Council asking for a revocation of the Canada Temperance Act on account of prohibition being in force in that province, the Governor General in Council, if satisfied that the general law in force in the province is as strict as the Canada Temperance Act, can dispense with the polling of a vote as to whether the Canada Temperance Act shall remain in force or be revoked.

Hon. W. B. ROSS: I do not take any serious objection to this clause, but we may as well understand what it means. There are certain counties in the province of New Brunswick which adopted the Canada Temperance Act. No move can be made to set aside the Canada Temperance Act until 30 days after the Act has been in force three years. If a petition signed by one-fourth of the electors is presented, the Governor in Council orders an election to be held, and a majority of the electors in the county can carry a repeal or have the Act continued. The effect of this subsection 4C is to allow the Governor in Council, acting upon a petition signed by one-fourth of the electors, to suspend the Canada Temperance Act in the county without the taking of a vote to ascertain whether or not there is a majority in the county for or against prohibition. If those counties in New Brunswick do not make a protest against this measure, I do not know of any reason why I should.

Subsection 4B was agreed to.

Progress was reported.

CRIMINAL CODE AND EVIDENCE ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 124, an Act to amend the Criminal Code and the Canada Evidence Act, Hon. Mr. Watson in the Chair.

On section 1—making evidence of wife admissible in prosecution:

Hon. Sir JAMES LOUGHEED: This simply provides for making the evidence of the wife admissible in a prosecution for non-support as against the husband.

Hon. Mr. DANDURAND: All that the section states is that after the words "thirty-nine" in the fifth line thereof the words "two hundred and forty-two A" are to be added. I do not know how the amendment effects its purpose.

Hon. Mr. MURPHY: Honourable gentlemen, I do not usually ask any leeway for men who would be convicted under that clause; but would the purpose of this legislation be affected if we allowed it to stand over until to-morrow?

Hon. Sir JAMES LOUGHEED: This section introduces into the Canada Evidence Act that particular section of the Criminal Code which throws upon the husband the responsibility of making provision for the support of his wife and family; it thus makes the evidence of the wife admissible for establishing a case of non-support.

Section 1 stands.

On section 3—definition enlarged to include places where indecencies practised:

Hon. Sir JAMES LOUGHEED: This section enlarged the interpretation to be placed upon "common bawdy house."

Hon. Mr. BEIQUE: I think this clause goes too far. I would call attention to this point. The clause reads:

> A common bawdy house is a house, room, set of rooms or place of any kind kept for purposes of prostitution or for the practice of acts of indecency, or occupied or resorted to by one or more persons for such purposes.

The last words of the clause, "or resorted to by one or more persons for such purposes," would mean that if the domicile of a person were used entirely without his knowledge for the purpose mentioned in that section, his house would be known and designated as a bawdy house.

Hon. Sir JAMES LOUGHEED: The wording of the section is, "kept for purposes of prostitution or for the practice of acts of indecency, or occupied or resorted to by one or more persons for such purposes"—that is, for the purposes mentioned in the earlier lines of the section.

Hon. Mr. BEIQUE: I do not see any objection to the other portion of the section, but it seems to me that it is very objectionable to extend it to include a place to which one or more persons may resort for the purposes mentioned. If they do so in the absence or without the knowledge of the owner of that residence, that house would be known and treated as a common bawdy house. We should add some words to that section so as to make it reach the offence committed. I would ask that the section be allowed to stand.

Section 3 stands.

On section 4—paragraph penalizing traders for not keeping books redrawn:

Hon. Sir JAMES LOUGHEED: This is a redrawn clause.

Hon. Mr. DANDURAND: I understand that it is the last portion of the clause which is new: "but no person shall be prosecuted under the provisions of this paragraph by reason only of his having failed to keep such books of account at a period of more than five years before the date of such inability to pay his creditors." Is that correct?

Hon. Sir JAMES LOUGHEED: Yes.

Section 4 was agreed to.

On section 5—constables' fees revised:

Hon. Sir JAMES LOUGHEED: The price of everything has increased.

Hon. Mr. DANDURAND: This section provides for an increase in fees?

Hon. Sir JAMES LOUGHEED: A slight increase—very much less than the increase in the cost of the ordinary necessaries of life.

Section 5 was agreed to.

Progress was reported.

COMPANIES ACT AMENDMENT NON-GAINFUL CORPORATIONS.

FIRST READING.

Bill U2, an Act to amend the Companies Act, so as to provide for the incorporation by Letters Patent of Corporations for purposes other than that of gain.—Hon. Sir James Lougheed.

WAR CHARITIES BILL.

FIRST READING.

Bill V2, an Act relating to War Charities. —Hon. Sir James Lougheed.

Sir JAMES LOUGHEED.

NORTHWEST GAME BILL.

FIRST READING.

Bill 100, an Act respecting Game in the Northwest Territories of Canada.—Hon. Sir James Lougheed.

INCOME WAR TAX BILL.

FIRST READING.

Bill 117, an Act to authorize the levying of a War Tax upon certain incomes.—Hon. Sir James Lougheed.

MINISTRY OF OVERSEAS MILITARY FORCES AND PARLIAMENTARY SECRETARIES BILL.

FIRST READING.

Bill 122, an Act respecting the Minister of the Overseas Military Forces, the Parliamentary Secretary of the Department of Militia and Defence and the Parliamentary Under-Secretary of State for External Affairs.—Hon. Sir James Lougheed.

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

THE SENATE.

Wednesday, August 22, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

SHIPMENT VIA CANADIAN PORTS.

INQUIRY AND DISCUSSION.

Hon. D. O. L'ESPERANCE rose:

To call the attention of the Senate to the fact that our tidewater ports are now properly equipped for the storage and speedy handling of grain and other merchandise, and to urge that the exportation of our products by the allied government buyers should be routed through our Canadian ports as far as possible, and to inquire if it is the intention of the Government to take any action to prevent in future the bulk of the export of the oceanic traffic being routed via American ports.

He said: Honourable gentlemen, the matter to which I am now calling the attention of this House is of such vital importance for the welfare and prosperity of our country, that I deeply regret my inability to present it in the clear, concise and convincing manner that such an important question deserves. In view, however, of the railway legislation under discussion in the other House, I have decided to move this resolution, which in my judg-

ment merits the careful consideration of honourable members.

Being a citizen of Quebec and chairman of the Quebec Harbour Commission, it is needless for me to say that I have at heart the development of that important port, one of the finest and best situated on the continent of North America. It is not my intention, however, to treat this vast subject from a local point of view.

It has been said by great captains of industry "that transportation is the key to national prosperity." This problem, therefore, is one that all the citizens of this country, and not those of Quebec alone, should have at heart to solve promptly on sound national lines.

The time for destructive trade rivalry has passed forever, I hope. With better and improved facilities for the interchange of trade between the East and the West and the development of our resources on a larger scale, our people are awakening to the tremendous possibilities of this rich and wonderful country. Our ideas have enlarged, our views have broadened, and we have come to realize at last that what is good for one part of Canada is good for the other, and that what retards and curtails the progress of one section reflects adversely on the other sections.

Great sacrifices have been made by the Eastern Provinces to help develop the West. Grants of money and grants of land have been made in large measure to build up two transcontinentals—the Canadian Pacific and the Grand Trunk Pacific. A third transcontinental line, the Canadian Northern, has also been completed, which, although not so largely subsidized at first, was forced, in 1914, to appeal to the central Government for a large financial loan and got it. Last year both the Grand Trunk Pacific and the Canadian Northern had to be helped again, with the result that during the present session the Government is bringing in legislation which will add a tremendous sum to the already large debt of this country, and is a step towards the nationalization of Canadian railways. For my part, honourable gentlemen, I have no hesitation in saying that I will favour this project with both hands, if I am given the assurance that the Government has at the same time elaborated a complete and comprehensive programme of transportation. The country will be amply repaid for the great sacrifices made and contemplated if, in connection with the purchase of the Canadian Northern railway, we adopt a true national policy for the transportation of the products of the West.

I will not take up the valuable time of this House by quoting statistics which every one of you, honourable gentlemen, I feel sure, are well acquainted with. It is sufficient to say that, although this country is now equipped with three great transcontinental roads, it stands to our shame that over 60 per cent of the exportabl grain of the West is still being shipped through the United States ports. In 1915, out of 167 million bushels of grain shipped from Port Arthur and Fort William, only 62 millions passed by Canadian routes. In 1916, out of 312 millions, 180 million bushels found their way to American ports.

Hundreds of millions of dollars of public money were freely spent on the construction of transcontinental lines while it is only very recently that a few millions have been advanced for the equipment of our tide-water ports. While elevators were built in large numbers at the head of the Great Lakes, for a capacity of about 60 million bushels of grain, those at our eastern seaports could hardly store 25 per cent of this quantity. The result of this short-sighted policy could only be what it has been—a diversion of the grain stored at the head of the lakes to the better-equipped ports of the United States.

It is true that within the last few years a move has been made in the right direction. The ports of Montreal and Quebec have been advanced money for the construction of deep-water docks and elevators. St. John and Halifax are also receiving better consideration.

As regards Quebec, the port in which I am more particularly interested, I may say that the port is now fairly well equipped for taking care of a good portion of this traffic during the season of navigation. Along the docks of the Louise Basin and Pointe à Carcy there is ample room for the berthing of 17 large ocean-going ships, while the new docks nearing completion on the north of the embankment towards the river St. Charles will provide for five additional large ships, giving in all 22 berths for ocean-going transports of all dimensions with a water depth varying from 26 to 40 feet at low tide. These docks are accessible to the Canadian Pacific, whose Quebec terminal is right within the Quebec harbour, and also to the Canadian Northern and the National Transcontinental railways. Eleven modern, fire-proof freight sheds (covering

an area of 283,500 square feet) are built on these docks. Great facilities for the handling of grain and other merchandise have been provided for. The Quebec Harbour Commissioners have built over 15 miles of railway tracks thoroughly equipped with freight cars and shunters. They have also provided the port with gantry cranes, locomotive cranes, one 50-ton floating crane, etc. Grain conveyers capable of loading direct from elevator to ship 60,000 bushels of grain per hour are now completed.

In 1914, when the port was not as well equipped as it is to-day, 518 ocean-going ships took cargoes and landed passengers in Quebec. In 1915, on account of the war, the number of ships was reduced to 441. In 1916 this number was further reduced, while this year we are practically ignored.

On the Louise embankment are two grain elevators: one capable of containing 250,000 bushels and a large modern reinforced concrete elevator of 1,000,000 capacity. A contract is now under way, and by the end of this fall an annex will be completed which will bring the total storage capacity of this elevator to 2,000,000 bushels. But, honourable gentlemen, in my humble opinion, the equipment of the port of Quebec, as regards storage capacity for grain, will still be very far below the requirements if we are to adopt a true national policy, that is, the export of Canadian products via Canadian routes and Canadian ports.

The Transcontinental railway has been a very costly one. The Canadian Northern is also to prove very costly to this country. Both are among the best-constructed railways in America. The level grades of the Transcontinental permit of a continuous haul of 1,700 tons per train as compared with 950 tons on the other railways. The construction of the Transcontinental railway has shortened the distance between Quebec and Winnipeg by 214 miles, and I am told that wheat for export from the latter point can now be profitably carried to Quebec by rail at less than 10 cents per bushel.

As I have already stated, the Government cannot justify its present policy of assuming the ownership and operation of the Grand Trunk Pacific and Canadian Northern railways otherwise than by assuming at the same time the development and equipment of the Canadian tidewater ports in such proportion as will take care of all the traffic within the scope and radius of these railways, and this can be done only by adopting a prompt, vigorous and energetic policy.

Hon. Mr. L'ESPERANCE.

First, a schedule of export rates via Montreal, Quebec, Halifax, and St. John, that will compare favourably at all seasons with the rates via Buffalo, Portland, New York and other American ports.

Second, the purchase of the needed rolling stock and locomotive power to transport this traffic to Quebec, in summer, and to St. John and Halifax in winter.

Third, by equipping the ports of Quebec, St. John and Halifax with the docks and grain elevators required to handle promptly all the traffic offered by these railways. The sums required for this equipment will be small as compared to the burden it is now proposed to assume.

No one would think of acquiring a large and expensive factory unless he had the machinery to operate it, and had definite, well-laid plans as to the business which was to come. The port of Quebec, I am sorry to say, is not receiving the traffic that it is entitled to get. It was to be, and should be, the eastern summer terminal of the Transcontinental railway. And while I am on the subject may I ask the honourable the leader of the Government why it is that, at a time when maritime rates are so high and bottoms so scarce, the port of Quebec, which is nearer to Liverpool than New York by 500 miles, is not taken better advantage of? Is the loss of one, two, three or more days on the return trip of a ship plying the ocean of so little consequence that it is not worth while to call the attention of the Imperial authorities to this state of affairs? If the Imperial authorities are aware of the facts, may we know the reason why ships are being diverted from Quebec to more distant ports?

We are making tremendous sacrifices in the present war. While our first aim is to help to win the war, no reasonable and sane citizen of this country should neglect to consider the great problems now confronting us or which will arise when peace is declared. This Dominion of ours has tremendous resources, resources which have barely been touched upon; but the wealth and prosperity which the development of these resources will carry must be kept within our borders.

We have not been careful enough in the past. We have allowed the fortune bestowed upon us by Providence to pour through foreign channels. If the great sacrifices we are now making result in teaching us a better national policy, the millions which we will have spent for the

cause of the Allies shall not have been spent in vain.

Honourable gentlemen, I have had little time in life to give way to melodrama, poetry or fantastic dreams. I must therefore be excused if in dealing with this subject I grow enthusiastic. Fourteen years have now elapsed since I resigned a modest position on the Intercolonial railway to join a business firm in the old city of Champlain. How many times since, while walking on that historic terrace—known by the illustrious name of one of our greatest Governors, Lord Dufferin, I have admired that beautiful panorama which no word of mine can adequately describe. While my mind wandered over the wonderful landscape, my eyes were set on the beautiful map of water lying at my feet, and the question came, more pressing every day: why is it that this magnificent harbour of Quebec, almost unique in the world, certainly the greatest and best located tidewater port on the continent of North America, 500 miles nearer Liverpool than the port of New York, is not taken better advantage of?—a port that is accessible to the largest ships afloat, and the largest that man will ever build; a port which can safely harbour all the navies of the world; a port where converge all the great railways of this country—the Canadian Pacific, the Canadian Northern, the Grand Trunk, the Grand Trunk Pacific; a port that could easily be kept open the year round, when it shall truly become the gateway for the freight and passenger traffic of a world-wide Empire. Why is it that this port, so richly endowed by Providence, is so neglected by men?

It is these thoughts and reflections, gentlemen, that have induced me to cast aside my natural distaste for public life in order to contribute to the best of my ability to obtain recognition for that great natural harbour—a recognition which will revolutionize the maritime trade of this young nation, cement together the people of the different provinces, and prove a great boon, not to Quebec alone, but to the whole of Canada and the Empire.

If my feeble words and deeds may contribute in the slightest degree to the realization of this great dream of mine, I shall be amply compensated for the harsh and unjust criticisms which some of my public acts have brought upon my head.

Hon. Mr. CASGRAIN: It does me good to hear a member on that side of the House agree with a member on this side. When I first advocated a rate of 10 cents a bushel from Winnipeg to Quebec, there were not many on my own side to sympathize with me, and those on the other side thought this was absurd. I would also remind honourable gentlemen that the railway authorities, those of the only railway then in existence, away back in 1903 or 1904, namely, the Canadian Pacific railway, said it was preposterous to think of ever carrying wheat between Winnipeg and Quebec for less than 20 cents a bushel. Now, if ever the Transcontinental railway between Winnipeg and Quebec has been justified, it is by the speech of the honourable gentleman who has just taken his seat (Hon. Mr. L'Espérance). He says, and says truly, that wheat can actually be transported at a profit—allowing for a return of the empty cars, if necessary—at 10 cents a bushel; and that statement is corroborated by a rate given by no less a man than the present Minister of Railways, the Hon. Frank Cochrane, a rate of 6 cents a bushel from Armstrong, on the National Transcontinental railway, to Quebec. If my memory serves me rightly, Armstrong is, speaking roughly, about 900 miles from Quebec westward. There remain 450 miles from Armstrong to Winnipeg. Six cents plus three cents for the other 450 miles, which is half of 900, make 9 cents; and allowing for the terminal in Winnipeg, one cent, which is not out of the way, the rate would be 10 cents a bushel.

I am quite in sympathy with the honourable gentleman from the Gulf division (Hon. Mr. L'Esperance) when he says that the port of Quebec should be equipped. There is no doubt that it should. The honourable gentleman seemed to be proud to tell this honourable House that there is now at Quebec one elevator, built of reinforced concrete, which can hold 1,250,000 bushels of grain, and that there will be in the near future another holding 1,000,000 bushels. Well, what is 2,250,000 bushels? At Port Arthur and Fort William there is at present, if I am rightly informed, a capacity for about 40,000,000 bushels or more of grain. There is no reason why the port of Quebec, my old native city, should not be developed. It has immense facilities.

When the honourable gentleman speaks of 15 miles of railway sidings built by the Harbour Commission, I must say that I do not know where they were put, for the area is very restricted; but there is beauti-

ful level land in the estuary of the St. Charles river at Quebec. The formation is very similar to that of Fort William and Port Arthur, and slips could easily be cut into the land, as is being done at those ports; the earth could be excavated and wharves built on each side and elevators erected. There is a fine opportunity for developing that port. The honourable senator from Kingston (Hon. Mr. Richardson) has made use of the port of Quebec, and has handled a quantity of grain which would, I suppose, fill the present capacity at Quebec 160 times in one year; but if there were adequate facilities at the port the grain which is being held at Fort William and Port Arthur all through the winter months could be held just as well at Quebec and would be ready for the early navigation. Enough grain could be stored at the port of Quebec to keep the two railways, or even the three railways, busy if they hauled that grain during the winter time, when business is not very active.

The construction of the Transcontinental has been justified. After all, honourable gentlemen, we have the Transcontinental between Winnipeg and Quebec; we have built it with government money; it is in the hands of the Government to-day. Why not use it? I do not want to impute motives to the Government, but I understand that for a long time the Government was not in sympathy with the enterprise and did not give it a chance, as I have very often said in this honourable House; but, now that we have the railway, of the Government would equip the port of Quebec, as the honourable gentleman has just suggested, the National Transcontinental railway would be a going concern. I will say more: the Canadian Pacific railway would route a cargo over the Transcontinental, as by the Act they have a right to do. The distance between Winnipeg and Quebec is 214 miles shorter by the National Transcontinental than by the Canadian Pacific; and, as the honourable gentleman has truly said, one locomotive on the National Transcontinental railway can do the work of two locomotives on the Canadian Pacific—and I defy any one to contradict that statement. The Canadian Pacific railway between Port Arthur and North Bay runs up and down the height of land four times; it is a succession of toboggan slides. Still the Canadian Pacific is the road that is being pointed to as a magnificent railway. The roadbed is not bad, but the location is poor. There were reasons for locating it where it is, and I do not want to take up the time of this honourable House to explain them. The National Transcontinental railway, on the other hand, runs from Winnipeg, which is at a height of 800 feet above the sea level, up to lake Seul, which is at a level of 1,200 feet, and then along the plateau to the headwaters of the St. Maurice river, and from there down to Quebec. There are tangents of from twenty to twenty-five miles in length, where a train can run as fast as it is possible for a train to run, and with perfect safety. The road is a splendid road and I believe that if the object the honourable gentleman has in view is attained, that is, if the port of Quebec is developed, the National Transcontinental railway will prove to be one of the best assets of the country.

Hon. Mr. SPROULE: I rise to a point of order. I would like to know if it is permissible to discuss an inquiry? It ends with the words: "and will inquire if it is the intention of the Government," etc. So it is really an inquiry and not a motion. I think it is to be regretted that the honourable gentleman introduced the matter in this way, because I know that other senators would like to say something on it, but, thinking they would be out of order if they did so, have refrained from taking part in the discussion.

Hon. Mr. CASGRAIN: I do not wish to interrupt my honourable friend, but the item appears on the Order Paper under the heading of "motion," and that is why I discussed it. I apologize to this honourable House if I have spoken out of order.

Hon. Mr. LANDRY: This inquiry is under the false heading of "motion," but inquiries of this kind, in which the attention of the House is called, are open to discussion. We move for a discussion of the inquiry, and the inquiry is made after the discussion takes place. That has always been the procedure in this honourable House.

The Hon. the SPEAKER: Though the matter is placed under the heading of "motion," I have understood it to be an inquiry. It ends with the words: "and will inquire if it is the intention of the Government to take any action to prevent in future the bulk of the export of the oceanic traffic being routed via American ports." So it is an inquiry, and according to our rules it can be discussed.

Hon. Mr. LANDRY: If the honourable gentleman (Hon. Mr. Sproule) has something to say, the debate may be adjourned, and he can prepare to take part in it the next time.

Hon. Mr. SPROULE: I did not wish to speak on the question at all; but an honourable senator mentioned the matter to me, and I said it was unfortunate that it did not appear on the Order Paper in a form which would, in my judgment, permit of discussion; because, without any motion being before the House, as I understand it, there could not properly be discussion.

Hon. Mr. POWER: May I be permitted to read the rule. Rule 40 says:

When it is intended to make a statement or raise a discussion on asking a question, the Senator having such intention, as part of the notice under rule 21, gives notice that he will call attention to the matter inquired into.

The honourable gentleman who has brought this matter before the House (Hon. Mr. L'Esperance) has complied with rule 40, and the question is open for discussion by the whole House. Questions of this kind, in which attention is called to certain matters, have been discussed in this House since 1877.

Hon. Mr. NICHOLLS: I do not intend to take up the time of the House at any length; but I have listened with a great deal of interest to the honourable gentleman for the Gulf division of Quebec (Hon. Mr. L'Esperance), and I think he has done rightly in calling the attention of this honourable House to the subject matter of his motion. I am particularly interested in it from the standpoint of foreign trade and the future of our trade after the war, and in my few remarks I propose to deal with this question on a broader basis than that of the mere question of adding to the shipping facilities of Quebec and using it more frequently as a port from which our exports should be shipped. I have before me a paragraph from a speech by Dr. Emery R. Johnson, Professor of Transportation and Commerce at the Pennsylvania University, one of the highest authorities on transportation in the United States. It is very brief. It reads:

A country of continental proportions can engage largely and profitably in foreign trade only if equipped with economical means of transportation both by land and by sea. The country well supplied with railways and inland waterways that are co-ordinately and efficiently managed and that serve all sections capable of settlement and development is able to engage successfully in the production of exports and to make profitable use of large quantities of imports both of raw materials and of more or less completely fabricated manufactures. The entire country with all its resources and energies may engage in industrial competition with other countries and sections of the world.

The point to which I wish to draw the attention of this honourable House is that our land transportation and our ocean transportation have not been and are not now co-ordinated. We have spent in round figures, $200,000,000 in developing our canal system. We have spent another $200,000,000 in what might be called facilities for water transportation in the way of dredging, harbour facilities, wharves, docks, and so forth. To that $400,000,000 may be added hundreds of millions of more dollars spent for the development of our railway facilities. Now, that is all spent for one purpose without any co-ordination in so far as ocean traffic is concerned. Let me give an example of what I call businesslike co-ordination for the purpose of reaching a desired end. The Canadian Pacific railway has a transportation line to the Pacific coast and it has at Vancouver its own fleet of ocean steamships. That is co-ordination. It is able to bring the traffic of the Far East to the western hemisphere. It not only adds very largely to the employment of capital and labour in Canada, but it adds to our national wealth, and advertises Canada more effectively, I believe, than any other advertisement. We are about to have before us in this honourable House —at all events, there are this afternoon being discussed in the other House—proposals for the taking over by the Government of the Canadian Northern railway.

That will give us, with the Intercolonial railway, a through line from the Atlantic to the Pacific; and, as the honourable member from the Gulf ports says, we have the most magnificent harbours in Montreal and Quebec. I rather object to Quebec being cited specifically, because at St. John and at Halifax we have spent many millions of dollars in improvements. The question is whether the attention of this House should not be seriously directed to the fact that there is now an opportunity for the Government to give consideration to the question of co-ordinating our inland and our ocean tansportation, to the end that the hundreds of millions of dollars already spent on our inland systems of communication and for the improvement of our waterways

should be so utilized that this country can get the benefit of through overseas traffic by national shipping through national ports.

You will understand that something has to be done when I tell you that there is plenty of scope for shipbuilding. For five years before the war the total average tonnage of new ships built throughout the world was three million tons. Several million tons have been destroyed during the war by mines, by submarines, by wrecks, and by accidents, and in addition nearly every ocean going steamship plying along the trade routes is practically worn out because there has not been time to lay up for repairs owing to the urgent necessities of transportation. The United States has seen the necessity of taking action of this kind, and the Underwood Tariff Bill, which was passed in 1906, I think, made provision for the encouragement of the use of American ports and bottoms owned by or registered in the United States. By that Bill, provision was made that all goods imported into Ameican ports in American bottoms should receive a discount of 5 per cent on the customs duty.

Hon. Mr. RICHARDSON: They did not get it.

Hon. Mr. NICHOLLS: The provision is on the statute book. Perhaps the honourable member from Kingston can tell me whether that has been repealed or has not been put into effect.

Hon. Mr. RICHARDSON: It was put into court and has been kept there for the last two or three years, and has not become effective.

Hon. Mr. NICHOLLS: I cite it as an evidence that the leading men of that country thought it necessary to make that provisions in order to encourage the use of American ports and bottoms; and if the first attempt was not successful, I have no doubt it will be followed up by some other method that will succeed. But I may show in another way that the United States is fully seized of the importance to American trade of providing facilities for overseas traffic in its own bottoms. General Goethals, one of the leading engineers of the United States, the chief engineer for the construction of the Panama canal, says:

A big beginning has been made, with both wooden and steel construction. Contracts have been let for 348 wooden ships, with a total tonnage of 1,218,000, and negotiations are under way for 100 more of these vessels. Contracts have also been let for 77 steel ships, with a tonnage of 643,800. Thus work is now in progress on 425 vessels, with a tonnage of 1,861,800, and the full programme contemplates the production of more than three million tons within eight months.

Hon. Mr. CASGRAIN: Are those wooden vessels?

Hon. Mr. NICHOLLS: Wooden and steel. I may tell you that during the first six months of this current year, 1917, shipbuilding companies in the United States have been incorporated with an aggregate capital of $200,000,000; yet Canada's effort has been the letting of a few contracts for wooden ships for war purposes, and which are not even to be owned in Canada.

Hon. Mr. CASGRAIN: Why will they not be owned in Canada?

Hon. Mr. NICHOLLS: Because they are sold to the British Government, and have to be registered in Great Britain. To show the facilities we have existent: the tonnage of the port of Montreal alone was three millions in 1900, six and one-half millions in 1910, and nine millions in 1914. These figures prove that we have the facilities if we had our own ships. I am quoting Montreal as the principal port; but any gentleman can easily get the figures of the other ports, which mount up very largely. The harbour elevators in Montreal handled, in 1907, one million bushels of grain; in 1908, nine millions; in 1909, twelve millions; in 1910, twenty-one millions; in 1911, twenty-one millions; in 1912, twenty-six millions; in 1913, forty-four millions; in 1914, the year before the war ,sixty-two millions of bushels. From these figures honourable gentlemen will see that the Government has not been backward in well-doing so far as concerns the providing of facilities for handling the trade; but provision was not made to prevent that trade from being handled almost entirely by foreign interests. The point I am trying to make is that the attention of the Government should be called to the necessity of co-ordination between our inland system and our overseas system. In 1913 I was one of a deputation that waited on the Government and presented a memorial, two paragraphs of which I will read :

Canada is so placed between Europe and the Far East that she should be able, if her land and water transportation systems were well developed and skilfully combined, to add to her other commercial advantages an immense carrying trade between those two enormous masses of population. As long, however, as the Canadian transportation system is weak on its water side this possibility cannot be realized.

What Canada Loses.

Apart from this, the atrophy of the Canadian marine deprives the country of profits at once possible and immense; and in addition inflicts positive and severe loss. Including allied and subsidiary interests, not far short of 200,000 persons draw pay from the railway industry of Canada; that is, not far short of a million Canadians are supported by it. Thus not only do the producers of Canada get their goods carried, but the carriage of those goods greatly increases their home market. Further, the producers have under substantial control the rates at and conditions under which their goods are carried; and they value this control highly.

Using Non-Canadian Ports and Non-Canadian Ships.

Compare with this the marine carriage of Canadian goods. It is very largely done by non-Canadians. On the Great Lakes Canadian shipping amounts to a contemptible fraction of the total bulk of tonnage afloat. On the ocean Canadian ships in 1911-12 carried only about one million out of nine million tons carried to and from Canadian ports; and in addition huge quantities of Canadian goods had passed through American ports. We are using non-Canadian ports and non-Canadian ships. Canadians pay from $30,000,000 to $50,000,000 yearly in ocean freight rates, and these almost wholly go to outsiders; compare what we get in increased development, in increased home markets, from the $150,000,000 which Canadians pay annually in railway freight rates. Associated with this is entire lack of control of water transportation rates. At the moment when a powerful effort is being made to force the railways to lower their rates, ocean rates are shooting up with scarcely a word of comment."

In our railway freight rates on land transportation we have the public protected by means of the Dominion Railway Commission; but the whole value of that protection may be destroyed if, after carrying our produce over lines that have cost the country hundreds of millions of dollars, and delivering it at Canadian national ports that have also cost Canada additional hundreds of millions, we are forced to abide by whatever rate the foreign ship-owner chooses to charge us in order to get our goods to market. It is for that reason that I claim that greater attention should be given to the co-ordination of land and overseas transportation; and, until that co-ordination is achieved, we can never be a successful exporting country.

The honourable gentleman who introduced this motion did not suggest any substantial remedy; and, although I am not going to move any amendment, I would suggest to him and to this House that what I am now going to deal with might be a means of providing a remedy. Mr. J. A. Farrell, the president of the United States Steel Corporation, the largest commercial corporation in the world, recently presided at the National Foreign Trade Convention of the United States, and in closing he used these words:

In sober truth the motto of this convention, "Greater prosperity through greater foreign trade," might with entire correctness be made to read, "No enduring prosperity without foreign trade."

Neither can we have enduring prosperity, nor can we have foreign trade, unless we secure such co-ordination between our land transportation and our ocean-going transportation as will enable us, at least in a measure, to compete with the subsidized overseas traffic of Germany and other competing nations. The suggestion I would make as to a method that might, at all events, assist in alleviating the evil complained of, would be the passage of an Act similar to the Shipping Bill passed in the United States in 1915. That Act created the Shipping Board, somewhat in the lines of the Interstate Commerce Commission, and appropriated fifty million dollars for the purpose of establishing lines of shipping by granting subsidies, and in other ways. I do not refer to the question of granting subsidies so much as to the great value that a Shipping Board would be, if for no other purpose than to gather information, to make recommendations, and to make some virile effort to overcome the evil mentioned. I think all of us will admit that the Dominion Railway Board has been of great benefit to the people of this country, and I believe that the railways themselves, who were at first averse to its appointment, will admit that that board by its fairness has been of great benefit to the railways as well as to the people.

Hon. Mr. CASGRAIN: Hear, hear; that was a Liberal measure.

Hon. Mr. NICHOLLS: If we were to institute a Shipping Board that would take up this whole question and co-ordinate the rates between overseas and inland transportation so that we could get through rates not only for all the produce, the wheat and the coarse grains, that we expect to export, but for manufactures and everything else, Canada might feel that she was able to enter into competition with the cargoes of the world. No country in the world has ever done so much as Canada, with her small population, on the northern half of this continent; but there is plenty of room for us to do more, and here is the way in which we can help ourselves, help the country, and help the Empire.

Hon. Mr. CASGRAIN: The honourable gentleman said that ships were now being built in Canada for British register, and that they would not be Canadian ships although built with money supplied by the Canadian government. Is that right?

Hon. Mr. NICHOLLS: So far as my understanding goes, those ships have been ordered by the Imperial Government through the Imperial Munitions Board, and they are being sold to Great Britain in the same manner as we are selling munitions, and when they are delivered on the other side they are no longer our property.

Hon. Mr. CASGRAIN: But we advanced the money for them?

Hon. Mr. NICHOLLS: No, the money is advanced by the Imperial Government.

Hon. JULES TESSIER: I wish to express my satisfaction that this question has been brought up, as it is one of vital interest to the district of Quebec which I represent, as well as to the province of Quebec and the whole of Canada. It is admitted that the equipment of the port of Quebec is a matter of national importance. As has been said, Quebec is the natural terminus of navigation for the East, where ships of the greatest tonnage can come and find every facility for discharging and loading cargo, and when that port is properly equipped any large fleet of steamers can be harboured in it with safety. The great Quebec bridge will be opened in a few weeks, and I hope this time with success, so that Quebec harbour will be in touch with all the railways of Canada, which can transport wheat and other products to any destination in Europe more cheaply by that than by any other route.

It has been suggested by the press that Quebec might be made a free port, like Hamburg in Germany, so that vessels arriving in Quebec could discharge their cargoes without any encumbrance, even of customs officers, who would only interfere when the goods would be released for their destination.

I am most happy to congratulate the honourable member from the Gulf (Hon. Mr. L'Esperance) upon having brought up this question. I am glad that he has found a seconder in the honourable member for Toronto (Hon. Mr. Nicholls), a gentleman who has shown much talent and breadth of mind since taking his seat as a member of this House. I hope that the Government will do its best to help this enterprise and to meet the aspirations of Quebec.

Hon. Mr. DANIEL: Just exactly what does the honourable gentleman mean by urging that the port of Quebec should be made a free port? Does he mean free from harbour dues or customs duties?

Hon. Mr. TESSIER: I mean a port of free entry.

Hon. Mr. ROCHE: I would like to ask the mover of the motion if he knows the through rate on freight from Port Arthur, say, to Boston. Grain is carried at the lowest figure; frequently liners from New York carry grain across the ocean at a penny a bushel. If the honourable gentleman can tell us the through rate from Port Arthur, say, to Boston, we could form an idea for a comparison.

Hon. W. C. EDWARDS: Honourable gentlemen, I have listened with a great deal of interest to the addresses delivered to the House upon this question. It struck me that the question of free trade was very largely involved, because, if we are to have shipping from Canada, we must obtain return cargoes, and under a protective system we are very largely debarred from that condition. Trade always follows the line of least resistance, and so does shipping. The bulk of our grain is exported via New York, because rates by that route from the point of production to the point of use are lower and the facilities are greater than by our Canadian routes. I understand that the great bulk of the grain is not carried by tramp steamers, but by liners.

My honourable friend from Toronto (Hon. Mr. Nicholls) dwelt on the question of transportation and the building of ships, and referred to the fact that the United States is now working in that direction. It is a fact that the United States transports in its own vessels, but a very small proportion of its products; the great bulk is carried in British, Norwegian, and other ships of foreign register. Prior to the American war the United States transported a very large percentage—I have forgotten the exact figure—60, 70 or 80 per cent—in their own ships; but as a result of the high protective system which came into force in that country, their ships were driven from the ocean. What I now state I know as a matter of fact. The passage of the Shipping Bill, which has been referred to, was so detrimental to the shipping interests of the United States that their large owners of ships immediately registered them under British registry. It is practically and positively impossible for a country to be a large

shipping country under a protective system; and it is because of the trade system of Great Britain that she does practically the whole carrying trade of the world. We all delight to see the products of Canada going through our own ports to foreign countries; but we would not impose on the western producer a condition whereby his products would go to the countries that buy them at a higher rate of freight than would be the case if they were sent through another country. I do not believe in penalizing the people at both ends—levying protection against what they import and imposing unjust conditions upon their exports. Give the people a chance to live.

A great impetus has been given to shipbuilding in the United States, and to some extent in Canada, largely because of the enormous destruction of ships which is at present taking place; but it is a question whether Canada or the United States can be made shipping countries under their existing trade relations. Our trade returns show that the largest proportion of our exports are sold to Great Britain, and that by far the largest proportion of our purchases are from the United States. You cannot send goods to Britain by ships and bring goods back from the United States by ships. I should like to know under what system, as conditions exist at present, you can develop the shipping interests of Canada so far as the ocean is concerned.

Hon. Sir JAMES LOUGHEED: The honourable gentleman who has moved this motion (Hon. Mr. L'Esperance) has asked me, as representing the Government:

> If it is the intention of the Government to take any action to prevent in future the bulk of the exports of the oceanic traffic being routed via American ports.

I may point out that the phraseology of the motion itself absolves the Government from any criticism as to its inaction or passivity upon this particular question. The motion states that our Atlantic ports—

> —are now properly equipped for the storage and speedy handling of grain and other merchandise, and that the exportation of our products by the allied government buyers should be routed through our Canadian ports.

There are sound economic reasons why it is impossible for the Government of any country to direct through artificial channels the promotion of shipping or the development of ports to the extent that seems to be anticipated by many people. My honourable friend from Rideau (Hon. Mr. Edwards) can always find in the absence of free trade a good reason for any of the so-called difficulties which confront us, and I have never known a difficulty that could not have been solved by my honourable friend from De Lanaudière (Hon. Mr. Casgrain) if proper recognition had been given to the sagacity of the statesmen who built the National Transcontinental railway.

The honourable gentleman from Rideau (Hon. Mr. Edwards) has alleged—and he seems to be sincere in the comfort which he derives from having pointed out from time to time, almost from time immemorial—that all these difficulties could be overcome by the adoption of free trade. Notwithstanding the criticism which he has directed to the development of American ports and the diminution of American shipping, it is quite manifest that the United States has been doing very well under a protective tariff. I have not learned that the United States has been suffering distress from the lack of national growth through the adoption of its trade policy. The trouble in regard to its shipping has been that the United States has always sought to place coast regulations and other restrictions around its shipping which have been absent in British shipping. Shipping has to be as free as the oceans over which the ships sail, and any nation that attempts to place restrictions upon its ships, either in port or out of port, will find that it has handicapped, not only the ships that come into its ports, but the ports themselves, to such an extent as to practically destroy the development of all its national ports.

My honourable friend referred to the legislation, passed a few years ago in the United States, which induced owners of American bottoms to register them as British bottoms. That was not due to the tariff of the United States; it was entirely owing to the tyrannical restrictions placed upon the shipping which came into United States ports. If the ports of Canada are to be built up, they have to be left free to the ships of the world.

If we seek to carry out this project by arbitrary measures, such as were suggested by the honourable gentleman from Toronto (Hon. Mr. Nicholls), and attempt to coordinate our land transportation system with our sea-going system, we shall enter upon a policy which would be prejudicial to all the systems. In ocean transportation we cannot enforce such rates as we would upon inland transportation systems. There must be free competition, free rivalry between the ships of the whole world, if they

are to come into our ports and develop them. Ships of every nation sail into Canadian ports, and it would be utterly impossible to devise any system whereby we might enforce against ocean-going vessels regulations such as the United States have sought to enforce against bottoms coming into American ports.

Hon. Mr. BEAUBIEN: The Canadian Pacific Company have done very well by co-ordinating their land and sea transportation systems. Why could not that be done with the Grand Trunk and the Canadian Northern systems?

Hon. Sir JAMES LOUGHEED: When my honourable friend talks about co-ordination between the inland transportation system and the ocean-going fleets of the Canadian Pacific railway, it is a misuse of language, because it is all one system. It is a system of through traffic from the Pacific to the Atlantic, or, in fact, around the world. We are confronted with an entirely different situation. Ships of every nation come into the port of Quebec and carry our products from there to the other ports of the world. There are manifest reasons why the ports of Montreal, St. John and Halifax have become enormously developed of late years. I venture to say that those three ports have developed proportionately to a greater extent almost than any others on the continent. We can very well understand the development of the port of Montreal. Montreal has been made a terminal point for the great transcontinental railway systems of Canada—the Canadian Pacific and the Grand Trunk. It seems to me that the Government could not by any legislation say to the Canadian Pacific Railway Company: "Your fleet must leave Quebec, not Montreal." The greatest freedom must be given to all ships to sail from any port that they may think most advantageous. Furthermore, we cannot ignore the fact that there are certain prejudices against navigation in the St. Lawrence. I am not going to enter into a discussion upon that subject. The touchstone may be that insurance rates on the St. Lawrence are very much in advance of those exacted upon other routes.

I may say to my honourable friend from the Gulf (Hon. Mr. L'Esperance) who has brought this matter up, and who has favoured the House with a very interesting discussion upon it, that the Government of Canada has always taken a deep interest in the development of the port of Quebec, and of late years the present Government has concentrated a great deal of attention and the expenditure of a very large amount of money upon the development of the facilities and equipment of that port. I have no doubt that at a comparatively early day we shall reap some of the advantages which will flow from that expenditure. If the Government of Canada should enter upon the policy, which has been foreshadowed in the other House, of acquiring a large system like the Canadian Northern railway, that system together with the National Transcontinental and the Intercolonial would possibly enable the Government to carry out such a policy of co-ordination as exists between the Canadian Pacific railway and its fleet, which was so eloquently outlined by my honourable friend from Toronto. The time may come, and let us hope, honourable gentlemen, it will, when we may possess a system of national transportation by which Canada not only will be operating a great system of inland railways but may be sailing her own fleet to all parts of the world.

Hon. Mr. CROSBY: Honourable gentlemen, I should like to have this debate adjourned, because I desire to say a few words on the subject and am not prepared to do so at the present time. This is one of the most important questions to be dealt with in this honourable House, and one to which I feel it my duty to give some attention. If it is agreeable to the honourable leader of the Government, I would move the adjournment of the debate until Tuesday next.

The debate was adjourned.

CRIMINAL CODE AMENDMENT (JURORS) BILL.

THIRD READING.

Bill 97, an Act to amend the Criminal Code (respecting jurors).—Hon. Sir James Lougheed.

MEAT AND CANNED FOODS BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 73, an Act to amend The Meat and Canned Foods Act.—Hon. Sir James Lougheed. Hon. Mr. Daniel in the Chair.

On subsection 12A of section 2—Fish, etc., canneries to be subject to inspection; cans, etc., to be marked:

Hon. Mr. POWER: Is not this one of the clauses to which the honourable gentlemen

from Tignish (Hon. Mr. Murphy) and Souris (Hon. Mr. McLean) objected?

Hon. Sir JAMES LOUGHEED: I have spoken to my honourable friends on the subject, and, with the exception of subsection 12D, to which I propose to move an amendment, the Bill appeals to them as being reasonably fair.

Hon. Mr. MURPHY: I may say, for the information of the honourable gentleman from Halifax (Hon. Mr. Power) that there is a general blanket clause with regard to labelling, and it has been agreed that it shall be put into effect every year, by Order in Council. In general, I do not believe in Orders in Council as taking the place of statutes, but under the circumstances it may be necessary to submit to an Order in Council in order that the interests of all concerned may be safeguarded. Whether the Government are Tory or Grit, they will likely pass that Order in Council to enable the industry to go on. As you will see in that clause, the Governor in Council is empowered to grant exemption in certain cases where the export or sale of the goods would be otherwise interfered with. It is for my honourable friends to say whether they think it is wise or not to leave that provision in the hands of the Government. I am satisfied that the Government will do what is right.

Hon. Mr. THOMPSON: Let it go.

Subsection 12A of section 2 was agreed to.

On subsection 12D of section 2—contents and size of cans of lobster:

Hon. Sir JAMES LOUGHEED: I move that the word "sixteen" in the third line of clause 12D be changed to "fourteen"; that the word "twelve" in line 4 be changed to "ten and a half"; that the word "eight" in the next subclause be changed to "seven"; and that the word "four" in the next line be changed to "three and a half".

Hon. Mr. MURPHY: And eliminate "picnic can" altogether. The name indicates what it is. Nobody is deceived.

Hon. Sir JAMES LOUGHEED: It seems to me that it had better be taken out. It might lead to deception and it might possibly be a difficult matter to determine what a picnic can is. I would add to my motion that the words "a picnic can, ten ounces, avoirdupois," be stricken out.

Hon. Mr. BOSTOCK: Is there in the Meat and Canned Foods Act any definition of what a picnic can is?

Hon. Sir JAMES LOUGHEED: No; this seems to be a new term.

Hon. Mr. MURPHY: As a matter of fact it never was defined; it was just an omnium gatherum.

Hon. Sir JAMES LOUGHEED: It would perhaps lead to confusion with the other packages. A picnic can might be put up as a pound can. I think the term should be struck out, and when the Bill comes up for a third reading, if it is desirable to reinstate it, we can do so then.

Hon. Mr. MURPHY: Do not give the picnic can a status, that is all.

Hon. Mr. BEIQUE: Would not the honourable leader of the Government think it better to let this remain and include in the "picnic can" the fourteen ounces and other weights of cans as well as the ten ounces, so that the present practice would not be interfered with, but the door would be opened for the inauguration of perhaps better practices and the amendment would better meet the desire of the House of Commons?

Hon. Mr. McLEAN: The three-quarter pound can, containing ten and a half ounces, is really a picnic can; there is a difference of only half an ounce. So there would be no necessity for having the two sizes of picnic cans.

Hon. Sir JAMES LOUGHEED: What has just been said is very pertinent to the question. My honourable friend (Hon. Mr. Beique) will observe that we have already made provision for the ten and one-half ounce can, and it seems to me rather anomalous to make a further provision for a picnic can when there is a difference of only half an ounce. It might possibly lead to confusion, and I think it is better to leave it out.

Hon. Mr. BEIQUE: I do not see any objection to it. By the amendment you are preventing the inauguration of a practice under which the sixteen-ounce weight would be adopted.

Hon. Sir JAMES LOUGHEED: Then we would confine it strictly to weight.

The amendment was agreed to, and the subsection as amended was agreed to.

On subsection 12H of section 2—imported fish to be labelled, etc.:

Hon. W. B. ROSS: I do not think that clause is well worded. It provides that "all canned fish or shellfish imported into Canada shall be correctly labelled." I think it should read, "all cans of fish or shellfish."

Hon. Mr. BOSTOCK: I think if my honourable friend will look at the definition clause at the beginning, he will find that it makes the wording correct.

Hon. Mr. MURPHY: My honourable friend (Hon. Mr. Ross) is a little too particular.

The subsection was agreed to.

On section 3—when liable for seizure:

Hon. Mr. MURPHY: I am not going to make a serious objection, but I desire to register my protest against this clause. Small lobster packers, for instance, who pack perhaps one hundred or two hundred cases and who are running a little corner grocery, cannot take their cans from their own factory. They do not put a label on their pack, which would add 50 cents to the cost. I do not understand why section 3 was put in, and I think it should be struck out. All along the shores of Nova Scotia and New Brunswick it costs fully 50 cents to label a case of lobsters, and everything that adds to the cost to the man who produces is naturally charged to the consumer. It is for you, honourable gentleman, to say whether or not it is right to allow that section to pass—whether any good purpose would be served by requiring the small dealer to pay that extra 50 cents and charge it up to the consumer. I do not think it is in the interest of our domestic trade.

Hon. Sir JAMES LOUGHEED: We are protecting the public.

The section was agreed to.

The Bill was reported.

CRIMINAL CODE AND EVIDENCE ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 124, an Act to Amend the Criminal Code and the Canada Evidence Act.—Hon. Sir James Lougheed. Hon. Mr. Crosby in the Chair.

Hon. Sir JAMES LOUGHEED.

On section 3—definition enlarged to include place where indecencies practised:

Hon. Mr. BEIQUE: I took exception yesterday to the last words of this clause: "or occupied or resorted to by one or more persons for such purposes." If those words remain in the clause, it would mean, for instance, that a person might close his house during the summer season, and if a servant happened to go into the house and commit an act of indecency, that house would be stamped as a bawdy house. It seems to me that that is going too far, and I would suggest that those words be stricken out, and be replaced by the following:

> Any place occupied or resorted to for such practice shall, in as far as may be necessary to reach, arrest or punish the person or persons making use of the same, be treated as a common bawdy house.

I think that will answer the purpose, and yet not have the effect of stamping the house as a bawdy house.

Hon. Sir JAMES LOUGHEED: I would point out to my honourable friend that the amendment incorporated in the Bill is very much more of a protective character than the Act as it stands to-day, the new words introduced into the Bill being, "or for the practice of acts of indecency." The old law was:

> A common bawdy house is a house, room, set of rooms or place of any kind kept for purposes of prostitution or occupied or resorted to by one or more persons for such purposes.

Hon. Mr. BEIQUE: The law was bad as it was, and open to the abuse to which I direct attention. I move this amendment in the expectation that the Department of Justice will look into the question.

Hon. Mr. MURPHY: Notwithstanding my high opinion of the member for De Salaberry, I do not think he has improved the Act. I would like to know why he wants to change that clause.

Hon. Mr. BEIQUE: My purpose is to remove the stigma placed upon a private residence which may be closed for the summer season, and in which an act of indecency might be committed without the knowledge of the owner. At the same time, my amendment provides that any party who commits an act of indecency may be reached with the same effect as if it were a bawdy house.

Hon. Mr. MURPHY: It seems to me that the clause as it stands covers everything.

If a servant went into the house, as suggested, or even if some one rented the house, it would not be "kept for purposes of prostitution," and if an accident happened the innocent holder would not be to blame.

The amendment was negatived on division: yeas, 11; nays, 14.

Section 3 was agreed to.

The Bill was reported.

The Senate adjourned until to-morrow at 3 o'clock.

THE SENATE.

Thursday, August 23, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE MILITARY SERVICE BILL.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Is there any foundation for the statement, persistently made in the public press of Canada, since the adoption of Bill 75, Compulsory Military Service Act, by the Senate, on the 8th of August, 1917, that the Government is not prepared to ask the Royal Assent to the said Bill 75?
2. If so, what is the cause or the reason for such unpreparedness and hesitation on the part of the Government?
3. Is there any foundation for the statement, in the public press, that the British Government has been, or is in negotiation with, or having "pourparlers" with the Government of Canada, regarding the adoption, the Royal sanction, and the enforcement of said Bill 75?

Hon. Sir JAMES LOUGHEED:

1. No.
2. Answered by No. 1.
3. No.

MINISTRY OF INLAND REVENUE.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Does the Prime Minister of Canada intend or propose to fill the vacancy in the Federal Cabinet caused by the resignation of Hon. L. N. Patenaude from his position as Minister of Inland Revenue, tendered and acccepted on the 12th day of June?
2. If the Prime Minister so intends and proposes, when will he fill the said vacancy?

Hon. Sir JAMES LOUGHEED:

1. Yes.
2. The Government cannot fix the exact date.

ENFORCEMENT OF THE MILITARY SERVICE ACT.

MOTION FOR RETURN.

Hon. H. J. CLORAN moved:

For a return of all correspondence and communications that may have taken place by letter, cable, wireless or otherwise, between the Government of Great Britain and Ireland and the Government of Canada either through His Excellency the Governor General or the Prime Minister, or any other Canadian authority, regarding the adoption, the Royal sanction, and the putting into force of Bill 75, commonly known as the Compulsory Service Act in Canada.

He said: Honourable gentlemen, I find it passing strange that Bill 75, commonly known as the Compulsory Military Service Act in Canada has not been definitely dealt with, although it was passed in the House of Commons three weeks ago. It was introduced into that House by the Prime Minister in a hurried manner, and put through as rapidly as possible, on the ground, as stated by the Prime Minister, that the Bill was absolutely necessary and of great urgency as a war measure, for the purpose of helping the Allies to win the war—there was not one minute to be lost; and while helping the Allies to win the war, it was intended to help our boys at the front by replacing them as they were killed or became wounded or disabled. Those were the reasons given by the Prime Minister in urging Parliament to pass this Bill without any delay.

What has happened since? The Bill came before this House three weeks ago; the Senate took only three or four days for its discussion and adopted it with a few slight amendments; and, for the convenience of the Government, and much to our own discomfort, we sat up until two or three o'clock in the morning to give our vote on that measure of supreme importance, a measure which has taken the precedence in every public meeting throughout the Dominion for the past six weeks. Only yesterday or the day before the Liberals of Winnipeg South unanimously adopted a motion calling for conscription of men at once. No later than last Saturday week, the Minister of Militia went to camp Borden and promised there and then that this Bill would be put into force immediately. These are facts known to the entire public.

What I desire to ascertain is, what kind of construction are we to place upon these facts. The Government is now more depleted than it was a week ago. The Government has to-day one minister less than

it had three days ago, on account of its indecision and inaction. One of the most prominent ministers of the Cabinet for the past six years, the most influential, the most capable of dealing with the organization, especially in election matters, has gone out, on the same ground as that of this motion. He tendered his resignation a week ago and left the Cabinet a few days ago. It was announced in the House of Commons, and only yesterday in this House, that he had resigned on account of the indecision and inaction of the Prime Minister and of the Government in matters of this kind.

The object of my motion is to find out what are the real reasons for delay. That motion is plain and deals with a matter to which the attention of the people of this country has been called, and on which this Parliament has a right to an ample and non-mysterious explanation. This game of conscription must be played aboveboard. We must know what is going on in the councils of the country as well as on the floor of Parliament. We are all waiting as we showed by our vote, to hear that this measure shall be put into force immediately; and yet it is being held up. Held up by whom? Not by the House of Commons, because—I will not use the word smuggled; but last Saturday, after our amendments had been held up in the House of Commons for four days, it was put through when, I believe, there was no quorum in the House. Now, when the House of Commons and the Senate are ready to have this Bill go into immediate effect, why is it held up? Remember, what I say on this question is not to approve of the attitude of the Government in bringing down the measure and putting it through as has been done, or to ask for an immediate enforcement. I am not going to urge upon His Excellency the Governor General to sanction it without due consideration. I am not going to impede the Imperial authorities in weighing the situation which has been developed in Canada since the initiation of this Act, especially since its passage. I am not going to urge the Imperial authorities to weigh carefully and fully, as they are doing, the situation created in Canada by the initiation and passage of this Bill. The Imperial authorities would rather do without this Bill than see a civil war or rebellion in Canada. It is not a paltry 75,000 or 100,000 men from Canada who will win this war. The cry is a claptrap one, for party purposes. Win the war by the present Government! What right have they to claim that they alone in Canada can win the war? Is anybody in Canada who does not go to the colours to be called a traitor, a rebel, or a slacker, when he is working in the sweat of his brow to supply munitions for the boys at the front or to gather in the harvest for the boys at the front? I can readily understand that the Governor General and the Imperial authorities are taking the wiser course of deliberate consideration regarding the unfortunate results that will spring from this Bill. The Imperial authorities are farther away and can weigh the results must more accurately and much more devotedly to the Crown than can the politicians in Canada who are looking to maintain themselves in power in spite of the will of the people. The Imperial authorities say that it is better to do away with the so-called conscription of 75,000 or 100,000 men than to set race against race, and province against province, as this Bill unfortunately has done. By throwing this gaseous bomb into the political arena two months ago Sir Robert Borden not only disrupted the parties in the House of Commons and in the Senate, but he has disrupted Confederation as far as he could by this measure.

I want to know why Sir Robert Borden, after disrupting the two great political parties in both Houses of Parliament, after disrupting his own Cabinet, after setting province against province and race against race, and while our boys are fighting, bleeding, dying, and coming home disabled and wounded—I want to know what is the reason for his indecision and inaction at the present moment in regard to this Bill. I hold that if the Prime Minister does not at once obtain the sanction of the Imperial authorities, through His Excellency the Governor General, for putting this Bill into immediate force, the only duty left to him is to resign like a man and to relinquish the reins of office to the hands of a leader who will be able to do things along democratic lines. There is no disgrace, no shame in resigning from a position. Any observer who has taken an interest in parliamentary affairs, especially in Europe, has from month to month, and from year to year witnessed resignations, not of ordinary officials, but of the Prime Ministers of the Allied powers and of the Central powers. What course was taken by Viviani, whom we all admired two months ago at the time of his historical declaration

of principle on the floor of this Parliament, after having successfully conducted the affairs of France for the first two years of the war? It was under his régime that the battle of the Marne was won and France was saved to civilization and liberty. But when Viviani's usefulness had gone what did he do? He went too, without growling, without calling for a coalition government, without going to his opponents for aid, without calling for a union. He did not stand on the order of his going. What course was followed by the Prime Minister of England, who brought to the front the ablest soldier of modern times, Kitchener, and jointly with him conducted the affairs of this war for two years? The Hon. Mr. Asquith, when he found his usefulness gone, did not stand on the order of his going; he went too. The same thing has happened a dozen times in Italy. Prime Ministers and ministers have resigned time and time again. I need not refer to other Allied powers, but let me give to the country and this Parliament the greatest example of all—an example which the Prime Minister ought to have followed long ago. Hollweg, the most formidable and the most skilled Chancellor or Prime Minister that ever ruled over the destinies of Germany, when it was found by the powers of the Empire that his usefulness had passed away, what did he do? He retired like a man. He went back to his garden and his art productions, to cultivate flowers and to paint. There was no growl from him. He did not look for a coalition with his opponents; he did not look for a national government. or a union government so called; he relinquished the reins of office and handed them over to a man whom the Kaiser and his advisers thought would be more capable. The same thing happened in Austria and Hungary. Has the same thing happened in Russia? Yes, it happened there, but it happened with a vengeance; it was not only the Prime Minister that went, it was the Czar himself, his entire family, his entire Government, and all that belonged to him. But here in Canada, when a statesman's usefulness has gone, he does not go; he stands on the order of his going. In Canada there is only one power to give him the order to go—the electorate of the country. Up to the present time he has declined to face the electorate of Canada. Some of his friends are still urging Parliament to pass another Extension Bill, but that will be a long way off. There is the difference between the Prime Minister of Canada and the Prime Ministers of the belligerent countries— of France, England, Russia, Germany, Austria, and Hungary. In Canada one would imagine that the Tory right to govern was divine, that the Tory Administration was the only safeguard of the Empire, and that only through the fool laws of the Government could the boys at the front be saved from being killed, disabled or wounded. It is time for the Government to wake up and to see the humiliating position not only in which it finds itself, but into which it has forced this Canada of ours. We are being humiliated before the Empire and before the world on account of the administration of this Government. The world to-day looks on Canada as a divided nation, with race against race—shall I say religion against religion? Pretty near that—province against province. How long are we going to stand for this condition of affairs? We have to stand for it until the 7th of October.

If the Prime Minister cannot follow the example of the Prime Ministers and ministers in the several Parliaments which I have mentioned, at least he ought to follow the example of his own colleagues. Three years ago one of the brightest minds in the Cabinet, one of the best educated men then among us, the late Hon. Mr. Monk, resigned on a question of principle. He disagreed with the Prime Minister. He was man enough to resign. The ex-Minister of Militia, who has done more for the boys at the front than the entire department, who was known as plain Sam Hughes, was the idol of the boys at the front. I am not going to mitigate or condone the serious mistakes which he made; I have nothing to say as to his quarrels with the Government and with the Prime Minister; I have nothing to say about the treachery in the Cabinet against him. Like former ministers, he was in a nest of traitors and could not do anything. When he wanted to send soldiers to the front, he was told by the Prime Minister that the voluntary system had gone far enough and that it was time to let up on it. His mistakes are easily wiped out by the services which he rendered to Canada and to the Empire in raising 350,000 men under the voluntary system. What greater merit could a public man possess? But he resigned. He was practically forced out of the Cabinet. Then there was the Hon. Mr. Patenaude, the most able French Canadian in the Cabinet. He was not thinking to maintain himself in office at the expense of the electors? He did not think he

was justified in keeping a portfolio when the electors deemed it a crime for him to continue in the Government. Others have remained for the loaves and fishes, but on the 12th of June last Hon. Mr. Patenaude tendered his resignation because of the principle of this very Bill. The vacancy has not yet been filled. The province of Quebec is without proper representation in the Cabinet to-day, and the honourable member for Montarville (Hon. Mr. Beaubien) and the brilliant new member from Quebec (Hon. Mr. L'Esperance) and others who ought to have the interests of Quebec at heart, should be to the fore demanding that the rights and privileges of the province of Quebec should be maintained. What do we find? There is absolute silence. What are these honourable gentlemen here for? Are they here to defend the rights and privileges of the province they represent? Why do not they stand up and demand that those rights and privileges shall be respected? Then we have the case of the honourable the Speaker of this House resigning one of the highest honours in the gift of the Crown on a question of principle, the principle that he was not fairly treated. He resigned like a man. That happened over a year ago.

These are things which the public want explained. The Parliament and the people are entitled to this information. We must not allow this Bill to be the object of catspaw play. It has been thrown from one meeting to another and from one convention to another. It was thrown into Parliament. When the Bill was introduced I said that it was not for the conscription of men, but the conscription of votes, and my prediction of five weeks ago has been fulfilled.

The Hon. the SPEAKER: Order. The honourable gentleman must speak to the motion before the House. He has no right to go beyond that.

Hon. Mr. CLORAN: I accept the decision, but I do not know whether the Speaker is a competent authority on the matter—

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN—a competent authority on the decision, which I accept.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: Do you want me to accept it? If you do—

Hon. Mr. MURPHY: We do not want any reflections on the Speaker.

Hon. Mr. CLORAN.

Hon. Mr. CLORAN: I will reflect on the leader of the Government who went over and whispered into his ear what to do.

Some Hon. SENATORS: Order.

The Hon. the SPEAKER: I will have to name the honourable gentleman.

Hon. Mr. CLORAN: I was saying that this motion called on Parliament to give to the people full information regarding negotiations and communications that may have taken place between the Imperial authorities and the Governor General, the Prime Minister, or any other authority. I was on that point when I was called to order. I do not see how I could be closer to the subject of the motion. What I have said is based on fact, and what I want and what the country wants is a full knowledge of the inside story of the hold-up of Bill 75, commonly known as the Compulsory Military Service Act.

The motion was negatived on division: yeas, 6; nays, 18.

MEAT AND CANNED FOODS BILL.

THIRD READING.

Bill 73, an Act to amend the Meat and Canned Foods Act.—Hon. Sir James Lougheed.

CRIMINAL CODE AND EVIDENCE ACT AMENDMENT BILL.

THIRD READING.

Bill 124, an Act to amend the Criminal Code and the Canada Evidence Act.—Hon. Sir James Lougheed.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 118, an Act to amend the Government Railways Act, Hon. Mr. Landry in the Chair.

On section 2—definitions:

Hon. Mr. BOSTOCK: Is there any difference between the "Government Railways" and "Canadian Government Railways"? I do not see the need of a double definition.

Hon Sir JAMES LOUGHEED: I presume they may be referred to in some statutes as the Canadian Government Railways.

Section 2 was agreed to.

On section 3—application of certain sections of Railway Act to government railways:

Hon. Mr. BOSTOCK: I would like to have an explanation as to exactly what this means, and to what it refers.

Hon. Sir JAMES LOUGHEED: This, of course, is in anticipation of the general Railway Act that we are now considering. Perhaps under the circumstances we had better not proceed with this Bill until we have the Consolidated Act. In fact, that is the reason why it stood over. Inasmuch as the number of the chapter has to be filled in, and as the Act we are now considering will be made applicable to it, it will probably be better to defer it. I therefore move that the committee rise, report progress, and ask leave to sit again.

Progress was reported.

COMPANIES ACT AMENDMENT (NON-GAINFUL CORPORATIONS) BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill U2, an Act to amend the Companies Act so as to provide for the incorporation by Letters Patent of Corporations for purposes other than that of gain.

He said: Some weeks ago I intimated that it was the intention of the Government to bring down legislation for the control of war charities, and also to adopt general provisions of the Companies Act, whereby the incorporation of such companies would be facilitated. We have had the Companies Act before us for some time, that is, before the Committee on Banking and Commerce of the Senate; but it is somewhat doubtful whether Parliament will be able to complete the Act during the present session. In anticipation of its not going through we have therefore selected from the Companies Act certain clauses that have already been passed by the Committee on Banking and Commerce, dealing with this subject, and those particular clauses are embodied in the Bill which is now before us. It proposes a short and cheap way of incorporating companies, associations, or corporations that have as their object war charities or other patriotic purposes. Application for incorporation will be made under the Companies Act to the proper branch of the Government, and letters patent will be issued with very little cost to the applicants for the objects set forth in those letters patent. I would therefore move the second reading of this Bill.

The motion was agreed to, and the Bill was read the second time.

WAR CHARITIES BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill V2, an Act relating to War Charities.

He said: This Bill may be said to be complementary to the previous Bill, the second reading of which I moved a few moments ago. The purpose of this Bill is to enforce by way of penalties any infraction of the law which is thereby created. This makes provision for prohibition against raising money for war charities without registration, the object being to place within the knowledge of the Government the organization of companies that have been called into being for this particular purpose. We have made certain exceptions, such, for instance, as church collections, and other exemptions may be made, from the term "war charities." The Bill makes provision for registration, and furnishes complete machinery for the carrying out of the law, and for controlling and regulating under a series of penalties the object which it has in view, that is, assisting war charities, and at the same time preventing their abuse.

Hon. Mr. BOSTOCK: As I understand it, the object of this Bill is to enable any one desiring to raise money for the purpose of war charities to get cheap registration.

Hon. Sir JAMES LOUGHEED: That is the first Bill.

Hon. Mr. BOSTOCK: But I notice that this Bill also provides for some kind of registration. Is it intended that an individual can under this Act become registered for the purpose of raising money for war charities?

Hon. Sir JAMES LOUGHEED: Yes. In section 4 provision is made for registration. That would be a system of local registration. This Act is based somewhat on the English Act, but it is much less cumbersome. In fact, when the Bill was first drafted, there was incorporated in it much of the municipal machinery which obtains in England; but it is manifest that that would not be applicable here on account of the wide range of municipalities over which applicants would have to travel, and the lack of proper machinery for taking cognizance of organizations of this kind.

The chief object is to enforce penalties against infractions. In reality, the organization of those charities will take place under the former Bill; yet at the same time this Bill will be not only regulative, but will facilitate the organization of local charities in a way that the other does not contemplate.

Hon. Mr. BOSTOCK: I presume it is also aimed at preventing unauthorized persons from representing themselves as collecting money for a war charity, with the design of keeping for themselves the money so collected. Any gentleman who has ever read the paper called Truth, published in England, will very often have seen in it reference to people who make a business of collecting money for charities connected with the war or otherwise by working on the good nature of citizens, and practically appropriating that money to their own use. I do not know of any such case in this country, but I presume that this Bill would very largely prevent such a practice.

Hon. Sir JAMES LOUGHEED: It is directed against that kind of thing.

Hon. Mr. SPROULE: Would not this Bill, if it became law, prevent the activities of numerous societies of ladies connected with churches, who give dinners and hold bazaars and sales in order to raise money for the benefit of soldiers, or their dependents? If I read it correctly, I think this Bill would interfere with all that, unless such societies were registered for that purpose. If the Bill has that effect it will cause quite an interesting time amongst many ladies connected with churches.

Hon. Sir JAMES LOUGHEED: Unless they come under section 4. When we go into committee we can deal with that.

The motion was agreed to, and the Bill was read the second time.

NORTHWEST GAME BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 100, an Act respecting Game in the Northwest Territories of Canada.

He said: This Bill makes provision for the protection of game in the Northwest Territories of Canada. Honourable gentlemen know that there is a very large section of our northwest which is unorganized territory. It is proposed to revise the game regulations which are now in operation in that portion of Canada, and not only to enforce to a greater extent the laws now upon our statute book, but to add to the protection of the big game in that section of our Dominion by the adoption of penalties and the appointment of proper officers.

Hon. Mr. THOMPSON: Do you propose to enlarge the staff of game wardens?

Hon. Sir JAMES LOUGHEED: As my honourable friend will observe, the Bill may be said to be divided into two parts, one of which deals with the regulations which will be in force relating to the game mentioned, particularly in section 4, and the penalties which will be attached to any infraction of the law. The other part deals with the appointment of the necessary officers to see that the law is duly enforced. Somewhat similar legislation has been passed by the western provinces. For instance, Ontario, Saskatchewan, Alberta and British Columbia have all legislated in the direction of adopting, by order in council, such regulations as will successfully protect the game in their respective provinces. Of course, the section of the Dominion covered by this Bill is entirely outside of any of the provinces mentioned. It would be impossible by statute to deal with exactitude with all the conditions which obtain in a country so very sparsely populated, and where it is so difficult to secure information as in that section of Canada. Honourable gentlemen familiar with game will observe, by looking at section 4, the very wide range of game covered by this Act, and will recognize the necessity of protecting that game. Of late years there has been a tendency on the part of American hunters particularly to drift over into our northern territory by way of Alaska, with a view to hunting game. Unless there is a very rigid enforcement of the law, and unless we adopt regulations of such a character as will warrant our relying on the carrying out of the law, it will only be a short time before our game will have disappeared. I think that has been the experience of the United States to a very large extent, particularly in Alaska, where the caribou and similar game have almost entirely disappeared.

Hon. Mr. THOMPSON: There are licenses for the open season?

Hon. Sir JAMES LOUGHEED: This Bill makes provision for the open season. This is a matter to be placed entirely in the hands of the Government, so that it may adopt such regulations as will most strongly

and efficiently carry out the objects of the Act. It will be readily appreciated by honourable gentlemen that we shall have to rely mostly upon the Northwest Mounted Police to enforce the Act, and this Bill makes special provision for the selection of officers from amongst the Northwest Mounted Police and other government officials for that purpose. I may say that this Bill has received special consideration in the Commons, on account of the interest taken in the subject by the members from the western provinces, and it has been largely redrafted; so the Bill in its present form may be said to be a very well-considered and well-digested piece of legislation.

Hon. Mr. DANIEL: How is a knowledge of the Act to be disseminated amongst the people of the Northwest, especially where the population consists largely of Indians and Eskimos?

Hon. Sir JAMES LOUGHEED: The Indians have certain rights that the whites have not.

Hon. Mr. BOYER: This Bill is another step in the right direction, to protect the resources of the country, but there is one point to which I wish to draw the attention of my honourable friend. He has just told us that we shall have to depend mostly upon the Northwest Mounted Police for the carrying out of the regulations. Well, if anybody violates those regulations in the polar regions, for instance, and is arrested, who is going to try him? Will that man have to travel a thousand miles or so? Are there in that country any courts that will decide his case?

Hon. Sir JAMES LOUGHEED: The game officers will be ex-officio justices of the peace. Even as the law is to-day, that is the practice carried out in the Northwest; the officer of the police performs practically all the duties in regard to the carrying out of the law—as to the arrest of the accused, his trial, and so on. That is necessary in the very nature of the conditions in that far country.

Hon. Mr. BOYER: You cannot expect the man who makes the arrest to judge the accused, can you? He would surely decide in his own favour.

Hon. Sir JAMES LOUGHEED: That may be, but that is practically the law to-day. I do not want to say anything about my own experiences, but when I went into the Northwest, in the pre-railway days, the Northwest Mounted Police fulfilled all the offices.

Hon. Mr. THOMPSON: They were judge and jury.

Hon. Sir JAMES LOUGHEED: They were sheriff, jailer, judge, and everything else.

Hon. Mr. WATSON: And hangman.

Hon. Sir JAMES LOUGHEED: And I do not know that the practice was subject to any abuse. It seems to me, looking back upon my experiences in that country, that the system which prevailed at that time—though it lacked, of course, the very elaborate machinery of to-day—was much more advantageous for the administration of justice than the present system.

Hon. Mr. BOYER: I do not want any elaborate machinery, but I should like to see some provision made for the trying of a case. I have the fullest confidence in the mounted policeman, but if he is all alone at the post how is the case of a violation of the law to be tried?

Hon. Mr. WATSON: He will try it himself.

Hon. Mr. BOYER: Try it himself? Then God help the accused.

Hon. Sir JAMES LOUGHEED: The mounted policemen's instructions are that the accused shall be tried by a disinterested justice if there is any possibility of that being done, but where it becomes evident that if that were done the accused would have to travel say one hundred miles or more, the law is to be administered on the spot. Natural justice, in fact, is carried out.

Hon. Mr. BOYER: There is at the present time a case in point. Two Eskimos were brought from the Polar sea to Saskatchewan to be tried for murder. How is it they were not tried on the spot?

Hon. Sir JAMES LOUGHEED: There are no police up there.

Hon. Mr. POWER: I wish that the honourable leader of the House, before we go into committee, would make some inquiry as to paragraph a of section 4. That paragraph gives as the close season for moose, caribou, deer, mountain sheep and mountain goat, from the first day of April to the 15th day of July, and from the first day of October to the first day of December. I cannot understand why the close season should be as there set out. The month of

August and September are really the months when moose and caribou need most to be protected. Then, as I understand, is the rutting season, which is just the time of the year when no one should be allowed to kill a moose or a caribou. There may be some good reason for this paragraph, and I am calling the honourable gentleman's attention to it so that he may inquire and find out the reason.

Hon Sir JAMES LOUGHEED: I shall make inquiry into that.

The motion was agreed to, and the Bill was read the second time.

MINISTRY OF OVERSEAS MILITARY FORCES AND PARLIAMENTARY SECRETARIES BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 122, an Act respecting the Minister of the Overseas Military Forces, the Parliamentary Secretary of the Department of Militia and Defence, and the Parliamentary Under-Secretary of State for External Affairs.

He said: This is a Bill to make provision for the appointment of an Overseas Minister of Militia, or to authorize the appointment which has already been made. As honourable gentlemen are aware, no legislation has been brought down until the present session authorizing the creation of this particular office, although it has been established by Order in Council under the War Measures Act. It is needless to point out that the enormous task which has been thrown upon the Militia Department in connection with the organization and transporting overseas of our Expeditionary Force requires that we should have in England some machinery for the proper administration of our military affairs on the continent. As honourable gentlemen know, Sir George Perley, the acting High Commissioner for Canada, has been transacting the duties of this office for nearly twelve months past, and he has been transacting those duties, I think, in a way that appeals very strongly to the people of Canada and in the interests of our forces upon that side of the water. The Bill provides that the office shall continue during the war and for such period afterwards as will permit of the winding-up of the duties of the office. The minister is given the same status as any other Minister of the Crown, and the same salary.

The Bill also makes provision for the appointment of a Parliamentary Secretary of the Department of Militia and Defence and a Parliamentary Under-Secretary of State for External Affairs. It is unnecessary to point out that the duties which have been cast upon the Minister of Militia in Canada have been so very largely augmented by reason of our engagement in the war as to render it desirable that he should be given all the help possible. Consequently the office of Parliamentary Secretary has been created and has been ably and acceptably filled by the present incumbent, Mr. McCurdy, of Halifax. It is proposed, not that the parliamentary secretary should become a member of the Cabinet, but that he should perform the duties which are set out in the Bill. It is also unnecessary to say—because honourable gentlemen will appreciate the fact—that the duties thrown upon the Prime Minister have increased so overwhelmingly as to render it almost impossible for him to transact them all with credit to himself and with advantage to the country. Hence the office of Parliamentary Under-Secretary of State for External Affairs has been created for the purpose of assisting the Prime Minister in his very arduous duties. It is proposed that the parliamentary secretaries of those two departments shall be paid at the rate of $5,000 per annum, and that their duties shall be for the continuance of the war and until the end of the session of Parliament held next after the cessation of the war.

Hon. Mr. DANDURAND: In both cases?

Hon. Sir JAMES LOUGHEED: In both cases—as to the Overseas Minister of Militia and as to the two parliamentary secretaries.

Hon. Mr. BOSTOCK: This Bill involves something rather new to us in this country—the idea of creating a position in the Government and allowing a member of the House of Commons to hold that position without going before the country for a confirmation of his appointment. My honourable friend the leader of the Government has not given us any very strong reasons why this position of Minister of the Overseas Military Forces had to be created. We have heard from the ex-Minister of Militia that this office was absolutely unnecessary. He has stated in another place that the work had been done very much better, and at very much less expense to the country, before the position of Minister of Overseas Military Forces was created, than it has been done since. The situation

at the present time is that we have in England a Minister of Militia who has, as we understand, a large number of officials under him and is carrying on a very important work; but, at the same time, we apparently have no control over him and no means of finding out what is being done in that department. I do not think that any statement as to the number of officials in the department, or any particulars as to how the department is carried on, has ever been rendered to Parliament. It would seem to me that it must lead to much confusion to have one minister responsible for the work of the department in Canada, another minister responsible for the work of the department in England, and, as far as we know, either of them able to initiate a policy or carry out his ideas without any relation to the other. I do not wish to say anything derogatory to the holder of the office; but I certainly think that it would have been much better to keep the department in England under the control of the Minister of Militia in Canada, and that arrangements could have been made so that the work would be done just as well by experienced officials who would carry out instructions as they received them.

With regard to the other two positions created by this Bill, those of Parliamentary Secretary of the Department of Militia and Parliamentary Under-Secretary of State for External Affairs, I understand that these officials have been acting for many months. Inasmuch as there is every likelihood of an election coming off shortly, I hardly see the necessity of bringing in this legislation at the present time in order to place them in those positions, when they could go to the country and have their positions confirmed in any event at the time of the general election. These gentlemen, no doubt, have been doing quite a good work for the country; but I think that it is not a satisfactory way for us to legislate to depart from the principle that any member of Parliament who is offered a position of emolument under the Crown shall not accept it without going back to his constituents for confirmation in his position. It is breaking away from a principle which has been followed ever since representative government was established.

Hon. Sir JAMES LOUGHEED: In England the principle has been ignored; legislation has been enacted against it.

Hon. Mr. BOSTOCK: Under special conditions existing there.

Hon. Sir JAMES LOUGHEED: Conditions similar to those which exist here.

Hon. Mr. BOSTOCK: For instance, when Mr. Winston Churchill was appointed the other day to a position under the Crown, he went back for re-election.

Hon. Sir JAMES LOUGHEED: The British Parliament has legislated so that certain ministers, who occupy positions that have been necessitated by the war, shall not be required to go back for re-election. The British Parliament has created, for instance, the Ministry of Labour, the Ministry of Food Control, the Ministry of Shipping, the offices of parliamentary secretaries, all with salaries attached, and it has been enacted by Imperial statute that it shall not be necessary for the incumbents of those offices to go back for re-election, because the offices terminate immediately after the war.

Hon. Mr. BOSTOCK: I think that if my honourable friend went further into that matter he would find that the reason was that it was desired to bring into the Government men who had training along business lines, but who had not been in public life, and had had nothing to do with running elections. It was very necessary, in the interests of the business of the country, to have those particular men in the Government, and there was a possibility that, having had no experience in public life and no experience in such matters as elections, they might be defeated if they had to go to a constituency for election. Furthermore, as they were not in public life at the time of their appointment they did not represent any constituency to which they could go for re-election. But in this particular case we are passing legislation for the purpose of placing in certain positions gentlemen who represent constituencies in the House of Commons; therefore I think that they are in a position somewhat different from that of the gentlemen to whom my honourable friend has referred.

Hon. Mr. WATSON: And with no extraordinary qualifications.

Hon. Mr. BOSTOCK: As I mentioned before, Mr. Winston Churchill, who was taken back into the Cabinet the other day, returned to his constituency for re-election before accepting the position. I therefore think that this legislation is hardly justifiable; but of course the Government must take the responsibility for it.

Hon. Mr. DANIEL: With regard to the remarks that have just been made by the honourable gentleman from Kamloops (Hon. Mr. Bostock), I think it is a fact that, while the Right Honourable Mr. Churchill went back to his constituency for re-election after being appointed recently to the Cabinet, there are no contested elections held in Great Britain for any such purpose as that.

So far as the appointment of parliamentary under-secretaries is concerned, if my memory is correct—and if it is not I am open to correction—although they received a salary, those gentlemen were never expected to go back to their constituents. The reason, as I understand it, is that they are not members of the Cabinet in the same way that cabinet ministers are, but are the appointees of the minister for whom they act as under-secretaries. The cases are not at all the same. In fact, I am not sure whether under-secretaries belong to the Cabinet or not. I do not think they do.

Hon. Mr. POWER: I think the honourable gentleman from St. John (Hon. Mr. Daniel) is mistaken with respect to under-secretaries in the Old Country. Under ordinary circumstances they have to go back for election.

Hon. Sir JAMES LOUGHEED: There is a distinction drawn between parliamentary secretaries and under-secretaries. I am referring to parliamentary secretaries.

Hon. Mr. POWER: I am not finding fault with that provision of the Bill, because, as we are going to have an election very shortly, it would perhaps be unfair to the gentlemen who are to fill the positions of parliamentary secretaries that they should have to run two elections within a very short time. There is an Under-Secretary for External Affairs who was appointed under an Act which was passed, I think, some ten years ago. He is a permanent officer, and a very competent officer, quite capable, I think, of doing any work that has to be done in that direction. Further, honourable gentlemen will notice that there is very little discussion either in this House or in the other House with respect to what may be called external affairs. I think the creation of a Parliamentary Secretary of External Affairs is quite unnecessary. I quite concur in what has been said by the honourable gentleman from British Columbia (Hon. Mr. Bostock) with respect to the Overseas Minister of Militia. It seems to me that it is a most anomalous and awkward condition that there should be a Minister of Militia here and another Minister of Militia in England. I should think it would be better to send another secretary to England. The officer in England should be under the control of the Government here, and should be subordinate to the Minister of Militia.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until Tuesday, August, 28, at three o'clock in the afternoon.

THE SENATE.

Tuesday, August 28, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

CANADIAN NORTHERN RAILWAY.

FINANCIAL STATEMENTS.

Hon. Mr. BOSTOCK inquired of the Government:

1. What is the extent and the particulars of the obligations to the province of British Columbia, and certain municipalities in British Columbia, that the Dominion Government will have to assume under the proposed arrangement for taking over the Canadian Northern Railway system?
2. Are there similar obligations to any of the other provinces?

Hon. Sir JAMES LOUGHEED: The following statement shows the lines of railway and other works of the Canadian Northern Pacific railway which have been aided by the guarantee of securities by the province of British Columbia, also the extent of the guarantee in each case:

1. (a) Main line ..... 500 miles.
   Vancouver island ..... 100 "
   600 "

   C.N.P. 4% securities guaranteed, $35,000 per mile.
   C.N.P. 4½% securities (on main line only), $10,000 per mile.

2. Branch lines:
   (a) Westminster to Vancouver 11 miles.
   (b) Westminster to Steveston 15 "
   (c) Victoria to Union bay.. 18 "
   (d) Vancouver island extension 150 "
   (e) Kamloops to Vernon..... 145 "
   339 "

   C.N.P. 4½% securities guaranteed, $35,000 per mile.

3. Terminals: Vancouver, New Westminster, Port Mann, Steveston, Victoria, Union

Bay—Canadian Northern Pacific 4½ per cent securities guaranteed, $10,000,000.

As to 1, the main line has been completed. The first 100 miles on the island have been fully graded, but not railed on account of the impossibility of obtaining steel. So far as item No. 1 is concerned, there are practically no further obligations to be assumed with the exception of track-laying on Vancouver island line.

As to 2 (a), the construction of the line between New Westminster and Vancouver has been deferred. In the meantime, the company has entered into a running rights arrangement with the Vancouver, Victoria and Eastern Railway to use their line between these points. This arrangement had the sanction of the local authorities, the line being opened for traffic by them accordingly. In view of the fact that this avoids duplication of lines and will answer the purposes of traffic for many years, it may be expedient to subsequently consider making this arrangement permanent.

As to 2 (b), New Westminster to Steveston. Line graded and track laid. Connection with main line at New Westminster end, including bridge over north arm of the Fraser river yet to be completed, this portion being deferred pending consideration of utilization of existing lines of another railway.

As to 2 (c), Victoria-Union Bay line is completed and in operation.

As to 2 (d), Vancouver island extension. Line graded to Alberni. Construction north of this point deferred owing to war.

As to 2 (e), Kamloops to Vernon. Branch line from main line into city of Kamloops under construction and certain rights of way acquired. Construction on balance of line deferred owing to war.

As to 3, terminals. The company's programme for terminals at Pacific coast points involved an expenditure of approximately $10,000,000, of which the principal works were in the city of Vancouver. It was intended that these facilities would be provided from time to time to meet the requirements of traffic upon the opening of the various lines. The war having begun prior to the completion of any of the lines, this delayed the company's terminal programme. Contracts, however, were made with various parties for the necessary filling of False creek and the construction of a station, terminal, freight sheds, etc. This work is in progress at the present time, and it is expected will be completed ready for operation early in the new year. The agreement with the province of British Columbia does not specify the extent of the obligation of the company in respect to these terminals, it being merely provided that the proceeds of the guaranteed securities above mentioned should be entirely expended for such purposes.

It should be noted that the original contract with the province made under date of 2nd April, 1910, has been notified in certain particulars by special arrangements between the company and the province, and it is specifically provided in the contract that if, owing to unforeseen engineering difficulties or other circumstances beyond the reasonable control of the company, it will be impossible or impracticable to carry out absolutely the terms of the agreement, the Lieutenant-Governor may from time to time authorize amendments therein so long as the spirit of the agreement is not departed from.

With respect to the construction of the balance of the mileage referred to in 2, conditions arising out of the war have rendered it impossible at the present time to proceed with the further construction of branch lines. No change in these conditions can be expected until at least some time after the conclusion of the war, and even then unforeseen circumstances may arise which will require an entire readjustment of the arrangement between the company and the province with respect thereto.

Municipal Obligations.

The Canadian Northern Pacific Railway has not entered into any contract with any municipality in British Columbia with the exception of the city of Vancouver with regard to the False creek terminals. Considerable progress has been made in the performance of this contract, and the work is still under way, provision for this being largely included under the terminal securities guaranteed by the province. Owing to conditions arising out of the war, this work, in common with the work upon the lines of railway, has been more or less delayed, but the contract with the municipality makes provision for extension of time due to delays arising by reason of strikes King's enemies or other unavoidable causes.

In the province of Manitoba there are no construction contracts of any description outstanding.

Statements are attached showing the contracts made with the provinces of Alberta and Saskatchewan and progress made in

respect thereof. These contracts have been subject to amendment from time to time as circumstances have arisen, and the company did not contemplate any difficulty in making such modifications as may be reasonably in the interests of all the parties. In view of conditions created by the war, and new conditions which may arise after the war, it may be necessary to modify these contracts still further in so far as they are completed; and, since the interests of the provinces and the company are closely allied in railway matters, it is not contemplated that there will be any great difficulty in doing so.

There are no outstanding construction contracts with any municipalities in any of the three provinces.

Province of Saskatchewan.

All lines 4 per cent securities guaranteed, $15,000 per mile.

1. Contract May 17th, 1909: (a) Maryfield westerly, 135 miles, completed; (b) Dalmeny northerly, 40 miles, completed; (e) Battleford northwesterly, 50 miles, completed.

2. Contract March 15th, 1910: (a) Craven northeasterly, 40 miles, construction deferred; (b) Aylesbury-Davidson westerly, 120 miles, 76 miles completed; (c) from line 1 (a) southerly, 25 miles, completed; (d) Maryfield line, easterly, 65 miles, construction deferred; (e) Radville to Moosejaw, 100 miles, completed; (f) Maryfield extension, 75 miles, 50 miles completed; (g) Crooked lake, 60 miles, completed; (h) Canora southerly, 20 miles, completed.

3. Contract July 15th, 1911: (a) Vonda northeasterly, 25 miles, graded; (b) Avonlea westerly Swift Current, 135 miles, completed to Gravelbourg, 79 miles; (c) Humbolt to Melfort, 60 miles, 34 miles graded; (d) Delisle southerly, 35 miles, completed.

4. Contract December 23rd, 1912: (a) Maryfield westerly, 60 miles, construction deferred; (b) Jackfish extension, 30 miles, construction deferred; (c) Thunderhill extension, 40 miles, construction deferred.

5. Contract January 15th, 1914, all lines 4½ per cent securities guaranteed, $15,000 per mile: (a) Luck lake branch, 35 miles, 4 miles graded, construction deferred; (b) Yorkton branch, 45 miles, 41 miles completed, 4 miles graded; (c) Shellbrook-Jackfish line, 45 miles, construction deferred; (d) Lampman northerly, 45 miles, construction deferred; (e) New Warren southwesterly, 35 miles, construction deferred.

6. Contract covering terminals and bridges at Moosejaw, 50 per cent completed.

Hon. Sir JAMES LOUGHEED.

4½ per cent securities guaranteed for $1,000,000.

Province of Alberta.

1. Contract June 2nd, 1909: (a) Strathcona-Calgary, included in 2 (b); (b) Edmonton-Peace River, 50 miles, included under 9; 4 per cent securities guaranteed, $13,000 per mile.

2. Contract March 27th, 1911: (a) Morinville-Athabaska Landing, 65 miles, line completed; (b) Calgary-Lethbridge, 355 miles, 258 miles Strathcona to Calgary built, 41 miles south of Calgary graded; 4 per cent securities guaranteed, $15,000 per mile.

3. Contract August 18th, 1911: Bittern Lake-Vegreville, 50 miles, line completed; 4 per cent securities guaranteed, $15,000 per mile.

4. Contract February 28th, 1912: Goose Lake extension, 130 miles, line completed; 4 per cent securities guaranteed, $15,000 per mile.

5. Contract April 4th, 1913: (a) Little Bow River-Macleod, 110 miles, portion graded included in 2 (b); (b) Macleod westerly, 65 miles, 34 graded; 4 per cent securities guaranteed, $15,000 per mile.

Contract February 28th, 1912.

6. Athabaska Landing-Fort McMurray, 175 miles, Contract abandoned at request of province; 4 per cent securities guaranteed, $15,000 per mile.

7. From point on No. 6 to Lac La Biche, 40 miles, Contract abandoned at request of province; 4 per cent securities guaranteed, $15,000 per mile.

8. Athabaska Landing-Peace River Landing, 100 miles, Contract abandoned at request of province; 4½ per cent securities guaranteed, $15,000 per mile.

9. Onaway northwesterly, 250 miles, 73 miles graded, 30 miles track laid; 4½ per cent securities guaranteed, $20,000 per mile.

10. Edmonton-St. Paul de Metis, 100 miles, 100 miles graded, 31 miles track laid; 4½ per cent securities guaranteed, $18,000 per mile.

11. Bruderheim easterly and southerly, 200 miles, Construction deferred; 4½ per cent securities guaranteed, $15,000 per mile.

12. Calgary, northeasterly, 100 miles; Construction deferred; 4½ per cent securities guaranteed, $15,000 per mile.

13. Camrose southeasterly, 80 miles, 70 miles completed; 4½ per cent securities guaranteed, $15,000 per mile.

14. Strathcona-Pincher Creek, 100 miles, Construction deferred; 4½ per cent securities guaranteed, $15,000 per mile.

15. Blackfalds easterly, 130 miles, 60 miles completed; 4½ per cent securities guaranteed, $15,000 per mile.

16. Blackfalds westerly, 114 miles, Completed; 4½ per cent securities guaranteed, $25,000 per mile.

Hon. Mr. BOSTOCK inquired of the Government:

1. What amount of cash has been received by the Canadian Northern Railway system from the bond guarantee of $45,000,000 provided for by the Acts 4 and 5, George 5, Chapter 20?

2. Has the whole amount of $41,905,117, estimated on page 703 of the Senate Hansard of 1914, as necessary to complete the Canadian Northern Railway system, been received by the same?

3. If the whole amount has not been received, how much has been received?

4. Has this all been paid over to the Canadian Northern Railway system?

5. What are the details of the expenditure of the same?

Hon. Sir JAMES LOUGHEED:

1. The total proceeds of $45,000,000 Canadian Northern railway, 4 per cent Debenture Stock guaranteed by Dominion of Canada under chapter 20, George V, is $37,108,325.13.

2. No.

3. Total amount received by Canadian Northern Railway system to date, $36,334,-203.13.

4. Answered by No. 3.

5. The details of the expenditure of the amount received by the Canadian Northern Railway system are as follow:

Canadian Northern Pacific railway—account construction of British Coumbia lines, $11,575,728.

Canadian Northern Ontario railway—account construction of Ontario lines, $1,463,-069.

Canadian Northern railway—account rolling stock, $10,462,908.22.

Canadian Northern railway—account betterments and improvements to lines, $5,499,321.

Canadian Northern Alberta railway—account construction, $886,434.

Canadian Northern Western railway—account construction, $2,124,184.

Canadian Northern railway — account construction, $3,530,305.

Mount Royal Tunnel and Terminal Company, Limited—account construction, $150,-000.

Interest and discount, $642,253.91.

Total, $36,334,203.13.

Hon. Mr. BOSTOCK inquired:

1. Under the proposed arrangement to take over the Canadian Northern Railway system does the Government take over the Canadian Northern Town Properties Co., Ltd.?

2. If so, what are the assets and liabilities of this company?

3. How many townsites does it own or control?

Hon. Sir JAMES LOUGHEED:

1. No.

2 and 3. Answered by No. 1.

Hon. Mr. BEIQUE inquired:

Has the Canadian Northern Railway Company or any of the companies forming part of the Canadian Northern system, any other liabilities direct or indirect than those mentioned in or covered by the financial statement respecting Canadian Northern Railway system and Grand Trunk Pacific railway printed by order of Parliament and bearing No. 237, 1917; and if there are any, what are they?

Hon. Sir JAMES LOUGHEED: The audited statement included in the blue-book shows all the liabilities of the Canadian Northern Railway system as of the date mentioned. Neither the Canadian Northern Railway Company nor any of the companies forming part of the Canadian Northern Railway system have any other liabilities, direct or indirect, than those mentioned in or covered by the financial statements respecting Canadian Northern Railway system printed by order of Parliament and bearing No. 237 or subsequent statements placed upon the table of the House of Commons as the respective dates of such statements.

MOVEMENTS OF SIR GEORGE PERLEY.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. Has the Government any information, official or otherwise, of the recent official movements of the Hon. Sir Geo. Perley, M.P., High Commissioner of Canada to London, and Overseas Minister of Militia in England?

2. Has the Government any information, official or otherwise, of the actual or intended departure for Canada of the Hon. Sir Geo. Perley?

3. If it has such information, what is the cause, and what are the reasons for this unexpected return of the Canadian High Commissioner to London and of the Overseas Minister of Militia in England, under the present public and political conditions and circumstances?

Hon. Sir JAMES LOUGHEED: The Government, for public reasons, declines to give any information as to the official movements of the Acting High Commissioner.

FORMATION OF NEW GOVERNMENT.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. Does the Prime Minister of Canada intend or propose to replace the present Conser-

vative-Nationalist Government by a Coalition, Union or other form of government?

2. If so, does the Prime Minister intend or propose to give effect to such proposal with the Government and with the House of Commons in its dying hours of constitutional existence, without, or before, a general consultation of the electorate of Canada?

Hon. Sir JAMES LOUGHEED: For an answer see correspondence between the Prime Minister and the late Minister of Public Works, laid on the table of the Senate on the 21st instant.

SHIPMENT VIA CANADIAN PORTS.

DISCUSSION CONTINUED.

The Senate resumed from August 22 the adjourned debate on the inquiry of Hon. Mr. L'Espérance:

To call the attention of the Senate to the fact that our tidewater ports are now properly equipped for the storage and speedy handling of grain and other merchandise, and to urge that the exportation of our products by the allied government buyers should be routed through our Canadian ports as far as possible, and to inquire if it is the intention of the Government to take any action to prevent in future the bulk of the export of the oceanic traffic being routed via American ports.

Hon. A. B. CROSBY: Honourable gentlemen, the resolution which was moved by the honourable member for the Gulf (Hon. Mr. L'Espérance), and on which I had the honour of adjourning the debate, is a very important one. It deals with transportation both for domestic purposes and for export; it deals with terminal facilities. It deals with that great question which has been placed before the people of the Dominion of Canada to-day more forcibly perhaps than ever before. I would pray the indulgence of this House for a short time while I refer to the transportation question as it affects us in eastern Canada.

I want, first, to congratulate the honourable gentleman who moved this resolution on the very able and eloquent manner in which he has brought the matter before this honourable House. I want to congratulate, also, the province of Quebec, from which he comes, and particularly the city of Quebec, on having a gentleman so enthusiastic, so optimistic, and so strong in his desire to see that that province and that old city by the sea shall get the consideration which it has apparently not received in the past.

Now that the time has arrived when the great railway systems of the Dominion of Canada are about to be taken over and managed by the Government of Canada, it is fair to ask if the people farther east may not expect a fair share, in fact, the whole, of the exports from this great Dominion through our Atlantic ports. The honourable gentleman states that the port of Quebec is now equipped with terminal facilities for all the export from this Dominion across the Atlantic. I congratulate him on that; but while that great old city by the sea is, as he stated in his speech, one whose port can be kept open all the year—and I can congratulate him on that also—he must remember that the great ports of St. John, Halifax, Louisburg, North Sydney and Sydney, any one of them sufficient for any ordinary nation, are all open throughout the entire year. However, as we are the possessors of an extraordinary country, all of these ports may be needed.

But, while congratulating my honourable friend that the port of Quebec has sufficient terminal facilities, I am sorry to say that the same cannot be said of the terminals further east. In the port of St. John great preparations have been made by the great Canadian Pacific railway, with facilities for handling exports. In the port of Halifax, I am pleased to say, fair progress is being made, though not as speedily as I should like to see, but we are approaching the time when we shall have facilities for handling a great deal of the shipments for overseas—and a large portion of our Canadian shipments must go overseas via Halifax. As our neighbours to the south of us are our competitors in this connection, it is certainly fair for us to expect and assume that shipments which originate in the Northwest, or in the centre of Canada, shall go through Canadian ports. We have for a long time been emphasizing, both in Parliament and out of it, the right of Canadian ports to the Canadian export trade. I have often wished, honourable gentlemen, that it were possible for the western and eastern citizens of this country interested in public affairs or occupying seats in the House of Commons and in this Chamber to assemble on some occasions and travel from the East to the West and back again, to observe and take into consideration all the great opportunities and facilities that exist in this Dominion for cultivation in the West and for export in the East. I think this would have the effect of creating a much better feeling amongst our people than exists at the present time. There are in the West good and true men who desire good fellowship to prevail in this country; but, I am sorry to say, we sometimes find, on the contrary, men from the western part

of this Dominion who think and talk only of the interests of the West and forget the East altogether. That is an unfortunate condition; because, honourable gentlemen, this great country of ours, to my mind, has a great future before it, but that future can be properly realized only by good fellowship, by neighbourly feeling between the great West and the East. As my honourable friend (Hon. Mr. L'Espérance) has said about Quebec, what is good for Quebec is good for the whole Dominion; so I say, what is good for the western part of Canada is good for the eastern part, and what is good for the East must be good also for the West. We are all living under the same flag, and desire to remain under it forever. Therefore it would be better for us if there were closer relations among our people, and if a better understanding and knowledge and friendship prevailed. Under all circumstances, it is necessary to make little sacrifices one for the other, just as in family matters some member of the family may occasionally have to make sacrifices in the interests of the other members.

The honourable gentleman from Rideau (Hon. Mr. Edwards), in speaking on this question, said that it was a free trade matter. Well, to my honourable friend, everything seems to be a free trade matter; he never thinks of anything but free trade. Yet he has not in his mind that idea of free trade which I should like to see him have, so far as Canada is concerned. I have heard the honourable gentleman make two or three speeches, and they were all of the same character. They were not in any way flattering to Canada. Honourable gentlemen, I have been sorry to hear such remarks coming from a man of his standing in this Dominion, and who should have more knowledge than his speeches would indicate that he possesses. I as a new member have been really ashamed to listen to the speeches recently made by that honourable gentlemen, and I think there are few men in Canada who would not feel as I do. Furthermore, if that honourable gentleman will read the speech made by his honoured leader in the other House on the occasion when he presented a resolution to incorporate the Grand Trunk Pacific railway, or the National Transcontinental railway. I am sure it will furnish a good lesson to the honourable gentleman. I hope he will read that speech and consider it carefully before he makes another speech in this House on Canadian resources.

Honourable gentlemen, we have to-day a railway problem in Canada. I am not going to discuss the question of the cost to this country of the Transcontinental Railway or the Grand Trunk Pacific. We know that we have the railway, and I am told by many that it is a good road. I am told by others that it has cost too much. However, if it is a good road I do not care whether it has cost a little more than it ought to have cost, because we have the road and need it, and can make good use of it. I cannot help thinking of what was stated by public men in this country when the Canadian Pacific railway was built with the assistance of the Government. There were at that time in this country men who said that the road would not earn the cost of the grease for the axles. They were able and competent men, and believed in what they said at that time. But what was the result? I need not say more on that question, for everybody knows what was the result. I think that history is perhaps repeating itself to-day. One thing is certain, honourable gentlemen, that in the case of every large project started in this country, no matter where, or how well started, or how quickly built, it is found by the time the project is finished that it is too small for this country. So I think we need not trouble ourselves to discuss what the cost of the railway was. The time for that is past. We cannot now change the cost, but we have the road; and, even if it cost a little more than it should, let us make the best use of it. We need the road, and in order to prove that, I desire to read a line or two from a report made by one of the most eminent civil engineers in this country, or perhaps on the continent of America. What that gentleman says will give us some idea of our situation respecting railway facilities. This is a report, issued by the Canadian Society of Civil Engineers, of a paper read by Mr. W. F. Tye, who is well known to you all. He was the chief engineer of the Canadian Pacific railway for some years and is now a consulting engineer in the city of Montreal, a man of outstanding ability. This is what he says of the condition of our railroads:

> A consolidation of the Grand Trunk, the Grand Trunk Pacific, Transcontinental and Canadian Northern railways would give a well-balanced system. The Grand Trunk has an excellent system in the east, with terminals in all large and important centers—

Well, I do not agree with him. I do not know whether or not my friend has ever been farther east than the cities of Montreal and Quebec. I am not going to say anything about those great seaports.

Hon. Mr. CASGRAIN: Is the honourable gentleman referring to me as his friend?

Hon. Mr. CROSBY: I hope the honourable gentleman is my friend. I like to look on his smiling face as that of one of my friends; but the gentleman whom I am quoting is Mr. W. F. Tye. He apparently refers particularly to the ports of Montreal and Quebec. Of course, the city of St. John, as I have already stated, has considerable terminal facilities, and we are getting some in the city of Halifax—I hope it is not too late. There are also, in the Maritime Provinces, the ports of Sydney, North Sydney and Louisburg, ports which are open practically the entire year, and, if my honourable friend from the Gulf (Hon. Mr. L'Espérance) can succeed in hurrying the scheme which he has in mind, the port of Quebec also will be open the whole year. Mr. Tye goes on to say:

The Canadian Northern has a good system of feeders in the west; the Grand Trunk has not. Each is strong where the other is weak. Combining them must, of necessity, be the most economical and efficient way of handling the situation.

Those are Mr. Tye's observations with regard to the Grand Trunk Pacific, the Transcontinental and the Canadian Northern. He said further:

Such a combination would not require more than $100,000,000 to provide it with sufficient rolling stock and to put it in proper physical condition to compete with the Canadian Pacific.

Honourable gentlemen, you can see from that statement, made by a man of such standing, that he knows what he is talking about. He was chief engineer of the Canadian Pacific Railway Company. That is enough to recommend a man anywhere. He tells how, with the expenditure of that $100,000,000 in providing additional feeders and in equipping terminals, we should have another transcontinental railway that would compare with the Canadian Pacific railway and be a good competitor of that company. He says further:

The saving in capital cost would be at least $300,000,000, and, at present rates of interest, the saving in fixed charges at least $15,000,000 per annum.

He is there discussing the question of having the roads brought under one management. Mr. Tye claims that this country is responsible for those railroads, which have been assisted and subsidized by the Government of this country, whatever Government it hay have been; Canada is responsible for carrying them on; therefore he suggests that we have now reached the point when those railways should be consolidated and managed by the Dominion Government. I hope and trust that such a plan may be adopted as will be in the interest of the people of this country and as will free the railways as much as possible from political influence in any form. I expect, honourable gentlemen, that this Chamber will play a very important part in the consolidation of those railways and the bringing of them under Government supervision.

Mr. Tye, continuing his paper, deals with another question; but I shall not bring it up because it refers to the cost of the Transcontinental railway, and, as I have already said, I have no complaint to make about the cost. When an article is bought, we must be satisfied with it. My honourable friend (Hon. Mr. Casgrain) tells us we have a good property in the Transcontinental and the Grand Trunk Pacific, and from what I have learned from men who are in a posiion to know the situation, I am satisfied that we have a good railway. The task now is to see to it that the Government shall make such arrangement in the management of these railways that our exports will not be shipped by way of the United States.

My honourable friend from the Gulf division (Hon. Mr. L'Espérance) stated that in 1916 more than two-thirds of the exports that went from this country were sent through United States ports. Honourable gentlemen, I say this is a time when the representatives of the people should see to it that that condition shall not continue, but that our exports shall go through our own ports. That is one of the most essential matters. We have paid the piper and we ought now to have the benefit. I remember reading of Abe Lincoln that when he was discussing the question of free trade or protection, he said that he did not know very much about free trade or protection, but if a man could keep the dollar he had in his own country, that was better than letting it go out of the country. So I say even if our railways cost a little more than they should have done, let us make those railways improve the export trade and benefit the people of Canada. We have, as has been stated by the railway expert whom I have quoted, a splendid combination of railways, and out of that combination, at very little expense, $100,000,000—and you know how small that amount is nowadays—we do no talk of anything less than millions—we shall be able to get a well-balanced railway system, capa-

ble of competing with the Canadian Pacific railway.

The Grand Trunk railway never was a friend of Canada, particularly of eastern Canada. If the promotors of that company had had the necessary confidence and had known Canada as they should have known it, I am sure that they would have owned the Canadian Pacific railway. What position did they take, even after the Canadian Pacific railway came into existence? They did not ask for a railway from the Atlantic to the Pacific; all they asked for was a railway from Winnipeg to the Pacific, for the purpose of gathering freight. Was it to take the freight to the eastern ports of Canada? No. Every dollar was to be spent on terminals in the United States, with the exception of the city of Montreal, and the freight was to be taken to American ports. When a bargain was made by the Grand Trunk Railway Company with the Government in regard to handling the freight of the Intercolonial railway, what happened? The freight that the Grand Trunk railway brought down to Montreal was handed over to the Intercolonial railway, and the freight that was brought to Montreal by the Intercolonial railway from the Atlantic coast was handed over to the Grand Trunk railway. But there was a proviso made that if the freight handed over to the Intercolonial railway went to St. John it would cost so much, and if it went to Halifax it would cost one cent per hundred pounds or 20 cents a ton more than if it went to St. John, and what was the reason? It was because they did not mind putting the port of St. John into competition with Portland. The result was that St. John, Portland, Boston, and New York were on an even footing, but Halifax was working under a disadvantage. Why was this? The Grand Trunk Railway Company knew that if Halifax was put on the same basis as the other ports, it would be disadvantageous to the Grand Trunk Railway Company which had its terminals and its money invested in Portland, because Halifax was easy of access and closer to Europe than Portland. That same condition exists to-day, but I hope and trust that it will soon be at an end. When the Government takes over these railroads I hope that not only Halifax, but every other Atlantic port, North Sydney, Sydney, and others—will be put on a proper basis. What my honourable friend said about bringing the fleets of the world to the port of Quebec is quite true. It is also true of the ports of Halifax, Sydney, and North Sydney. You could put the navies of the world in the harbour of Halifax, and you would have difficulty in finding them if you did not know just where they were. To-day the ships of the world are calling at Halifax, and for what purpose? All ships that go to neutral ports call at Halifax to be examined before they can go any further, and if any honourable gentleman were to go to Halifax and stay a week, unless he was told to take a run out to Bedford Basin and see ships there in numbers anywhere from 60 to 100 at a time, he would not know that they were in Halifax harbour.

Hon. Mr. SPROULE: The Kaiser would like to own that.

Hon. Mr. CROSBY: That is what he is fighting for, but he will never own it. Honourable gentlemen who have not visited the East should do so as soon as possible and see what we have there. If the provinces of New Brunswick and Nova Scotia had not come into Confederation, but had gone over to the United States, where would we be to-day? We would be willing to pay any money for those provinces, particularly for the province of Nova Scotia. Nova Scotia is the wharf of the continent of America, not of Canada alone, and every article that is produced on this continent should be shipped through that province. If Great Britain had not made the mistake of trying to make our friends to the South of us pay a little more taxes, the whole country would be ours to-day, and the exports of this continent would be send out of our harbours. Another mistake was made later on, not by the British people, however, but by the American people. I speak of the time that we were looking for what my honourable friend from Rideau (Hon. Mr. Edwards) thinks so much of—free trade. It is a good thing that our friends to the South of us did not share my honourable friend's views, for if we had got reciprocity, it is possible that we would have been annexed without knowing it. They refused it, and there were only two things left for us to do: go into some bargain with them or go to the West, and we went West and met with success. Canada made the Canadian Pacific railway, and the Canadian Pacific railway in return has made Canada.

The honourable the leader of this House has said that the high seas are free and should be free. I ask who made them free but that old British bulldog keeping his eye on the sea, because he knew that his home was an island in the middle of the sea and that the only chance of existence that he had was to keep the sea free and

under his control. He is fighting to-day for that freedom—to keep the seas free. Shipping interest and shipping trade are two different things. There is not a maritime nation in the world to-day that is not augmenting and assisting in every way possible in the building of ships, of wood, iron, or steel. The province of Nova Scotia has built more good ships for transatlantic trade at less cost than any other place in the world of its size. They could put their ships in competition with ships built in any part of the world, and their ships were sold to all countries and found in every port. The provinces of Quebec and New Brunswick have also done very well in this respect. But what encouragement did we get? My honourable friend from Halifax (Hon. Mr. Power) and I do not often agree, because he is nearly always wrong, but he will agree with me in this, that the province of Nova Scotia was so long fighting against Confederation that when it came into Confederation it was like the Grand Trunk Pacific railway to-day. We entered into Confederation, but we said we would not stay, we were bound to get out, and we kept on fighting to get out of Confederation for many years. What did we get?

Hon. Mr. CASGRAIN: Better terms.

Hon. Mr. CROSBY: We got better terms, but no matter what terms we got, they were not good enough. You could not persuade the people that they would be as well off under Confederation as without it. I am sure that my honourable friend is persuaded now, and that if you asked him to-day if he would break away from Confederation he would answer no. We did not accept Confederation as we should have done, and consequently we did not have the things that we should have had. We suffered under many disadvantages. I need not refer to statistics which I have under my hand, but if any honourable gentleman desires it, I shall be glad to read them. To go back to 1874—we started in shipbuilding a little before that—we had, I think, in the province of Nova Scotia, something like 3,000 ships; in the province of Quebec I think there were about 1,700 ships, and in New Brunswick perhaps 1,100 ships. In the province of Prince Edward Island there were about 400 ships. There is no island in the world of its size that has produced what Prince Edward Island has produced. The ships constructed in Quebec, New Brunswick, Nova Scotia, and Prince Edward Island were the best ships and were built for the least money that they could be built for in any part of the world. There are men in those provinces to-day, shipmasters and men engaged in shipping interests, and if they could hear me they would say Amen to what I am going to say. We built our ships and sent them to Liverpool, London, Manchester, and other ports, loaded with our exports, principally lumber. They went over to Britain, and what was the result? There was an organization there known as the British Board of Trade —it was a good thing for them, but it was not a good thing for us. They looked at those beautiful ships—England was a free-trade country—and what did they do? If we had had a fair show we would have our steel ships on the ocean to-day in competition with those of every other nation of the world. A country that can compete as Nova Scotia did can compete with the world. Our shipbuilders can build steel and iron ships in the same way that they built wooden ships. You do not need to train men in our country to build anything—they are born that way. Our ships went to the other side, and what took place? They would come into a port with a cargo of lumber and with a crew of good and true men. Honourable gentlemen who have had any interest in shipping will understand that when you put a man in charge of a ship which has cost you $25,000 or $30,000 or $40,000, it is like giving a man a cheque for that amount and letting him put it in his vest pocket and go all over the world with it; but if he comes back to you with a good profit, he can come back without the cheque. The man in charge of the ship must be trusted. When the ship reached port and the cargo was discharged, what was the result? He was told: "You cannot have this ship go back to sea; you must take away the forecastle (that is the house for the accommodation of the men) and you must put your men away down below the main deck"—Honourable gentlemen who are familiar with shipping will understand what I mean—"you must take your cabin, which is on the deck, and put it below." Now, not only was it impossible to get our men to go below deck, but the alterations would involve an expenditure of perhaps $1,000 or $2,000 or $3,000 by the shipowner, who has perhaps put every spare dollar into his ship in order to send it overseas. That expenditure was too much for them. What would hapen? Just as soon as the Board of Trade placed that embargo upon them, the shipowners would

be compelled to sell their ships. They sold them frequently at a profit, and to whom did they sell? To the Norwegian, to the Swede, to the Dane, to the Hollander, to anybody at all; and the new owner would go aboard the ship and put up his flag, the Norwegian or some other foreign flag, and take the cargo from Great Britain that our shipowner would have taken if he had not been interrupted, and carry it overseas to a British port without any interference whatever. What are Norway, Sweden, Denmark, and Holland, and such countries, doing to-day? Great Britain built up their shipping and they are using it to-day to smuggle goods into the country of our enemies, thus helping them to keep on fighting us. I am not saying they have done so intentionally, but there is no doubt at all of the fact. Since our cousins across the border have entered the war, we have had evidences of the fact which I have mentioned.

The Board of Trade had another way of interfering with us. In Canada we discovered that wire rigging of ships would be an advantage because it was a cheaper way of rigging a ship. This may not be of much interest to honourable gentlemen here who are not much interested in shipping. A proof that it was the best kind of rigging is to be found in the fact that to-day wire rigging is adopted by every country in the world. But what was the effect of using that style of rigging in the early days? The British authorities would go aboard of our ship and say, "You must take off that new rigging which you have put on in Canada, and put on instead hemp rigging, or you cannot go out of this port." That was the situation.

Another difficulty which we had to face was the fact that those restrictions did not apply to Norwegians or any other foreigners. I could mention the name of a captain who met with the conditions of which I am speaking. He went over to Liverpool, and he had to come back from Liverpool without a pound of cargo on his ship because he could not get a certain pass from the Board of Trade, though he was a man who was capable of sailing a ship from one end of the world to the other—not only capable of sailing, but thoroughly trustworthy.

Then, again, there was another disadvantage in the fact that our men who were trained in Canada, who had been on board ships as sailors since they were boys, and had become good and true sailors and officers, competent to sail a ship in any part of the world, could not obtain certificates from the Board of Trade when they went to Britain, and could not take a ship out of Liverpool or London, or Manchester, or any other British port, without certificates from the Board of Trade. What did that mean? To get a certificate meant that a man would have to go to school again. Many of these men had not the opportunity of getting much schooling, but they had sufficient training and experience to be competent as sailors to sail a ship in any part of the world. These men were debarred from taking their ships back. The consequence was that the man who had not the Board of Trade certificate had to bring his ship back to the home port without a pound of cargo on board.

Those were some of the disadvantages which discouraged us in the shipbuilding industry in the early days. Then, we had no encouragement. Not only did we receive no assistance at all, but we were discouraged. This matter may not seem to be of importance; my honourable friends may not think very much of it; but I can assure you it is a very important matter to us people in the East, and it is very important to the question of shipbuilding, as I will try to show before I sit down. I am mentioning now some of the obstacles which we had to encounter. My honourable friend from the Gulf division (Hon. Mr. L'Espérance) can go to some of the old shipping firms in Quebec—I have no doubt some members are still living—and mention to them what I am in a feeble way trying to show, and they will corroborate my statement and say, "Yes, that is true; we have had that experience."

That situation was such that it would be impossible for people in any part of the world to meet it successfully. Where did the opposition come from in connection with shipping in the early days but from our own friends? As I said before, the Government of Canada took no interest in the matter. I am not blaming the Government. My honourable friends will understand that if I wanted to blame the Government of 1874, there would be quite an inducement for me to do so, but I am not blaming the Government; I am blaming ourselves, and for this reason: the province of Nova Scotia and the other Maritime Provinces did not accept Confederation at the beginning, as I believe they should have done, and therefore could not come

to the Dominion of Canada for assistance in appealing to the Mother Land. The Mother Land did not know she was placing us under that disadvantage; but if we had accepted Confederation, as we should have done, we might have been able to obtain relief.

But, before I leave this aspect of the subject, let me point out a further difficulty. The man in the Maritime Provinces who owned a ship had a crew of say twelve or thirteen or fourteen men. If he lost that ship in Honolulu or any other part of the world, he paid his men off and the ship might be a total loss, for he might not have insurance; and if it was a total loss he would be a poor man, on account of having lost perhaps all his wealth, about $10,000. In the Maritime Provinces men are not so wealthy as in other parts of Canada; we do not own millions and we do not make our money in the same way as people in other parts of Canada. The shipowners were honest, thrifty, hardworking men, and a loss of that kind meant a great deal to them. What would happen in such a case? If the crew did not want to return home they would stay there or go to some other foreign place, and when they became stranded they could appeal to the British Consul, who would send them to England. The British Consul would furnish the money necessary to take them to England, and the British Board of Trade would take the account, which might be $500 or $700 or $1,000, and send it on. To whom? To the Minister of Marine and Fisheries of Canada, and the owner of the vessel in Canada would have to pay the money. You would hardly believe that. And that is the case to-day. Any British subject who becomes stranded in any part of the world, if he goes before the British consul, is taken care of by the consul and sent back, and the expenses are charged to the general account of Great Britain or Canada, as the case may be. The shipowner in this case would have to pay the money even if he had to sell his house in order to do so. You can imagine what a deterrent that was and under what a disadvantage it placed a man who had put his last dollar into the construction of the ship. Is it any wonder that we have gone out of the building of wooden ships?

Another reason why we had to give up wooden ship construction was this. Reference was made the other day to our neighbours to the south of us; they are the only people besides ourselves who have any considerable coasting trade. The United States has the largest coasting trade of any country in the world, and I think we come next. We have a splendid coasting trade, a trade which can be built up as our country is developed. But what are the conditions If you go to the United States you will find wooden ships of four, five or six masts being constructed. I think they have built one seven-masted ship. But in the United States you will find that their splendid coasting trade has been saved for their own ships. No ship can take a dollar's worth of cargo from one port to another in United States territory, whether in the United States proper or in Cuba or their islands, except in a United States bottom.

Hon. Mr. CASGRAIN: That regulation is suspended at present.

Hon. Mr. CROSBY: I do not think so.

Hon. Mr. GIRROIR: Suspended for the war.

Hon. Mr. CROSBY: It may be, but I have not heard of it.

Hon. Mr. MURPHY: It has been suspended since the beginning of the war, but that does not affect the argument.

Hon. Mr. CROSBY: Not in the slightest. The United States have preserved their splendid coasting trade, but what have we done in Canada? We have opened our Canadian ports to the Norwegian, to the Swede, to the Dane, to any customer who comes along; we allow him to come into Canadian waters and coast from one port to another.

Hon. Mr. CASGRAIN: If they go from one port in Canada to another they have to pay a duty on their ship.

Hon. Mr. CROSBY: My honourable friend is mistaken. He will find that what I am stating is correct.

Hon. Mr. CASGRAIN: When does a ship pay duty then?

Hon. Mr. CROSBY: She never pays duty until she is transferred from the Norwegian flag to the British flag, and the Britisher goes to the Custom House and declares he is the owner of the ship.

Hon. Mr. CASGRAIN: A Canadian ship—

Hon. Mr. CROSBY: If my honourable friend will follow me carefully he will receive some information on shipping which he does not possess at the present time. As my honourable friend from Cape Breton (Hon. Mr. McLennan) understands, the Norwegian ship, or the ship from Sweden or Denmark, may come into the port of Sydney to take

a cargo from the Dominion Transport Company, the Nova Scotia Steel and Iron Company, the Dominion Coal Company, or any other company, and is just as free as the air; the only thing she has to do is to take good care that when she leaves Norway she has enough provisions to last three years. After that time she may go back and load up again. That is the kind of trade my honourable friend from Rideau (Hon. Mr. Edwards) likes. That is exactly the situation. My honourable friend from Cape Breton, who knows the conditions perhaps better than I do, and who ought to be making this speech, will correct me if I am wrong. A protest was made to the Dominion Government some years ago. The Government passed an Order in Council to the effect that no foreign ships under 1,500 tons could carry on a coastwise trade; but our efforts in that respect were offset to a very large extent by our friends—for instance, the Dominion Iron and Steel Company, and the Nova Scotia Steel Company.

I desire to say here and now—though it is a slight digression—that it was a great thing for Canada that the Government gave bounties on iron and steel. I am not saying that to hurt the feelings of my honourable friend from Rideau (Hon. Mr. Edwards). Where would Canada be to-day if those bounties had not been given? We would have no Dominion Iron and Steel Company, no Nova Scotia Steel Company, no real manufacturing concerns at all, and we would be unable to manufacture a single shell or anything in that line.

Hon. Mr. CASGRAIN: That was done under the Laurier Government.

Hon. Mr. CROSBY: Let me say to my honourable friend that I am not quarreling with any government. I am in favour of anything which is good for the country. I do not care what government introduces it. I do not, like my honourable friend, object to a thing because it comes from a certain government; and if my honourable friend would act in a similar manner, as I believe he will after to-day, he would be easier to get along with in matters which come before this honourable House. What I desire to say is that the Dominion Iron and Steel Company, the Nova Scotia Steel Company, and such great corporations are always looking after their interest, and they can always show that what is good for them is good for the country. My honourable friend the senior member for Halifax knows that what I am saying is correct—that those great companies would go to the Government year after year, and put their case before the Government, saying, "Unless you give us the privilege of engaging those Norwegian or other foreign ships for our coastwise trade we cannot do business at all." There may have been something in that, but many people said, "It is not a right and fair thing to give them a bounty if they are acting on that basis."

I remember an occasion, which occurred not long ago, when the late president of the Dominion Iron and Steel Company wrote a letter to the Prime Minister of Canada in which he set forth that these ships are built with British money and owned by British people; that the only thing done was to put the Norwegian flag upon them and sail them under the Norwegian flag. Now, can you beat that? What does it mean? It simply means this, that if we build them of British money, in British shipyards, why do we not have them fly the British flag? The reason, honourable gentlemen, is that if the ship flies under the Norwegian or the Swedish flag, the crew can be hired for three years for less than half the money which would have to be paid to our British sailors, and they can be fed for little or nothing. Therefore it is an advantage for these great corporations to have ships run in that way, in order that their profits may be greater. I do not say their profits are greater than they ought to be, but I do not like to see them made in that way. The proper way to make profits is to do so by building up the country and treating fairly the people of the country, who are treating the corporations fairly.

My honourable friend from Tignish (Hon. Mr. Murphy) remembers very well, and I can well remember, when a big fleet of Quebec vessels came down in the spring of the year to the Cape Breton coal ports and taking their cargo back up the St. Lawrence, made money in the coastwise trade. But a time came when that ship flying the British flag would go into Sydney, North Sydney, Louisburg or some other port, and what was the result? While she was under the chute loading, a ship flying the Norwegian flag would be sighted, and she would be ordered out, so that the Norwegian ship might come in and take cargo in order to fulfil her contract.

Hon. Mr. CASGRAIN: What was that for?

Hon. Mr. CROSBY: I do not know what it was for unless it was intended to kill

our trade. I am simply stating it as a fact. I put this before you for the purpose of showing the disadvantages that the people of eastern Canada were under. Nothing but that condition would have kept them down. We would have had our ships, and we would have been able to help the Motherland to a much greater extent than we are doing.

I very well remember the first time I met my honourable friend from Toronto (Hon. Mr. Nicholls). About fifteen or sixteen years ago I went with a delegation to Toronto—and at that time the honourable gentleman was a very young man. Every one spoke of him as Fred Nicholls, the great man of Toronto, and he is still Fred Nicholls, the great man from Toronto. I never had such a compliment paid to me in all my life as I had when I met the honourable gentleman after fifteen years, and he said, "Well, Crosby, I remember you." I am quite sure that if it had been my honourable friend from Halifax he would have said, "I have forgotten you."

To prove what I am going to say, I may state that Russia to-day is giving as much as $58 or $60 a ton for the construction of vessels and is granting large subsidies for vessels constructed outside of Russia and put on the Russian register. France is paying $35 or $38 a ton for ships constructed in France. Spain is doing the same thing. Norway and Sweden are offering every inducement. In Germany they carry freight over the railroads practically free to encourage the construction of ships. This is very important, and I know what I am talking about. Frequently honourable gentlemen stand up here and discuss things that they do not understand, but I defy any honourable gentleman here to contradict the statements that I have made this afternoon. It may be said that I am a politician, but if I am it has been the truth that has made me one; facts and figures have helped me. All these countries are giving bounties for ships.

As I was saying, I went to Toronto with a delegation for the purpose of discussing the question of bounties for iron ships. We came to the conclusion that $5 a ton would be ample to give in the beginning. We approached the Prime Minister at that time, and had a very pleasant interview with him; he treated us very nicely, but we did not get the bounty. It did not require a very great change of mind for him to give bounties, for he had already given bounties to the Dominion Iron and Steel Company, but he was full of ideas on free trade. It was suggested to him that the Government might give a bounty of $3 a ton. I remember fighting to get that $3 a ton, because I said that would establish the principle, and perhaps we would be able to go back and get $5 a ton. Had we succeeded on that occasion, what would have been the result to-day? We had been building wooden ships in competition with the world, and, given a fair opportunity, we could compete in the building of steel ships. If that policy had been carried out, now that we have the railways, we would have owned a transportation system from Canada to the Motherland, and would have been able to control the markets of the world. I agree with the honourable the leader of the Government that the high seas must be free, but I say that in order to have trade we must not only carry our products to the threshold of our country, but we must see them to the thresholds of other nations. We must promote friendly relations with our neighbours. If I asked the honourable gentleman from Simcoe (Hon. Mr. McCall), who knows the Bible from cover to cover, he could tell us who our neighbours are? I say that our neighbours are the neighbours of the West, the neighbours of the East, the neighbours within the borders of Canada, and anything that we can do to assist any of them helps all indirectly.

I do not wish to take up any more of the time of the House. I had intended to say only a few words, but I felt that I must tell the House of some of these things, which I am sure have astonished them. I have not read the statistics; I have no desire to read them; I am just speaking from my knowledge of shipping affairs; and I would be a very dull man, with the opportunities that I have had, if I did not know something about this question. Any statement that I have made is founded on fact. We have settled the question of inland transportation, and now we are concerned with the question of shipping. This question should have been attended to years ago, but it is never too late to do good. Let the honourable the leader of the Government go to the Prime Minister and induce them to do something. We never knew how rich Canada was before. We have been at war for three years, and where do we find ourselves financially? Better than when we started. At the beginning

of the war everybody was afraid to show his money for fear the Government would grab it. Now the Government can keep on grabbing. If my honourable friend from Rideau (Hon. Mr. Edwards) would only say the word, he could bonus enough ships to start on. Let the honourable the leader of the Government bring this matter to the notice of the Government and insist upon their taking it up and giving eastern Canada an opportunity to start the shipbuilding industry. I do not want to wait for a Union Government. All I want is to see this policy put into operation which will help this country to continue doing the splendid business that we have been doing. I could show that no people have accomplished anything like what Canada has done in the matter of transportation. Let us start in the shipbuilding business. I know the honourable the leader of the Government will take this matter up, because he is true to the best interests of this country, and he will see that we receive some encouragement, so that we may create a splendid line of shipping across the high seas to connect with the railway system which will be in the hands of the Government.

Hon. Mr. CASGRAIN: I have already spoken on this question, but I should like to ask if the honourable gentleman saw the Scientific American of August 11, which contains a beautiful view of the port of Halifax, and also a general view of the new Halifax dock system, which it says has the largest docks in the world, costing $30,000,000, and which is expected to be completed on the 1st of January next. All that the honourable gentleman desires seems to be fulfilled. The ships of Uncle Sam's navy are entitled to go there, and are going there, and about 50 vessels of 7,500 tons each can dock at the same time. I will send this over to the honourable gentleman. I am very glad to hear the honourable gentleman advocating shipbuilding in Canada. I advocated it on many occasions.

Hon. Mr. CROSBY: The honourable gentleman need not have told me about that view, because, if it is a view of Halifax, I know it is a beautiful view. I referred particularly to the ports of Sydney, North Sydney and Louisburg. The work at Halifax is well under way.

On motion of Hon. Mr. Bostock, the debate was adjourned.

ARMY AND NAVY VETERANS BILL.

SECOND READING.

Hon. Mr. SHARPE moved the second reading of Bill B, an Act to incorporate the Army and Navy Veterans in Canada.

Hon. Sir JAMES LOUGHEED: The applicants for this Bill are a corporation that has been in existence for a considerable period of time. They have asked for certain amendments to their Act of Incorporation, and have included in their Bill provisions which would practically make it a War Charities Bill. They have agreed to strike those out, and there is now no objection to the Bill being proceeded with.

Hon. Mr. BOSTOCK: I should like to understand a little more about this Bill.

Hon. Mr. SHARPE: It is simply a Bill to give a Dominion charter to the army and navy veterans. They have had a provincial charter since 1886, and have been doing business since that time. The association has grown beyond the province of Manitoba; for instance, they have 500 members in the province of Saskatchewan, and they want to extend their associations throughout the different provinces. The president, Col. Carruthers, is here from Winnipeg, also Mr. Tupper, and they would like to have this Bill gone on with in committee. Anything that is objectionable they would be willing to strike out.

Hon. Mr. CASGRAIN: These men are veterans of what wars?

Hon. Mr. SHARPE: The Fenian raid.

Hon. Mr. CASGRAIN: And the Riel rebellion?

Hon. Mr. SHARPE: And the rebellion, too.

Hon. Sir JAMES LOUGHEED: And the Boer war?

Hon. Mr. CASGRAIN: Not in 1886.

Hon. Mr. SHARPE: These men have come in since. The association is enlarging now so as to include returned soldiers.

Hon. Mr. CASGRAIN: How is it that there is nothing of that kind in Montreal or Toronto? Have the veterans all gone west? Do they not come east at all?

Hon. Sir JAMES LOUGHEED: It is simply the absence of patriotic spirit.

Hon. Mr. SPROULE: The only thing connected with this which it seems to me should receive consideration is whether this association of veterans will have such power

as will enable them to engraft into their society all the veterans who may be available for joining such a society in the future, or whether there will be others springing up in other parts of the country. If I have understood the honourable senator (Hon. Mr. Sharpe) aright, he said that the aim was to have the association extensive enough to cover the whole Dominion, and that veterans in any part of the Dominion, or men who became veterans at any time in the history of the country, could join that association. I have not seen the Bill nor had an opportunity of examining it, but it seems to me that before committing ourselves to the principle of the Bill we ought to know something about its scope and aims, as to which the honourable senator has not yet informed us. In the absence of that I think it would be as well to allow it to stand for a time, in order that we may learn more about it.

Hon. Mr. SHARPE: Well, it has been on the Order Paper now for seven or eight weeks; the honourable leader of the Government has the copy of the Bill with the objectionable parts marked out, and any member may see it. The honourable leader of the Government is perfectly satisfied to proceed with it, and it is not going to interfere with the general legislation he will bring in later.

Hon. Sir JAMES LOUGHEED: No; it is a Bill which is very meritorious in all its provisions. The only objection that was raised on behalf of the Government when the Bill was first introduced was that there were incorporated in it certain provisions which were not considered desirable without being subject to a general Act; that is, provisions establishing hospitals and educational institutions, providing for the collection of charitable funds by subscriptions, and otherwise. It was considered desirable that powers of that character should not be given to an organization of this kind, but should be brought under general legislation. Now, the promoters of this Bill have consented to have struck out of the Bill the provisions to which I have referred, and which rendered it objectionable, unless regulated by a general Act. The Bill, as I have already said, is very meritorious—very desirable indeed—and this Parliament should have no hesitation in assisting an organization of this kind in promoting the objects set forth in the Bill. Honourable gentlemen can readily peruse the Bill.

Hon. Mr. SPROULE

Hon. Mr. CASGRAIN: Yes, but we cannot peruse the alterations.

Hon. Mr. SPROULE: I may say, by way of explanation, that I looked for the Bill two or three times and supposed it was not printed because it was not on any of my files. I do not desire to oppose the Bill, but desire only that it shall be along such lines as will not interfere with the rights of others in connection with societies of this kind.

The motion was agreed to, and the Bill was read the second time.

COMPANIES ACT AMENDMENT (NON-GAINFUL CORPORATIONS) BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill U2, an Act to amend The Companies Act so as to provide for the incorporation by Letters Patent of corporations for purposes other than that of gain. Hon. Mr. Gordon in the Chair.

Hon. Sir JAMES LOUGHEED: I may say that the Committee on Banking and Commerce has already considered the sections which are embodied in this Bill, and the reason they have been taken out of the Companies Act, which is now under consideration by that committee, is apprehensive that the Bill may not pass the House of Commons.

Hon. Mr. BOSTOCK: That is, the Companies Act?

Hon. Sir JAMES LOUGHEED: That is the amendment to the Companies Act. Hence we have simply taken out of that Bill section 2, which has been before the committee, and which has been considered by it, and we are asking that it be made law with a view to promoting the objects of associations of the kind mentioned.

On paragraph 7A (1) of section 2—Corporations without purpose of gain:

Hon. Mr. SPROULE: I should like to say, with reference to this clause, that I do not see on the spur of the moment any real grounds for the suspicion that it may be used improperly; but it appears to be one of the Acts that give powers of incorporation, and in such cases, although incorporation was said to be not for gain but for philanthropic or public purposes, we too often find afterwards that the very reverse is the case. I need only cite as an example what has occurred in Canada of

late years in regard to racing corporations. They were incorporated, not for the purpose of making money, but for the somewhat philanthropic purpose of improving the breed of horses in Canada. But what have we found? That a few men invested a few dollars in an Act of Incorporation—take the Hamilton Jockey Club if you like, or the Toronto Jockey Club, or the Montreal one—and after running for some years, and by manipulation from time to time, they are rapidly becoming very wealthy under the incorporation that was said at first to be not for the purpose of making money, but for the purpose of helping on some very laudable enterprise in the country. The question has suggested itself to my mind, could companies do likewise under this provision of the Joint Stock Companies Act? Whether they could under this Act or not, they could under the old Joint Stock Companies Act. But when we are tacking on the Companies Act an amendment to make it easier for persons to get incorporation than under the old Act, we ought to be very careful that we do not leave the door open for persons to take advantage of the amended Act to do the very things we declare they may not do. If you read the report made on the racing of the country to-day, you will see that there are eight or nine corporate bodies, which, a few years ago, declared they had really no financial interest whatever; and then it is laid bare, and made as clear as noonday sun, that they are getting a return of more than $1,000 for every $10 which they invested in these enterprises some years ago, and they are turning their corporations to a very bad use—to a use which is very detrimental to the interests of the country. Yet we are told that we are powerless to prevent this because they now have vested rights which we cannot take away from them. They got those vested rights under false pretenses. It was not thought that the authority granted them under the Joint Stock Companies Act could be used in connection with the lines in which they are now engaged, but by one device after another they have succeeded, and I am quite sure that I would be within the mark in stating, with regard to those nine companies, that, with the powers they possess, the owners will receive a return of more than a million dollars if they are allowed to go on for a short time. Yet it was stated in this House and in the Commons that from the interest which they had they would reap no profit; but when they were brought before a Royal Commission and obliged to tell what it meant to them, you found that it meant a great deal. I have not the report at the moment. If I had, I should like to read it to show the House what those corporations are to-day as compared with what they were represented to be a few years ago, when incorporation was obtained under the Joint Stock Companies Act. Now, the only thing about this Bill which occurs to me is that, whether the organization seeking to be incorporated is for church purposes, or for racing purposes, or for sporting purposes, or for fishing or something of that kind, the incorporation might ultimately give to a few favoured individuals rights and powers which might be detrimental to the interests of the country, or infringe very seriously upon what ought to be the rights of the community as distinguished from the rights of a few who got incorporation under the new Act, which was somewhat loose; and yet we could not deprive them of such rights and powers without buying them out at a very high price.

There is another point in connection with this matter. As to many of these societies —take religious corporations, if you like— I do not know what their position would be with regard to the law of mortmain, or what property they could hold, or how they could hold it; but in the absence of any such knowledge one is inclined to look with a little suspicion upon any loose Act that enables any corporation or any body of men to become incorporated, apparently for some very laudable or innocent purpose, and gives them power which afterwards they turn to their own personal gain, and which makes them very wealthy; and they turn those powers not only to their own personal gain but to the detriment perhaps of the moral fibre of the community, or into some line which we would very gladly have avoided if we had only known at the time we enacted the loose law of which they took advantage in getting their corporate powers.

Hon. Mr. BOSTOCK: Under subsection 7 the company is made to state the purposes for which incorporation is sought, but there is nothing here to the effect that it shall not have any capital stock. I do not know whether persons coming to Canada and organizing themselves under this new section of the Act would be able to avoid the declaration as to the amount of capital stock they would have, supposing they wanted to use the Act for wrong purposes.

Hon, Sir JAMES LOUGHEED: My answer to that would be that the corporation must necessarily be the creature of the statute or of the charter by which it is incorporated, and, unless general powers are included in the statute, the corporation cannot exercise any powers greater than those given it. This Bill, as honourable gentlemen will observe, limits the powers that may be exercised to those enumerated in the Bill itself. Paragraph 7 A of section 2 sets forth quite clearly that the corporations that are to be incorporated or to receive letters patent are those without the purpose of gain. It seems to me that that should be explicit enough; but if my honourable friend from East Grey (Hon. Mr. Sproule) has any doubt about the matter, I see no good reason why the word "sporting" should be included in the eleventh line, and I am quite willing that that word should be stricken out.

Hon. Mr. SPROULE: I think that is a good idea.

Hon. Sir JAMES LOUGHEED: Then the subsection would read:

When the application is for the creation of a corporation for national, patriotic, religious, philanthropic, charitable, artistic or other objects—

I would say "or other kindred objects."

Hon. Mr. POWER: Suppose a number of gentlemen wish to establish a game society; that would, in one sense, be a sporting society?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. POWER: I think we might leave the word "sporting" in.

Hon. Sir JAMES LOUGHEED: But, for the purpose of reassuring my honourable friend from East Grey, I would say that under the present law, if a sporting organization having for its object the promotion of racing, wants incorporation under letters patent, they have the machinery of the Joint Stock Companies Act available to them to-day. This Bill gives no additional authority or power or inducement to those who may wish to become organized for purposes such as he has mentioned. The Companies Act as it stands upon the statute-book is wide open to all parties who may want to become incorporated for any of the purposes which are contemplated by the Act.

Hon. Mr. SPROULE: They could not exercise those rights in the way they desire to exercise them unless under that sporting-club provision. How do these societies exercise those rights? They first got corporate powers and then organized their companies. Later we amended the Criminal Code to prevent their selling pools on the races. Then they introduced the pari-mutuel, which was said to be a very harmless system; and, by virtue of the law which we put upon the statute book to prevent other companies exercising these powers, we gave them a monopoly of the business. The result was that they enlarged their capital stock, ostensibly for the purpose of developing their business, whereas the outside world could see that there was in reality no money put in on those lines. In this way the stock became still more valuable. Some of them have sold out, at from 20 to 40 times the original value.

Hon. Mr. THOMPSON: What is the difference under the Joint Stock Companies Act that prevents new corporations from getting the privilege?

Hon. Mr. SPROULE: It is the amendment to the Criminal Code that made it a crime to do what they were doing.

Hon. Mr. THOMPSON: Did the original charter give them power to do these things that you call crimes or was it just by by-law?

Hon. Mr. SPROULE: There was no power given in the Act, I believe. I do not know where they got their power to do it. Then we passed the Act requiring the pool selling to be within a certain radius. After that, they adopted the new system, or pari-mutuel, and that seemed to help them. A member of one of these associations put in only $100, and it was sworn, I believe, that his holding was worth at least $48,000, on account of the privileges they enjoyed by virtue of the Criminal Code shutting out all others from the same line of business.

Hon. Mr. MACDONELL: I think the honourable gentleman from Grey (Hon. Mr. Sproule) is unduly alarmed. I understand and appreciate to the full the weight of his remarks, but what is being done here is not in line with what the honourable gentleman has in mind. We are simply asked to incorporate a company or provide the means of incorporating a company in a simple and cheap way. This in no way alters or affects directly or indirectly any law that we have now. What this says is that the people can become incorporated for certain purposes that any individual can now carry on by himself. I

may say that this is an extremely beneficial measure. There are organizations throughout Canada of the nature mentioned here, which every session are burdening the Parliament of Canada with applications for special Acts, which means great expense. The word "sporting" does not authorize anything that is illegal, but will enable sporting organizations, such as rowing clubs, to become incorporated.

Hon. Mr. BOSTOCK: I do not think the honourable gentleman from Toronto (Hon. Mr. Macdonell) has quite met the point which struck me. We do not state anything here about the question of capital stock. Should we not say that they are not to have any capital stock at all, inasmuch as it is mentioned in the other part of the Companies Act?

Hon. Sir JAMES LOUGHEED: It is not necessary to have any capital stock under this Bill.

Hon. Mr. BOSTOCK: Could it be understood as simply meaning that they did not have to state the amount?

Hon. Sir JAMES LOUGHEED: The Bill is simply for the purpose of incorporation. That can be obtained without capital stock, inasmuch as they are carrying on their business without the purpose of gain. They will be able to carry out all their objects without capital stock. My honourable friend from Grey (Hon. Mr. Sproule) asked how these racing companies became incorporated, and he expressed apprehension. Under section 5 of the Companies Act, any company can become incorporated and receive all the powers to which the legislative authority of the Parliament of Canada extends, except with regard to the operation of telegraphs, railways, and telephones; so there already is machinery upon the statute book, which is not being interfered with, by which any of these companies can become incorporated. The legislation which he refers to is regulative, preventing them carrying on certain practices in connection with racing. This in no way extends the law except to furnish a speedy and cheap way of incorporating patriotic and charitable organizations.

Paragraph 7A (1) of section 2 was agreed to.

On paragraph 4 of section 2—amendment of by-laws:

Hon. Mr. POWER: I think it might be well to insert here, after paragraph 4, a paragraph to the effect that the Secretary of State shall have the right to examine or to have examined the affairs of the company at any time. It seems to me that it is desirable that there should be something of that sort in order to avoid the abuses which the honourable gentleman from Grey has referred to.

Hon. Sir JAMES LOUGHEED: I have no objection.

Paragraph 4 of section 2 was agreed to.

On paragraph 5 of section 2—existing corporations:

Hon. Sir JAMES LOUGHEED: The Law Clerk of the Senate, in checking over subsections 5, 6, and 7, has suggested certain improvements which I think should be embodied in the Bill. It is proposed that subsection 5 should read as follows:

(5) Any existing corporation created by or under any Act of the Parliament of Canada for any of the objects mentioned in subsection (1) of this section may apply under this section for the issue of letters patent creating it a corporation under those provisions of Part 1 of this Act which apply to corporations created under this section, and upon the issue of such letters patent the said provisions shall apply to the corporations created thereby.

Hon. Mr. BOSTOCK: It is only a difference in wording.

Hon. Sir JAMES LOUGHEED: It is suggested that the following be substituted for section 6:

(6) 1. The following sections of Part 1 of this Act shall not apply to corporations created under this section, namely, sections 7 to 9 both inclusive, 26, 33, 38 to 43 both inclusive, 45 to 68 both inclusive, 68A as enacted by section 2 of chapter 23 of the statutes of 1914, 70-78 both inclusive, 80 to 84 both inclusive, 86 to 88 both inclusive, paragraphs (d) and (e) of section 89, 90, 101 to 104 both inclusive, 106, 114, 115.

2. The other sections of Part 1 of this Act shall apply to corporations created under this section.

That is to say, we exclude from the operations of these organizations the sections which I have read, inasmuch as they are entirely unnecessary and really cumbersome, and in the very nature of things would not apply to organizations of this character. As paragraph 7 it is proposed to insert the following:

(7) In applying to corporations created under this section those sections of Part 1 of this Act which apply to such corporations—

(a) the word "company" shall be deemed to mean a corporation so created;

(b) the word "shareholder" shall be deemed to mean a member of such a corporation;

(c) a provision that the votes of shareholders representing a specified proportion in value of

the stock of a company shall be requisite for any purpose shall be deemed to mean that the votes of a like proportion in number of the members of the corporation are requisite for that purpose.

That is to say, they need not be shareholders in the sense in which the word is used in the Companies Act at the present time. They need not have stock. They will be shareholders inasmuch as they are promoters or interested in the corporation.

Hon. Mr. BOSTOCK: I would suggest to my honourable friend that we might have those printed in the Minutes.

Hon Sir JAMES LOUGHEED: Yes. I was about to suggest that we go through the Bill, and, in anticipation of my honourable friend's suggested amendment, that the committee sit again with the reprinted Bill before them. With the permission of the House I should like to dispose of the provisions in the Bill as it is. I move, for the time being, the adoption of these amendments.

The motion was agreed to.

On section 4—new form C, notice of incorporation:

Hon. Mr. POWER: I think the schedule needs a slight amendment. The form reads in this way:

Public notice is hereby given that under the first part of the Companies Act letters patent have been issued under the seal of the Secretary of State, bearing date the ..... day of ..... incorporating (here state names, address, etc.) for the purpose of (here state the undertaking of the company, or, in the case of a corporation not for the purposes of gain, the objects of the corporation, as set forth in the letters patent).

Now, there is no necessity for that, for all the corporations incorporated under this Act will be not for purposes of gain.

And then:

—by the name of (here state the name of the company or corporation as in the letters patent) [with a total capital stock of.....dollars divided into.....shares of..... dollars.]

That ought all to go out, because there is no capital stock. The schedule goes on:

(In the case of a corporation not for purposes of gain the words between square brackets will be left out.)

Those are the words I have just quoted, as to total stock.

Hon. Mr. BOSTOCK: I thought we were leaving the present form C in the Companies Act.

Hon. Sir JAMES LOUGHEED.

Hon. Sir JAMES LOUGHEED: This form would apply to the letters patent.

Hon. Mr. POWER: We should not mix up two things.

Hon. Sir JAMES LOUGHEED: The two have apparently been mixed up. This form might apply to either.

Hon. Mr. POWER: The title of this Bill is: "An Act to amend the Companies Act so as to provide for the incorporation by Letters Patent of Corporations for purposes other than gain." We had better not repeal the old schedule, but make form C the schedule to this Act.

Hon. Mr. SPROULE: There seems to be something hardly consistent, because in the first place the Bill is for the purpose of enabling parties to be incorporated for purposes other than that of gain, but towards the end of the Bill we find the words, "in the case of a corporation not for purposes of gain." That would naturally imply that there must be some incorporations expected under this Act which would be for purposes of gain.

Hon. Sir JAMES LOUGHEED: We will let that stand, and when the other clauses are printed we will take that up. I think it would be better to have a separate form for this particular kind of company.

Progress was reported.

WAR CHARITIES BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill V2, an Act relating to War Charities, Hon. Mr. Talbot in the Chair.

Hon. Mr. SPROULE: I said a few words with regard to this Bill when it was up before, and I have since made some inquiries. I think that if the Bill were passed in anything like its present form it would strike at a great many societies which are doing very commendable work in the country today. I have jotted down the names of some of them which to my personal knowledge have raised a great deal of money and devoted it to admirable purposes. Take, for instance, the Daughters of the Empire. They have held entertainments, evening parties, or other gatherings for the purpose of raising money, which they have used to provide socks, mittens and other comforts for the soldiers who have gone overseas. The Ladies Aid societies of the different churches have been, in our part of the country at least, raising considerable money for the purpose of buying yarn for knitting.

These societies keep their work going on all the time and have sent thousands of socks and other comforts to the soldiers abroad. Then there is the Ladies Patriotic Society, which is doing similar work— supplying socks, mittens, cigars, cigarettes, and other needs for the soldiers. Then there is a social or dancing club which has been raising money in the same way, and others by garden parties, by social teas, by magic lantern performances, and by lectures. I think that all these organizations would come under this Act if it were strictly enforced, and would be subject to prosecution and obliged to stop their operations along patriotic lines. There is perhaps a great deal of money raised for patriotic purposes which never reaches its destination, and there ought to be, if we could provide it, some device to prevent the misappropriation of such money, because it is a fraud upon the general public. People in their generosity will often give when they are not very well able to do so, if the plea is put before them that the contribution is for charity, for the comfort of the soldiers, or for similar purposes. Money is therefore obtained very easily, and it is quite conceivable that much of it does not ultimately go to the end for which it was raised. Therefore, if some restriction could be put upon organizations who misapply their funds, it would be very desirable. Now, take paragraph b of section 2. What is it for? It says:

War charities means any fund, institution or association, whether established before or after the commencement of this Act, having for its object or among its objects the relief of suffering or distress or the supplying of needs or comforts to sufferers from the war, or to soldiers, returned soldiers, or their families or dependents, or any other charitable purpose connected with the present European war. Any question whether a charity is a war charity shall be finally determined by the minister.

Section 3 provides:

It shall not be lawful to make any appeal to the public for donations or subscriptions—

That is what they are doing all the time.

—in money or in kind for any war charity as hereinbefore defined,—

I have read what a war charity is, as defined.

—or to raise or attempt to raise money for any such war charity by promoting any bazaar, sale, entertainment or exhibition, or by any similar means, unless—

(a) the war charity is either exempt from registration, or is registered under this Act; and

(b) the approval in writing of the executive committee or other governing body of the war charity has been obtained, either directly or through some person duly authorized to give such approval on behalf of such governing body.

Hon. Mr. THOMPSON: Read subsection 4 of section 3.

Hon. Mr. SPROULE (reading):

The minister may exempt any war charity from registration under this Act.

Well, I admit that, but to me the question appears to be, how many of these organizations will go on and raise money without knowing that they ought to comply with this Act. Or, if they all come under it, they would, I think, keep a small army of officials occupied all the time in giving the necessary authority for the raising of money. Quite a large branch would be built up under this clause, I think, judging by the number of societies which are operating in the country at the present time. It would in my opinion be the part of wisdom to be somewhat cautious about their legislation.

Hon. Sir JAMES LOUGHEED: This Bill may be subject to much of the criticism which my honourable friend has offered; and yet, notwithstanding this fact, it is obvious that we have to make some provisions by law to curtail the many abuses to which communities are being subjected by persons making collections, and very large collections, without having any authority or any responsibility.

Hon. Mr. DENNIS: And some of those collections are very unwise.

Hon. Sir JAMES LOUGHEED: Yes. Now, the machinery furnished by the Act is very simple. In the first place, if any of the organizations referred to by my honourable friend (Hon. Mr. Sproule) should come under paragraph b of section 2 and should be a war charity within the meaning of the Bill, a letter to the minister, who is Secretary of State, will at once secure an exemption from the application of the Act to the organization concerned. I do not think the proposed measure would throw any particular responsibility or unnecessary trouble upon such an organization by requiring it to communicate with the minister in order to obtain exemption. The advantages which must flow from placing provisions of this kind upon the statute-book will much more than counterbalance any little inconvenience which some of those charitable organizations may suffer by having to apply to the minister for that exemption. My honourable friend will observe also from the last clause in the Bill that there is no probability of proceed-

ings of an aggravated or vexatious character being brought against any of those organizations, because proceedings for offences shall not be instituted except with the consent of the minister. Hence I think the provisions of the Bill are well safeguarded.

Hon. Mr. BOSTOCK: I am afraid I cannot agree with the honourable gentleman from East Grey (Hon. Mr. Sproule). I do not quite see why there should be any exemptions. As I undersand it, this registration will not be expensive or onerous for any of these charities to comply with, and when reading the Bill I failed to see why there should be any exemption—why all these charities should not make application to the minister for registration, and I do not understand what is the benefit of having any exemption at all.

Hon. Sir JAMES LOUGHEED: There might be some specific case where it might be desirable to take up a subscription, and that would exhaust that particular charity or organization; hence it would be undesirable that such an organization should be registered.

On subsection 3 of section 3—when section to begin to apply:

Hon. Mr. BOSTOCK: This subsection says:

This section, so far as it relates to registration, shall not apply to any war charity until the expiration of three months after the passing of this Act, or to any war charity pending the decision of the registration authority on an application for the registration of such charity made within such period.

In the next section it is provided that the minister shall be the registration authority, but he can also appoint a local registration authority. Would those words, "registration authority," as appearing in subsection 3 of section 3, cover the local registration authorities as well, or do they mean that all applications must be made to the minister in the first instance? Supposing a local registration authority is constituted in British Columbia and a charity organization in that province applies for registration; would they have to apply to the minister and then have the application referred back to the local registration authority?

Hon. Sir JAMES LOUGHEED: No. My honourable friend will see in paragraph 2 of section 4:

The minister shall be the registration authority, and he may by warrant under his hand and seal of office appoint a committee or committees to be a local registration authority or authorities for such district or districts as may be defined in such warrant.

Then paragraph ii provides:

The members of such committee shall perform their duties without remuneration.

I think subsections 3 and 4 make provision that they may issue the necessary authority.

Hon. Mr. BOSTOCK: But, as I take it, according to the wording of the Act, "registration authority" means the minister, does it not? In subsection 2 of section 4 it is stated that the minister shall be the registration authority.

Hon. Sir JAMES LOUGHEED: The powers of the local registration authority are specific. You will see that subsection 4 of section 4 provides:

The registration authority or local registration authority may, before registering any war charity, make such inquiries.

Hon. Mr. POWER: It seems to me, inasmuch as it is stated that the minister is the registration authority. that every association would have first to be registered by the minister, and then for anything that takes place after that registration the association can be left to the local registration authority.

Hon. Sir JAMES LOUGHEED: No. The local registration authority may also register, as my honourable friend will see, under paragraph 4 of section 4. The registration may be done by either the minister or the local registration authority.

Hon. Mr. CLORAN: Is it contemplated to establish a number of districts in each of which there is to be a registration authority?

Hon. Sir JAMES LOUGHEED: Yes; a local registration authority.

Hon. Mr. SPROULE: I presume the honourable gentleman does not at the present time know what is contemplated with regard to the size of the district?

Hon. Sir JAMES LOUGHEED: No. The application would state what the district is.

Hon. Mr. THOMPSON: The minister would appoint a local registration authority for a particular district, who would require that certain facts should be stated in the application for registration? There is no number of districts specified in the Bill, is there?

Hon. Sir JAMES LOUGHEED: No. The probability is that the minister would as-

sign some officer of the local Government as local registration authority. This measure has to some extent been copied from the machinery which is used in England in dealing with the subject. In England the registration is dealt with by the municipalities; they are the local registration authorities; but in Canada municipal authorities are not clearly enough defined to permit of that arrangement being carried out successfully in this country. This Bill will permit of the minister appointing any authority as a local registration authority to whom application can be made.

Hon. Mr. BOSTOCK: I still think that subsection 3 of section 3 ought to read "the decision of the registration authority or of the local registration authority," in order to be clear. The same applies to subsection 1 of section 4, because it is distinctly stated in subsection 2 of section 4 that the minister shall be the registration authority. If the organizations desiring registration are to apply in certain instances to the local registration authorities, I think the Bill ought to state that; otherwise it seems to require that application be made to the minister and to the minister only.

Hon. Mr. POWER: Could we not say after the words "registration authority" in line 12, "or of the local registration authority"?

Hon. Sir JAMES LOUGHEED: It would not be applicable to subsection 3 of section 3, would it? It seems to me that it should be inserted in line 26, where provision is made for the selection or appointment of a local registration authority by the minister.

Hon. Mr. BOSTOCK: If the decision which is necessary under subsection 3 of section 3 be given by the registration authority, that will mean the minister. The latter part of this section reads as follows:

or to any war charities pending the decision of the registration authority on an application for the registration of such charities made within such period.

I understood my honourable friend to say that that could also be given by the local registration authority.

Hon. Sir JAMES LOUGHEED: Yes. The minister creates the local registration authority.

Hon. Mr. BOSTOCK: He is the registration authority.

Hon. Sir JAMES LOUGHEED: He creates a committee or committees to be the local registration authority or authorities.

Hon. Mr. BOSTOCK: I think line 12 should read:

—pending the decision of the registration authority or the local registration authority.

Hon. Mr. THOMPSON: I do not see that would be necessary, because, while this subsection refers to the decision of the registration authority, it is not defined until we get to subsection 4. Subsection 2 of section 4 practically makes the decision that of the registration authority through the minister and his appointment.

Hon. Mr. POWER: In subsection 2 of section 4 it is stated that the minister shall be the registration authority. A local registration authority is powerless; it must wait for the decision of the minister. That is what it means, because you say further down that the minister is the registration authority, and you say here, "pending the decision of the registration authority."

Hon. Sir JAMES LOUGHEED: The decision is on the application.

Hon. Mr. POWER: By subdivision 2 of section 4 the minister has the power to appoint local registration authorities, and under subsection 4 of section 4 these local authorities have the power to refuse to register. Is it not simpler to say in subsection 3 of section 3: "or the local registration authority." That removes all doubt.

Hon. Sir JAMES LOUGHEED: All right.

Hon Mr. THOMPSON: The side note says "registration authority." Then it goes on and adds that the minister shall be the registration authority with his local registration boards.

Hon Sir JAMES LOUGHEED: It is not very important.

Hon. Mr. DANIEL: I do not see what difficulty can arise by the minister being the registration authority. He transfers to the local registration authorities his authority. They act through him. It is the minister acting, although it has been done by the local authority.

Hon. Mr. POWER: Take the case of some person, say in British Columbia, who consults a lawyer to look over this Act and see what is necessary. He takes this Bill and finds that it is decided that the minister is the registration authority. He will probably report to the people who employ him that they have to get a decision of the

minister, whereas if you put in the local registration authority, he knows he can get his decision from the authority in Victoria.

Hon. Sir JAMES LOUGHEED: We will accept that amendment.

Subsection 3 of section 3, amended as proposed, was agreed to.

On subsection 6 of section 4—certificates and returns to be made to minister:

Hon. Mr. SPROULE: This says that certificate and returns are to be made to the minister, but lower down it provides that returns are to be made to the local registration authority.

Hon. Sir JAMES LOUGHEED: Subsection 2 of section 5 requires this to be sent to the minister.

Hon. W. B. ROSS: Subsections 6 and 7 of section 4 only relates to the registration.

Hon. Sir JAMES LOUGHEED: I do not think they are contradictory.

Subsection 6 of section 4 was agreed to.

On section 5—conditions to be complied with by registered charities—paragraph i:

Hon. W. B. ROSS: What is the meaning of the words "by a responsible committee?"

Hon. Sir JAMES LOUGHEED: It is simply an adjective. There is no harm in leaving it in.

Hon. W. B. ROSS: They will never get a committee.

The paragraph was agreed to.

On paragraph iv of section 5:

Hon. Mr. BOSTOCK: It seems to me rather confusing to say:

Such particulars with regard to account and other records as the registration authority or the minister may require shall be furnished to the registration authority or the minister.

Hon. Mr. ROSS: I think it is rather a good provision. The local people might want some information.

Hon. Mr. BOSTOCK: If it means the local registration authority, I think "local" ought to be put in there.

Hon. Mr. SPROULE: I take it that the records and the papers and accounts might be filed either with the local registration authority or with the minister.

Hon. Sir JAMES LOUGHEED: If the minister requires it, they have to forward them to him.

Hon. Mr. SPROULE: Suppose that people in a remote part of the country felt sufficiently interested in the organization to try to ascertain whether it was being properly conducted or not and wished to avail themselves of that provision of the law which says that books must be kept and open to inspection,, they would naturally ask, "Where can we find them? Are they with the local board or are they at Ottawa with the minister?"

The CHAIRMAN: Paragraph iv is amended as follows:

Such particulars with regard to accounts and other records as the local registration authority or the minister may require, shall be furnished to the local registration authority or the minister, and the books and accounts of the charity shall be open to inspection at any time by any person duly authorised by the local registration authority or by the minister.

Hon. Mr. SPROULE: It seems to me that that is going rather far. The books may be inspected by any person duly authorized by the local authority. I think the public ought to have the right to satisfy themselves.

Hon. Sir JAMES LOUGHEED: The minister may inquire under that.

Hon. Mr. SPROULE: Suppose I have reason to suspect that there is fraudulent work going on in my locality, and I go to the local board and say that I wish to look over the minutes, the answer would very properly be, "You have no authority to come here; you can only get that from us."

Hon. Mr. BOSTOCK: Cannot he appeal to the minister in that case and get permission?

Hon. Mr. SPROULE: Yes, I should think I could. The paragraph was agreed to .

On subsection 2 of section 7—appeal:

Hon. Mr. BOSTOCK: If there was any objection to the decision of the minister, there would be no appeal.

Hon. Sir JAMES LOUGHEED: You must come to Caesar some time or other.

Section 7 was agreed to.

Hon. Mr. DANIEL: I would like to ask the minister if an incorporated society like the Red Cross would be required to register under this Act?

Hon. Sir JAMES LOUGHEED: I should not think so, because the Red Cross is already incorporated.

Hon. Mr. SPROULE: Take, for instance, the Ladies Aid societies of the churches.

Hon. Sir JAMES LOUGHEED: If they come within paragraph b of section 2 they would have to be exempted.

The Bill was reported, with amendments.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

NORTHWEST GAME BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 100, an Act respecting game in the Northwest Territories of Canada. Hon. Mr. Landry in the Chair.

On section 4—close seasons:

Hon. Mr. POWER: I think we should insert the word "trapped" here, as it is used in the definition clause, and I move that it be inserted between the words "hunted" and "taken," in line 10. There might possibly be some question as to whether the word "taken" included "trapped."

Hon. Sir JAMES LOUGHEED: I see no objection to that.

Hon. Mr. POWER: Then, as to paragraph a, the honourable the leader of the Government stated that he would look into the point that I raised, that the close season is not what it should be. Has the honourable gentleman had the leisure to do so?

Hon. Sir JAMES LOUGHEED: No, I have not done so.

Hon. Mr. POWER: The point I made the other day was that July and August were the times of the year when the game most needed protection. That is the time when animals mate in that part of the country. In the province of British Columbia I think the close season ends on the 1st of September; in my own province it ends on the 15th of September; in Ontario it ends, I think, on the 1st of October, and the law in Quebec is somewhat similar. I think the clause should read that animals shall not be taken between the 1st day of April and the 1st day of September.

Hon. Sir JAMES LOUGHEED: I will take the matter up with the Department of the Interior. We have had the assistance of what is known as the Wild Life Commission, which is made up of members of the Conservation Commission and others who are experts on questions of this kind.

Hon. Mr. POWER: I observe that this clause is taken from the old Act, and since that time the population has extended into the neighbouring provinces.

Hon. Sir JAMES LOUGHEED: This is in the unorganized territory.

Hon. Mr. POWER: I am aware of that. There are game laws in the provinces of British Columbia and Alberta which adjoin the unorganized territory, and if this clause remained as it is there would be nothing to hinder pothunters from going into the Northwest territory and killing any number of deer or moose. There should be some restriction on that.

Hon. Sir JAMES LOUGHEED: If my honourable friend will put in his amendment I will take up the matter with the Department of the Interior.

Hon. Mr. POWER: I would strike out all the words after the second "the" in line 14, and substitute "the 1st day of September" for "the 15th day of July."

Paragraph a stands.

On paragraph b of section 4—mink, fisher and marten:

Hon. Mr. BOSTOCK: I see that we are repealing the old Act and that this Act is very much more stringent. I suggest that it might be possible to go a little further and provide, as is provided in the province of British Columbia, Alberta and Saskatchewan, that the females shall not be killed at any time. I understand that in these three provinces it is all right to kill moose, elk, wapiti, caribou, and deer at certain times, but at no time are females to be killed, and no animals are to be killed until they are of a certain age. I think that would be a very good provision to insert in this Act in order to protect the females and the young stock.

Hon. Mr. POWER: There is something to be said in favour of the view of the honourable gentleman; but in Nova Scotia we passed an Act containing a provision that cow moose should not be killed at any season of the year. That law has been in operation now for some three or four years, with the the result that within the last few years, at a place where the moose yarded, there were some six or eight or more cows all barren. The bull had been killed off and the cows are barren. I am not objecting to the amendment, but I doubt the wisdom of it.

Hon. Sir JAMES LOUGHEED: That can be governed by the license which is issued by the minister. Consequently, if it is desirable in the interests of game that this should not be done, the license can be so limited. Under subsection 9 of section 4 it will be observed that no person can engage in hunting except under a license issued by the minister. It seems unwise to provide arbitrarily that the female animals should not be killed.

Paragraph c was agreed to.

On paragraph d—muskrat:

Hon. Mr. RICHARDSON: Under this provision muskrats can be trapped all winter. All the young will be killed off.

Hon. Mr. BOSTOCK: I see that by subsection 10 of this section regulations can be made by the Governor in Council. Can the honourable the leader of the House tell us what those regulations would cover? Would they cover anything more than the clauses of the Bill?

Hon. Sir JAMES LOUGHEED: The regulations would cover all the purposes which we have in view in this Bill.

Paragraph d was agreed to.

On subsection 6 of section 4—white pelicans:

Hon. Mr. BELCOURT: Is the surveyor and the explorer bound to take out a license?

Hon. Sir JAMES LOUGHEED: Yes, under subclause 9 I should say it would be necessary for them to procure a license.

Hon. Mr. BELCOURT: I hardly think so.

Hon. W. B. ROSS: I would like to ask the honourable member from Halifax (Hon. Mr. Power) if subsections 4, 5 and 6 would not require to have the word "trapped" inserted, to make them correspond with subsection 1 of section 4?

Hon. Mr. POWER: Yes, I think so.

Hon. Mr. BOSTOCK: In line 2 of each of those subsections insert the word "trapped" after the word "hunted."

Hon. Mr. BELCOURT: In subsection 7 also. The subsections, amended as suggested, were agreed to.

On subsection 10 of section 4—regulations:

Hon. Mr. POWER: It seems to me that the Governor in Council should have power to make regulations governing the number of mammals and birds that may be killed or taken by any person in one season. That is a provision which I think is to be found in the game laws of nearly all the provinces, and it is intended to prevent pot hunting. I would move that the following words be inserted before paragraph f:

Governing the number of mammals and birds that may be killed or taken by any person in one season.

Subsection 10, amended as proposed, was agreed to.

On section 5—contracts with Indians and others:

Hon. Mr. BELCOURT: Section 5 provides a penalty for any one entering into a contract with or employing any Indian, Eskimo, etc., and section 18 states that where no special penalty has been provided, a fine of one hundred dollars to five hundred dollars, or imprisonnement for a term not exceeding six months, shall be the penalty. But why not make the Eskimo and the Indian also liable to prosecution for violation of section 5 of the Act?

Hon. Sir JAMES LOUGHEED: The Act does not apply to them. My honourable friend will see that under subsection 9 of section 4 they are even permitted to take the game. An exception is provided in the case of "a native-born Indian, Eskimo or halfbreed, who is a bona fide resident of the Northwest territories."

Hon. Mr. BELCOURT: But that is for his own use. Section 5 provides that no person shall enter into a contract or agreement with an Indian or Eskimo for the purpose of breaking the Act; but only the person entering into the contract is punished, and the Eskimo or Indian who is particeps criminis gets off.

Hon. Mr. POWER: The Eskimo or the Indian is not as likely to appreciate the mischief as much as a white man would.

Hon. Sir JAMES LOUGHEED: They are really the wards of the Government, the Indians particularly. An Eskimo should surely not be held responsible for entering into such a contract as is mentioned in section 5.

Hon. Mr. BELCOURT: But my honourable friend does not follow my argument. Here is a violation of the Act in which two persons engage, but only one of them is punished. The Eskimo or the Indian who makes a contract with a person to violate the Act is doing so for a consideration; he is getting something out of it. He is

getting something to which under the Act he is not entitled; in other words, he is not killing or taking game for his own use, but is doing it for the use of somebody else, who is paying him something to help him violate the Act. Why should he get off?

Hon. Mr. BEIQUE: I suppose it is on the ground that he is not expected to know the law.

Hon. Sir JAMES LOUGHEED: You could not collect a fine from him anyway.

Hon. Mr. BELCOURT: If the argument of ignorance of the law is accepted, the Eskimo may commit murder and escape punishment—he may get off scot free. What is the difference between the two cases? It is only a difference of degree.

Hon. Mr. POIRIER: In support of what the honourable gentleman from Ottawa (Hon. Mr. Belcourt) states, I may cite this fact, which I have been told is true, that the Hudson Bay Company employs the Eskimos in the nefarious work of killing game to such an extent that it is tending to destroy some species. Some ten years ago one factory, I was told—I was in Labrador last summer—got as many as 30,000 wild geese, which were exported to the United States. The eider duck, which was in my time very common and numerous in New Brunswick and the other Maritime Provinces, has practically disappeared, and the cause is attributed to the massacre of those birds by the Eskimos in the service of the Hudson Bay Company. The eider duck honourable gentlemen, is a most precious bird. If you refer to history, you will find that the Vikings had a law imposing severe punishment, even the death penalty, for the wanton destruction of them. That most valuable bird which in antiquity would have been sacred is disappearing—it has practically disappeared. I would suggest that the law should reach the Eskimo or those persons who employ Eskimos for the destruction of those birds. I would call the attention of my honourable friend the leader of the Government to the fact which I have mentioned. But as to the 30,000 wild geese having been killed at one factory, I was positively assured of that last year, when I visited Labrador.

Hon. Mr. BELCOURT: I am quite serious, and the more I think of it the more it strikes me that this is a proper provision to put into the Act. This Act is, of course, intended for the protection of game, but if the Eskimo and the Indian, who have carte blanche at all times to kill or take game, are allowed to make agreements of the kind referred to in this section and get off scot free if they are caught, there is no deterrent for them and they have nothing to lose. The Indian or Eskimo will enter into an agreement of that kind if he is going to be paid and knows that if he is caught only the other man will be punished. I would invite my honourable friend's serious consideration to this question.

Hon. Sir JAMES LOUGHEED: If we deter the man who employs the Indian or Eskimo, by the infliction of a fine and imprisonment, or either, will not that be sufficient? The Indian or the Eskimo then cannot engage in any illegal hunting, so long as we punish the person who seeks to violate the law. In the second place, while a fine of $500 or less may be imposed, how are we seriously going to consider to impose a fine on an Indian or an Eskimo?

Hon. Mr. POIRIER: But we may impose a fine upon the white man who buys from him.

Hon. Sir JAMES LOUGHEED: We could fine him, but not the Eskimo.

Hon. W. B. ROSS: Are there any jails into which the Eskimos could be put?

Hon. Mr. BELCOURT: The Act provides for that:

> When because of the distance or for want of conveyance or communication, or for any other cause, it is not convenient to confine any convicted person in the nearest gaol or other place of confinement, the convicting authority shall have power to confine such person in any suitable building which is more convenient to the place of trial, and to take all necessary precautions to prevent his escape therefrom.

That is the answer to my honourable friend.

Hon. Mr. DANIEL: It appears to me that while there is a provision here to prevent any one from entering into an agreement with an Indian or an Eskimo, it does not penalize any one who purchases from the Eskimo or Indian, although he may not have an agreement with him. This Act, as far as I can see, places no prohibition on the Indian or Eskimo from killing game, whether for his own use or even for barter, and there is no prohibition put on any one from purchasing the fur or game from the Indian or Eskimo; the only prohibition is from making an agreement with him to do certain things. The point I wish to make is that the omission is in not having a penalty against any one who purchases this

game or fur, or whatever is caught, contrary to the intention of this Act, otherwise than by an agreement.

Hon. Mr. BELCOURT: Of course, the objection would be that the Indian can take the game for himself; he is not limited.

Hon. Mr. DANIEL: Yes, but if he cannot dispose of it, if he gains no advantage, then he ceases to do it.

Hon. Mr. BELCOURT: But he can eat it, or he can sell it.

Hon. Mr. DANIEL: But if he could not sell it there would be no advantage for him to kill it, except for his own use.

Hon. W. B. ROSS: Section 8 provides for that:

No person without lawful excuse, the proof whereof shall lie on him, shall buy, sell or have in his possession any game, or the nests, or eggs of any wild bird, or any part thereof, during the close season.

Hon. Mr. DANIEL: But that would not apply to the Indian?

Hon. W. B. ROSS: No.

Hon. Mr. DANIEL: I suppose that would cover the case.

Hon. Mr. POWER: Lo, the poor Indian will not have a chance to trade with the Hudson Bay Company any more.

Hon. Mr. BELCOURT: Will my honourable friend not consider my suggestion and allow the section to stand so that we may think it over?

Hon. Sir JAMES LOUGHEED: I cannot think of any way of imposing a fine or imprisonment upon Indians or Eskimos in that far north country. If we punish the white man who seeks to violate the law through an Indian or Eskimo, it seems to me that we do all that is necessary for the observance of the Act. I have no objection to speaking to the Minister of the Interior to see if it would be at all possible to enforce any such provision as is proposed by my honourable friend.

The section was agreed to.

On subsection 2 of section 7—duty of constables:

Hon Mr. POWER: I notice that in the Act which this Bill proposes to repeal the accused can be tried before a commissioned officer of the Northwest Mounted Police. Under the Bill as we have it, apparently he can be tried before an ordinary constable of the Northwest Mounted Police.

The honourable leader of the Government remembers that that point was raised in the discussion earlier. It does seem to me going rather far to say that a policeman may arrest a man and try him afterwards.

Hon. Sir JAMES LOUGHEED: That subsection does not make a constable a justice of the peace.

Hon. Mr. BEIQUE: But then it would have to be in the Northwest Territories?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: Well, is it advisable to confine it there, if there be no justice of the peace?

Hon. Sir JAMES LOUGHEED: The officers of the mounted police are ex officio justices of the peace.

Hon. Mr. POWER: I did not know that.

Hon. Sir JAMES LOUGHEED: Yes; under the Police Act.

Hon. Mr. BOSTOCK: There is one point which occurs to me. I may be wrong, but section 6 says:

All members of the Royal Northwest Mounted Police, and the sub-collector of Customs at Herschel Island, shall be ex-officio game officers.

Then, section 7 says:

Any game officer, when he considers it necessary so to do, may appoint a constable or constables.

If all the Northwest Mounted Police are game officers, where are the constables? Are there no other constables than the Northwest Mounted Police in the Northwest Territories?

Hon. Mr. POWER: The game officer appoints the constable.

Hon. Mr. BELCOURT: He appoints a substitute.

Hon. Mr. BOSTOCK: It seems rather confusing to say that a game officer may appoint a constable. Is not the game officer a constable?

Hon. W. B. ROSS: He may be an outsider. A person who is not a member of the Northwest Mounted Police could be appointed by a game officer as a constable.

The section was agreed to.

On section 12—giving false information:

Hon. Mr. POWER: The marginal note is not correct. It does not provide punishment for refusing information, but simply for giving false information?

Hon. Sir JAMES LOUGHEED: We can change that by striking out in the marginal note the words, "refusing information or"

The section, amended as proposed, was agreed to.

On section 14—arrest on view:

Hon. Mr. BOSTOCK: Would it be necessary to insert the word "constable," as it has been used in other places?

Hon. Mr. POWER: If he is a peace officer he is a constable.

Hon. Mr. BOSTOCK: Would that cover both?

Hon. Mr. POWER: Yes.

The section was agreed to.

On section 18—penalties:

Hon. W. B. ROSS: Is not the penalty very high?

Hon. Sir JAMES LOUGHEED: But there is a minimum fine.

Hon. W. B. ROSS: But that section still gives the Mounted Police officers the power to inflict the whole fine of $500.

Hon. Sir JAMES LOUGHEED: The difficulty is to discriminate. Suppose a hunter comes in and shoots several buffalo or musk oxen, or animals of that kind, it would be a very serious offence.

Hon. Mr. POWER: I was going to call attention to the fact that in the existing law there is a provision for the levying of the amount of the fine on the goods of the accused, and there does not seem to be anything in this Bill to make provision for that.

Hon. Sir JAMES LOUGHEED: I think under the Criminal Code that would be done in any event. A distress would issue for the collection of the fine.

Hon. Mr. POWER: I looked into the Criminal Code and did not see it. Section 30 of chapter 151 of the Revised Statute says:

> The authority making the conviction may order that, in default of payment of the penalty and the costs of conviction, forthwith or within such time as he orders, the penalty and costs shall be levied by distress and sale of the goods.

I think there should be something of that kind in this Bill.

Hon. Sir JAMES LOUGHEED: I will look into that matter. My recollection is that the Criminal Code makes ample provision for the collection of fines by distress where a summary conviction is made.

Hon. Mr. BELCOURT: Has my honourable friend noticed that, whilst a fine of $500 is imposed for infractions of sections 4 and 5, that is, for killing or taking out of season, when it comes to deal with offences created by section 11, the maximum fine is $100. Section 11 says:

> Any person who assaults, obstructs or interferes with any game officer, game warden, constable or other peace officer in the discharge of any duty under the provisions of this Act or of any regulation, shall be guilty of a violation of this Act.

In other words, the man who assaults or obstructs a game officer cannot be fined more than $100, but a man who takes an egg can be fined $500. The illustration perhaps is not apt, but the argument remains that for obstructing a game officer the maximum fine is $100. That seems to be altogether unreasonable as compared with the other penalties provided by the other sections.

Hon. Sir MACKENZIE BOWELL: They depend on the value of the animals.

Hon. Sir JAMES LOUGHEED: Under subsections a and b animals might be destroyed to the value of thousands of dollars, and it would not be unreasonable to inflict the fine. Suppose a police officer were assaulted in the city of Ottawa, would there be any probability of the punishment being greater than $100 fine or two months' imprisonment?

Hon. Mr. BELCOURT: The illustration is not apt. We are dealing with the Northwest Territory. The point that I make is that the most serious offence of all has the lightest penalty attached to it.

Hon. Sir JAMES LOUGHEED: Of course, that is arguable.

Hon. Mr. POWER: It would be very simple to insert at the end of paragraph b:

> For any offence under subsection 9 of section 4 or under section 11.

The section, as amended, was agreed to.

Hon. Mr. POWER: Before we finish with the Bill perhaps I may be allowed to make a suggestion. In most of the provinces the law forbids the hunting of deer or moose with dogs. The Government might bear that in mind when making the regulations. If people are allowed to use dogs they will kill off the moose and deer in very short order.

Hon. W. B. ROSS: Section 10 is going to come into conflict with the Criminal Code.

Hon. Sir JAMES LOUGHEED: My honourable friend will observe that this constitutes an offence entirely different to that under the Criminal Code. It is an offence under this Act. That is, provision is made for a specific offence under this Act. It seems to me it would oust the provision in the Criminal Code.

Hon. W. B. ROSS: But the offence is exactly the same in both cases; it is obstructing a police officer. Why should it be imprisonment in one case and a fine of $100 in another?

Hon. Sir JAMES LOUGHEED: The object in making provision here is evidently to make the Act complete in itself. This Act will find its way into those very distant parts in the Northwest Territories, whereas probably the Criminal Code would not be known there.

Hon. Mr. BELCOURT: But my honourable friend from Middleton (Hon. W. B. Ross) is strongly in support of my contention that the penalty is altogether inadequate.

Hon. Sir JAMES LOUGHEED: But the fine is $100.

Hon. Mr. BELCOURT: But by comparison with the Criminal Code the penalty provided in this instance is very much lighter and is altogether inadequate.

Hon. Sir JAMES LOUGHEED: Not as to the fine; as to the imprisonment?

Hon. Mr. BELCOURT: Yes.

Progress was reported.

PROVINCIAL PROHIBITION AMENDMENT BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into Committee on Bill 121, an Act to amend an Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors.—Hon. Sir James Lougheed. Hon. Mr. McLennan in the Chair.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, when we were last in committee we reserved paragraph 4 B of section 3 and it was proposed to strike out the words, "Such premises or place, including any Government." As honourable gentlemen will see, that would not make a very intelligible amendment to that clause, and it has been suggested by the Government that we should incorporate into this Bill sections 136 (as enacted in 1916, chapter 14) and 117 of the Canada Temperance Act. The section is necessary to give right of search over government railways, etc. I will read the section which it is proposed to substitute.

Hon. Mr. POWER: You propose to strike out 4B?

Hon. Sir JAMES LOUGHEED: Yes, in its entirety, and to substitute this in lieu thereof:

> Sections 136 (as enacted in 1916, c. 14) and 117 of the Canada Temperance Act. The section is necessary to give right of search over Government railways, etc.
>
> 4b. If it is proved upon oath before any Judge of the sessions of the peace, recorder, police magistrate, stipendiary magistrate, two justices of the peace or any magistrate having the power or authority of two or more justices of the peace, that there is reasonable cause to suspect that any intoxicating liquor is in any premises or place and that such intoxicating liquor is or has been dealt with contrary to the provisions of this Act, such officer may grant a warrant to search such premises or place, including any Government railway, vehicle or steamship, for such intoxicating liquor, and if the same or any part thereof is there found, to seize and bring the same before him, and when any person is convicted of any offence against any of the provisions of this Act the officer or officers so convicting may adjudge and order, in addition to any other penalty, that the intoxicating liquor in respect to which the offence was committed and which has been seized under a search warrant as aforesaid, and all kegs, barrels, cases, boxes, bottles, packages, and other receptacles of any kind whatsoever, found containing the same be forfeited and destroyed, and such order shall thereupon be carried out by the constable or peace officer who executed the said search warrant or by such other person as may be thereunto authorized by the officer or officers who have made such conviction.

Honourable gentlemen will see that that is the law to-day under the Canada Temperance Act, and it considerably abridges the wide powers of search provided for in this Bill.

Hon. Mr. POWER: I am not disposed to be particularly favourable to stringent prohibition legislation; but I would suggest, with reference to the words "including any government railway, vehicle or steamship," that very often the worst kind of work is not done on board steamship or on government railways, but is done, perhaps, in schooners and boats and canoes, and I would suggest—I suppose the honourable leader of the Government will accept the amendment—that after the word "steamship" the following words be inserted: "vessel, boat or canoe." The bootleggers are

much more likely to use boats or schooners than steamships.

Hon. W. B. ROSS: Why not put in the word "craft" instead of "canoe?"

Hon. Mr. NICHOLLS: Craft of any description.

Hon. Mr. POWER: Why should the right of search be limited to government railways?

Hon. Sir JAMES LOUGHEED: I think that should include all railways? Why not strike out the word "Government"?

Hon. W. B. ROSS: The special language is intended to cover the case of the Crown.

Hon. Sir JAMES LOUGHEED: Say "any Government railway or other railway." We may possibly misapprehend the use of the words "government railway" there. The Crown would have to be expressly mentioned before a search-warrant could be executed to search government premises. It seems to me that the meaning of this is any government railway, government vehicle, or government steamship. Here are three separate properties that may be owned by the Crown—a railway, a vehicle, or a steamship. Any private property belonging to a corporation would be governed by the other language.

Hon. Mr. BEIQUE: It would put another construction on the Temperance Act.

Hon. Mr. DANDURAND: This provision seems to have been specially prepared to cover Crown properties.

Hon. Sir JAMES LOUGHEED: It has been on the statutes. I think perhaps we had better let it go as it is.

Hon. Mr. MURPHY: If the Crown is not mentioned, it cannot be touched?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. POWER: The words, "boat or canoe" have been accepted?

Hon. Sir JAMES LOUGHEED: That would be a government boat, vessel or canoe. Does my honourable friend want the Bill amended in that way?

Hon. Mr. POWER: No.

Hon. Sir JAMES LOUGHEED: I think it is best to leave the section as it is. It is taken word for word from the Canada Temperance Act.

Hon. Mr. POWER: I think the honourable gentleman has another amendment with respect to entering without a warrant.

Hon. Sir JAMES LOUGHEED: This supersedes it.

Hon. Mr. MURPHY: I ask the honourable gentleman if he is going to leave out the right to search government railways?

Hon. Sir JAMES LOUGHEED: No, we are adopting it as it is.

Hon. Mr. MURPHY: You say that under that clause you have no right to search government railways.

Hon. Sir JAMES LOUGHEED: Oh, yes, it is specially mentioned.

Hon. Mr. BOSTOCK: I would like to point out that section 136 of chapter 14 of 1916 does not agree with the clause the honourable gentleman read.

Hon. Sir JAMES LOUGHEED: This was given to me by the parliamentary draughtsman. Is not the proposed section sufficiently comprehensive to cover all premises? It says:

—that there is reasonable cause to suspect that any intoxicating liquor is in any premises or place and that such intoxicating liquor is or has been dealt with contrary to the provisions of this Act.

It seems to me that this is an improvement upon the provisions of the Bill which we are now considering, which gives a latitude that should not be entertained for a moment. This clause makes provision for the issuance of a summons, which I think is very desirable. Although it is not in the exact language of the Act referred to, yet on the whole the proposed section appeals to me as a very great improvement on the form contained in the Bill.

Hon. Mr. BEIQUE: I understand that the Act as it now appears in the statutes will be substituted for the clause in the hands of the chairman.

The CHAIRMAN: The motion is that section 4 B be struck out and this clause substituted for it.

Hon. Mr. BEIQUE: We should adopt the Act as it stands now, not a section which has been repealed.

Hon. Mr. NICHOLLS: Why is it necessary to adopt any part of the Canada Temperance Act? This supersedes it.

Hon. Sir JAMES LOUGHEED: It would not do to adopt the amended section in its entirety, because in several places it refers to "Part 2 of this Act," and "The Temperance Act of 1864" and so on. It is a question in my mind whether it is good legislation to enumerate the many places men-

tioned in the Canada Temperance Act, for instance, dwelling house, store, shop, warehouse, outhouse, garden, yard, and so on. That only places a limitation on the Act. The language in the amendment which I have handed to the chairman seems to me to be preferable.

The new section was agreed to.

On subsection 4A of section 3:

Hon. Sir JAMES LOUGHEED: May I ask honourable gentlemen to reconsider clause 3, which was stricken out? It has been pointed out by the Minister of Justice that this clause, which was rejected by the Senate last session, and again this session, is really necessary for the proper carrying out of the Act. The violation of the law of one province may occur in another province. The only effective way of enforcing the Act is to provide that a prosecution may take place in the province where the law has been violated. If there is prohibition in one province and no prohibition in another, it is manifest that a violation of the Act should not be permitted to take place in the province where prohibition does not obtain. If there is a deliberate violation of the law in that way, it is reasonable, I contend, that the prosecution should take place where the offence was first committed; otherwise it becomes quite apparent that it will be impossible to enforce a prohibitory liquor law in those provinces in which prohibition obtains if, in the provinces where it does not obtain, latitude is given to ship all the liquor anybody wishes to ship into a province where the law does obtain.

Hon. Mr. BOSTOCK: My honourable friend has not touched upon the question of the hardships that may be imposed on people by this very clause. A man may be brought all the way across the Dominion of Canada to stand his trial, and then be turned loose to get back again as best he can.

Hon. Sir JAMES LOUGHEED: He can easily avoid that by not committing the offence.

Hon. Mr. BELCOURT: Suppose he is innocent?

Hon. Mr. POWER: With a fairly full House the Senate decided by a considerable majority to make the amendment to which reference has been made, and I trust the leader of the House will not insist upon our retracing our steps when we have such a thin House as we have to-night. I agree with the honourable the leader of the Government in thinking the prosecution should be taken in the place to which the liquor is sent and not in the place from which it is sent.

Hon. Sir JAMES LOUGHEED: How will you be able to reach the offender if the prosecution is not to take place at the destination instead of at the place of shipment?

Hon. Mr. POWER:: If a man has made a contract to have the goods sent to him, it seems to me that there should not be much trouble.

Hon. Sir JAMES LOUGHEED: You may not find the offender at the point of destination. Liquor may be shipped to the order of the shipper. Clearly the offence has been committed at the point of shipment.

Hon. Mr. POWER: In the city of Montreal the business is perfectly legitimate, and if a man ships goods to British Columbia. which he has a perfect right to do, and which the law of the province does not forbid him doing, he is liable to be taken to British Columbia to be tried.

Hon. W. B. ROSS: I think the reason given by the Minister of Justice for putting this clause back is the strongest that I have yet heard for leaving it out. The Minister of Justice said that it would be easier to get a conviction in a temperance province than in a province where the people were not so much interested in the question. That is to say, if you take a man out of the province where the people are perhaps indifferent, but where the judges and magistrates would be quite ready to administer justice, and take him into a neighbouring province where perhaps the people are excited on the question, it would be easy, I suppose, to get the conviction. That makes the clause all the more dangerous. A man might be taken out of one province and into another province and not get a fair trial. The commencement of this offence is not the delivery of the liquor at its point of destination. The illegal act, if there is one, commences at the point from which the liquor is shipped. That is the beginning of the offence, and that place and the place of residence of the accused are the places where the man should be tried. I protest against a man who is accused of a crime being treated as if he were guilty. If a man is arrested at Halifax or Montreal and taken to the Northwest Territories it does not necessarily follow that he is

guilty. What is going to happen to him after he is taken across the continent, found not guilty, and discharged? The Government does not make any provision to pay his way home.

Hon. Sir JAMES LOUGHEED: I took this opportunity of presenting the matter to the House. If the House is not in a receptive mood, and does not look at it from that standpoint, I move that the committee rise, and report the Bill as amended.

The Bill was reported with amendments.

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

THE SENATE.

Wednesday, August 29, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

The Senate adjourned during pleasure.

THE ROYAL ASSENT.

The Honourable Lyman P. Duff, one of the Judges of the Supreme Court of Canada, Deputy of His Excellency the Governor General, having come, and being seated at the foot of the Throne, and the House of Commons having been summoned, the Honourable the Deputy of the Governor General was pleased to give the Royal Assent to the following Bills:

An Act for the relief of Rozilla Lamb.
An Act for the relief of John Newton Salter.
An Act to incorporate The North American Accident Insurance Company.
An Act to amend The Fisheries Act, 1914.
An Act to amend The Saint John and Quebec Railway Act, 1916.
An Act to amend the Interest Act.
An Act for the relief of William Henry Bishop.
An Act to incorporate The Canadian Division of the Aerial League of the British Empire.
An Act respecting a certain Convention between His Majesty and the United States of America for the protection of Migratory Birds in Canada and the United States.
An Act to amend the Supreme Court Act and the Exchequer Court Act.
Bill 83, An Act relating to The Honorary Advisory Council for Scientific and Industrial Research.
Bill E2, An Act to incorporate Canadian Good Roads Association.
An Act respecting The Montreal Central Terminal Company.
An Act to incorporate The English Valley and Hudson Bay Railway Company.
An Act to amend the Boards of Trade Act.
An Act to assist Returned Soldiers in settling upon the Land and to increase Agricultural production.
An Act to incorporate The Cascade Scenic Railway Company.
An Act respecting The Toronto, Hamilton and Buffalo Railway Company.
An Act to amend The Customs Act.
An Act respecting Military Service.
An Act to amend the Criminal Code (respecting jurors).
An Act to amend the Criminal Code and the Canada Evidence Act.

The sitting having been resumed:

WAR CHARITIES BILL.

THIRD READING.

Bill V2, an Act relating to War Charities.—Hon. Sir James Lougheed.

PROVINCIAL PROHIBITION AMENDMENT BILL.

THIRD READING.

Bill 121, an Act to amend an Act in aid of Provincial Legislation prohibiting or restricting the sale or use of intoxicating liquors, as amended.—Hon. Sir James Lougheed.

MINISTER OF OVERSEAS MILITARY FORCES AND PARLIAMENTARY SECRETARIES BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into Committee on Bill 122, an Act respecting the Minister of the Overseas Military Forces, the Parliamentary Secretary of the Department of Militia and Defence, and the Parliamentary Under-Secretary of State for External Affairs.—Hon. Sir James Lougheed. Hon. Mr. Daniel in the Chair.

On paragraph 5A of section 1—appointment of Minister of Overseas Military Forces:

Hon. Mr. DOMVILLE: What are to be the functions of the Minister of Overseas Military Forces? Is this to be a case of the Mikado and the Tycoon. Now, which is to be the Tycoon and which the Mikado?

Hon. Sir JAMES LOUGHEED: You take your choice.

Hon. Mr. DOMVILLE: "You pays your money and you takes your choice." Very well. In regard to militia matters, it is not so much a question of the Government's fault; the trouble is the personnel under them. Members of the other House and members of the Senate have no way, unless they have been in close touch with

the militia all their lives, of finding out what they should know about what is going on in the department. If I remember rightly, the Auditor General's Report puts the expenditure en bloc. Now, we have no explanation. I do not propose at this late period of the session to ask—although it would be a proper thing to do—for the details of the expenditure to be laid before Parliament. If Parliament votes so much money to the department without asking for particulars as to this and that, there should be laid before Parliament a return or statement giving details as to how the money was expended. My honourable friend who has just taken his seat (Hon. Mr. Cloran) has put in a notice of inquiry which shows how necessary it is that some information of the kind should be available. An ordinary layman would not understand why a lieutenant-general or a major general in Halifax, who is in a very responsible position, should draw less pay than a man in St. John, who does not know anything about soldiers to start with, has never been at the front, and who, when he went to England at the time of the Diamond Jubilee, had his command taken away from him because he could not march his men up and down the street. We find this officer drawing $6,000 odd. We have no details of the circumstances. The militia list does not show the name of this celebrated general anywhere. He is a dragoon, on foot just now. The militia list of 1916 shows him as a provisional brigadier-general, which rank was extended again for one year up to 1917. When you refer to the command at the front, there is no record of him at all. My honourable friend has said that when calling out the Militia these appointments can be made. I do not think my honourable friend has looked into the question or thought of it for a moment. A brigade is composed of a certain number of regiments, and the commander for the time being is a brigadier-general. No such force exists in New Brunswick. There is nothing there but a few gentlemen officers moving about. And yet this officer draws all this pay as a brigadier. It is because of things of this kind that we should know something of the duties of the Minister of Militia overseas. How far will his régime extend? This Bill may be all right; I do not know anything about it; I have not studied it. I might refer to the returns brought down in the House of Commons on the 21st of June, which showed that $400,000 per annum was paid to officers in Halifax, N.S., who were not shedding their blood for the country, for the Conservative party, nor for the King.

Hon. Mr. DENNIS: That included St. John.

Hon. Mr. DOMVILLE: No, we would not have anything to do with Halifax. There are soldiers over there. Does my honourable friend want me to say what he drew for advertising?

Hon. Mr. DENNIS: Yes, if you like.

Hon. Mr. DOMVILLE: It is not worth while. Is there to be any check placed upon the expenditure of the people's money? I am of the opinion that the Militia Department should be under the administration of one man who is capable of doing his work, and who will do it, and will not be drawn aside. He should be placed outside of the influence of politics. Canada has done an immense amount of work in shipping her men to the front, and whoever did that work deserves great credit at the hands of the country. Mistakes have been made. I think it was a great mistake to promise 500,000 men. It might have been possible to keep the strength up to 200,000 or even 250,000. The Militia Department has been all at sea; there was nobody to guide it, nobody qualified with the necessary military knowledge. The men had to go anyway, with Oliver equipment and so forth, which was condemned thirty-five years ago, and which was again condemned by the British Government when the troops reached England. I do not think the Government was a party to that transaction; the trouble was caused through the ignorance of the persons who were in charge of the administration. Another mistake was made with regard to the spade with the hole in it. $103,000 is too much to pay for a hole. Perhaps spades were trumps.

The CHAIRMAN: We are now dealing with subclause 5A of section 1.

Hon. Mr. DOMVILLE: I am perfectly in order. I am speaking to the principle of the Bill.

The CHAIRMAN: The principle has already been agreed to.

Hon. Mr. TESSIER: The honourable gentleman can give his reasons for opposing the first clause.

Hon. Mr. DOMVILLE: Certainly. I think the honourable leader of the Government appreciates the point I am mak-

ing. I am not attacking the Government; I am simply offering suggestions. These things should be guarded against in the interests of the public purse. Probably a little later on we shall have the direction of affairs, and we should say what we would do. We are merely speaking now of what they are going to do and of what we think they should do. The Government has been endeavouring to do its duty, and probably it did all it could under the circumstances, surrounded as it was by a lot of men wanting appointments. I could name one man drawing $2,000 a year who is not doing a day's work for it at all; but I do not want to attack him; he has a wife and children, and they are nice people. I am glad that he was able to get some benefit with the rest of them; but these things should not occur, and the country will ask those who are here what they think about this legislation. This is a very important Bill. I might point out that the Bill hardly goes far enough. What provision is going to be made with regard to the Militia Act in Canada? Are we to continue under the old régime, or is there going to be a small standing force established, or is there going to be a small staff established for the training of higher officers? The Bill should provide that the overseas Minister of Militia should not be interfered with, and there should not be two jurisdictions with regard to the militia. The fighting forces at the front know what is wanted. The department here is merely a spending department. Parliament votes so much money for the department to spend. Parliament should not put into their hands all the powers of General Currie and others. Those men at the front do not want ideas from here. They want to look to where the head officer of the army is. To-day he is in London. The man that we appoint should be free from all influences, and his ipse dixit should carry.

Hon. Mr. BOYER: My honourable friend has drawn the attention of the Senate to one mistake that was made with regard to the Oliver equipment. Will this Bill provide for such little accidents as happened, for instance, when the first contingent went abroad? I have it on very reliable information that $20,000 worth of Mothersill's seasick remedy was bought for the use of the first contingent. That was a very kind provision, because, unfortunately, we are not all sailors; but there was one slight mistake made. The whole of that $20,000 worth of Mothersill's seasick remedy was put on board one ship. Were the poor fellows on board that ship to consume it all so that the rest would feel the benefit of it? This incident made us the laughing-stock of Europe for quite a time. People inquired right and left: "How is it, when you are kind enough to provide the necessary remedy, that there was not an officer capable of distributing that $20,000 worth of seasick remedy among all the ships?"

Paragraph 5A of section 1 was agreed to.

On paragraph 2 of section 1—duties:

Hon. Mr. DOMVILLE: I think we should have a little explanation on this point from the honourable the leader of the Government. This section says: "Such other duties as have been or may be assigned to him." The inference to be drawn is that the Minister of Militia overseas has no functions, or that he has functions that can be interfered with from here.

Hon. Mr. CLORAN: If the civil minister is responsible for the military affairs overseas, what is the commander in chief at the front to do?

Hon. Sir JAMES LOUGHEED: The commander is not charged with the administration of military affairs.

Hon. Mr. CLORAN: The honourable senator from Rothesay (Hon. Mr. Domville) was informed that the Overseas Minister would be in charge of military affairs. There is no termination to the words military affairs. The Overseas Minister could countermand or counteract the action of the general at the front. I do not think this Bill is absolutely necessary. I am of the same opinion as the ex-Minister of Militia, that one minister is enough to look after the army, without dividing the responsibility and the authority of the department. I think that Hon. Sir Sam Hughes is perfectly right in his opposition to the Government against the appointment of the Overseas Minister.

Hon. Mr. DOMVILLE: He has done good work.

Hon. Mr. CLORAN: Division of authority of this kind can only lead to results that will be beneficial neither to the country nor to the army, neither to the soldiers at the front nor to those in the hospitals. Who is the soldier to obey? Is it the minister? Is it the Minister Overseas? Is it the general, his commanding officer? You are putting the poor soldier in a dilemma from which he will not be able to escape. He

will get instructions from one department and get different instructions from another —all under the same Government. Of course, any discussion which takes place here will not affect the nature of the Bill or any of its terms. We know that; but it is well that the people of Canada should know that views different from those of the Government exist, and exist in the army—in the camps and on the firing line. It is well that the soldiers who are fighting the battles of Canada; and on behalf of the Empire and the Allies, should know that they have friends here in Canada, both in and out of Parliament, who will stand by their views with regard to this matter.

Hon. Mr. DOMVILLE: I do not think the leader of the Government understood my point. Perhaps I did not make myself sufficiently clear. In England the War Office used to rule. Now it is the Secretary of State for War and not the War Office. The Secretary of War has charge of the Army. Up to a certain date, I think 1860, the army was called the King's Army, and it was all run from the Horse Guards; then it was removed from the King, and the responsibility for administration and everything else connected with the War Office was placed on the Secretary of State for War, as representing the people. He held his position and performed his functions by right of the people, and not under the Crown or by virtue of the organization of the Horse Guards. They were stripped of all their powers except that of carrying out the details of munitions, horse equipment, uniform, and matters of that kind. They had their expert boards of various kinds,—for munitions of war, for projectiles, etc.—and they were held responsible for those matters; but the administration of the affairs of the Army was not in their hands but was given to the Secretary of State for War. Now, the Secretary of State for War—which the minister really is—will, under this proposed Act, be in England. Let me take up the thread of the remarks made by my honourable friend (Hon. Mr. Cloran) just now. Supposing, for argument's sake, that General Currie were called back from the front. He is a splendid general, recently rewarded by the Crown—knighted on the field of battle. It is well recognized what a good man, and what a great soldier he is. Now, suppose he differs with this gentleman in England who is charged with the responsibility for the administration of our military affairs overseas. There is the stickler, in my opinion. How is the overseas minister to interfere with the troops at the front? When the troops go across the water into active service, or into the arena of war, they come under the authority of the Commander in Chief of the British Forces. An officer such as General Currie, we will say, gets an order from the minister to come back home. It might happen. There is at present in the city of St. John an officer who received orders to come back. He fought in South Africa and has his medal, and he went to the front two or three years ago. They have sent him back because they had no place for him overseas, yet those who had not done anything have been left in London in prominent positions. If it is possible, I should like to have this paragraph changed so as to provide that military responsibility could not be assumed by the minister in England as against the authorities at the front, as could be done under this present clause. Does my honourable friend not think so? Why not? Canada has sent overseas a force of 300,000 or 400,000. The soldiers go to the front. The minister in London has a bureau and is administering all the military affairs. He is either absolute or he is not absolute; and that should be defined. I do not at all agree with this subsection.

Hon. Mr. LANDRY: If I understand correctly the division of authority that has been made with respect to the overseas forces, it is this. There is a general in the field, General Currie.

Hon. Mr. DOMVILLLE: Yes.

Hon. Mr. LANDRY: But there is also a general in England, that is, General Turner, who has control of the training of the troops.

Hon. Mr. DOMVILLE: That is correct.

Hon. Mr. LANDRY: One does not interfere in the work of the other.

Hon. Mr. DOMVILLE: That is correct; but what I say is that the power of placing or replacing men at the front would be absolute. General Turner is in England looking after all the affairs of the army of Canada in England, but he should not be given the power to bring General Currie back or to remove him. General Currie, as I have stated, has earned his laurels at the front, but under this Bill anybody in charge of the administration in London could bring him back.

Hon. Sir JAMES LOUGHEED: Oh, no. Whatever we do is done under the Imperial authorities.

Hon. Mr. LANDRY: I think the only thing that it would be possible to do would be for the overseas minister to make a recommendation to the proper authority in the field, and if the Commander in Chief, Field Marshal Haig, or any other authority there, gives permission, an officer will be allowed to come back, but not otherwise.

Hon. Mr. DOMVILLE: I have already cited the case of the St. John man who has been sent back home. I could name him, but that is not necessary. He is a fine officer.

Hon. Mr. LANDRY: Officers certainly come back, but many of them come back on leave.

Hon. Mr. DOMVILLE: This officer is not on leave. Probably his case will be brought before the House, but I do not intend dealing with it at the present time.

Paragraph 2 of section 1 was agreed to.

Paragraph 3A of section 2—Parliamentary Under-Secretary of State for External Affairs:

Hon. Mr. BOSTOCK: I should like to ask the honourable leader of the Government for some explanation about this. I do not think we had much explanation when we were discussing this Bill on the second reading, as to why it was necessary to make this appointment to the Department of External Affairs. We can quite understand that there has been a great deal of work in connection with the Militia Department, and it was probably necessary to make the appointment of Parliamentary Secretary in connection with that department; but we are not aware of any great amount of extra work in connection with the Department of External Affairs, which would render necessary the appointment of a Parliamentary Under-Secretary. In another place a good deal of criticism was raised as to this appointment, and some reflection was cast upon the way in which the gentleman who has been appointed to the position was fulfilling his duties. I think it would be of interest if the honourable leader of the Government would give for the information of this honourable House some explanation with regard to this matter.

Hon. Sir JAMES LOUGHEED: I should be very glad to give my honourable friend the information. If there is in the Dominion of Canada any public man to whom my honourable friend can point who has more to do than the Prime Minister, I certainly am unaware of any such person. The Parliamentary Under-Secretary of State for External Affairs, as my honourable friend very well knows, is being appointed to assist the Prime Minister, who fills the office of the Secretary of State for External Affairs, and I do not think that any honourable gentleman in this House will hesitate for a moment in conceding that no man is busier than the Prime Minister, no man has more to do or greater responsibilities on his shoulders. The Prime Minister is engaged practically from early morning until midnight in the transaction of the public affairs of this country, particularly at this most crucial of all times.

The Honourable Hugh Clark has been appointed to the position of Parliamentary Under-Secretary of State for External Affairs. Mr. Clark is a man who has been well and favourably known in Canada for many years. He has been one of the leading journalists of the Dominion and occupies a very prominent position in his profession, of which he is an ornament. Certain reflections have been cast upon Colonel Clark in the other place, to which my honourable friend refers. They have been foundationless; they are simply a tissue of fabrications. No one has assumed the responsibility of charging Colonel Clark with any of the allegations with which his name has been associated, of preparing political literature, etc. If Hon. Mr. Clark as a journalist should choose to write an article for his paper, who is going to object to that? I venture to say that no man in this House is kept busier than that same gentleman in performing the public duties which are assigned to that particular office which he is filling so well.

Hon. Mr. DOMVILLE: Will the honourable gentleman kindly explain to me, for I do not quite understand, what paragraph 3A, respecting the Under-Secretary of State for External Affairs, has to do with the Militia Department?

Hon. Sir JAMES LOUGHEED: This Bill deals with other matters than militia matters; it is not made exclusively applicable to the Militia Department or to militia affairs. This paragraph deals with the creation of an office to be known as the Parlia-

mentary Under-Secretary of State for External Affairs.

Hon. Mr. DOMVILLE: But why should not that come under the Representation Act? Why bring it in here? You might just as well bring in all sorts of offices. My honourable friend may smile. He does not approve of this any more than I do, but he has no explanation to give, and cannot give any such explanation as I ask for. I see his difficulty; I recognize it.

Paragraph 3A of section 2 was agreed to.

On section 3—salaries:

Hon. Mr. DOMVILLE: A salary of $7,000 per annum is a very small one for a minister of the Crown, responsible to the Crown and responsible to the public. The officer in St. John to whom I have referred can walk about the streets of that city, and is drawing nearly $7,000, and has no such responsibilities. Why should not a minister of the Crown have a larger salary than that? I object to that clause.

Hon. Sir JAMES LOUGHEED: This is the sum which is paid to all other ministers of the Crown.

Hon. Mr. DOMVILLE: I know that, but I say that $7,000 is not a respectable sum to be paid to a man representing Canada overseas. There is where the trouble comes in; a man in that position has to meet a great deal of expense, and unless he is a millionaire and can pay the expense out of his own pocket he has great temptations. I believe that the Minister Overseas should have $25,000—or at least $10,000 or $12,000. The officer at St. John is drawing $7,000 or $8,000, is doing nothing, and is responsible to nobody. Just compare the two cases. My honourable friend sees that I am right. Have we not the power to make that $10,000?

Hon. Sir JAMES LOUGHEED: This House has no authority to do so.

Hon. Mr. DANDURAND: The St. John man could not be reached by this Act.

Section 3 was agreed to.

On section 5—salaries to be paid from first appointment:

Hon. Mr. BOSTOCK: I think there is a clerical error in that section; it refers to the "salaries prescribed by section one of this Act." I think that ought to be "salaries prescribed by section three."

Hon. Mr. POWER: There is no salary prescribed by section one.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. DANDURAND: I want to express my surprise that the Government should propose such a clause, exempting two ministers from going to the people for re-election, when there is so little need for such legislation, which violates the general principle. Here we are on the threshold of a general election. It seems to me that this measure could well have been laid aside, and the ministers could have awaited the general election to seek the endorsation of the people.

Hon. Sir JAMES LOUGHEED: Inasmuch as they are appointed for the duration of the war, and the offices expire at the end of the session of Parliament next after the termination of the war, and, furthermore, inasmuch as a similar thing has been done in England, surely there is justification for doing this in Canada.

Hon. Mr. DANDURAND: Of course I know the present conditions are abnormal, but there would seem to be hardly any necessity for violating the general principle when a general election is in sight.

Hon. Mr. CHOQUETTE: I suppose these gentlemen are not going to the country to be elected. Of course, Sir George Perley will have to be elected.

Hon. Sir JAMES LOUGHEED: Oh, yes. We are simply legislating as to the office.

Hon. Mr. CHOQUETTE: It seems to me that the Bill might perhaps go further.

Hon. Mr. BELCOURT: Sir George Perley is going to continue to be the Overseas Minister until six months after the war. It does not matter what may happen in the meantime. The present Government may go out of power.

Hon. Sir JAMES LOUGHEED: My honourable friend will find that in section 1 provision is made for the appointment of a Minister of the Overseas Military Forces. Then, it is provided that this office shall continue, not that the incumbents shall continue in office. There may be half-a-dozen different persons who will occupy that office.

Hon. Mr. BELCOURT: Unless he dies, he would continue in office.

Hon. Mr. CHOQUETTE: The Bill says that he shall hold office during pleasure. Supposing he does not resign, has the next Government got to put him out? They will have to do something.

Hon. Mr. BELCOURT: This is what comes of departing from the true British principle of representative Government.

Hon. Mr. POWER: If there is a general election and the present Government is defeated, the Overseas Minister of Militia will go out with his colleagues.

Hon. Sir JAMES LOUGHEED: Of course he will.

Hon. Mr. BOSTOCK: I notice that this clause says:

> The several persons holding the said offices shall each be paid out of the Consolidated Revenue Fund of Canada the several salaries prescribed by section 1 of this Act for the several periods during which they have, respectively, held the said offices, and the salaries for the said offices shall be paid from the following dates.

And so on. This clause is retroactive. In one case it will go back to the 31st of October, 1916. I think it was stated by Mr. McCurdy in the other House that he had no intention of accepting any salary—that when he was appointed he was quite ready to take the position and do the work, but that he did not desire any salary. I do not see any reason why the matter should be put in this way in the Bill. If Mr. McCurdy is not going to take the salary, why should the provisions be made retroactive to the time he was appointed?

Hon. Sir JAMES LOUGHEED: I do not know whether he is going to take it or not. The Bill simply makes provision for the salary from the time the office was created. If any of the incumbents refuse the salary, the country is so much ahead, that is all.

The section was agreed to.

The Bill was reported.

COMPANIES ACT AMENDMENT (NON-GAINFUL CORPORATIONS) BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill U2, an Act to amend the Companies Act so as to provide for the incorporation by Letters Patent of Corporations for purposes other than that of gain. Hon. Mr. Thompson in the Chair.

On section 4—New Form C, notice of incorporation:

Hon. Sir JAMES LOUGHEED: Form C stood yesterday, I think because my honourable friend from Halifax (Hon. Mr. Power) seemed to have the impression that Form C should be made applicable solely to companies without gain, such as patriotic associations, charitable associations, and so on. It will be observed that Form C is applicable both to the class of companies that we have made provision for and to the old class of companies, and there is no reason why it should not be adapted to either.

The section was agreed to.

Hon. Mr. POWER: There was another amendment which I suggested, which I think the honourable gentleman was prepared to consider. It would go in after subclause 5 of section 2. It provides for the examination of the books of the company:

> The Secretary of State may, on the application of not less than one-fifth in number of the persons on the corporation's register of members, or of his own motion, appoint one or more competent inspectors to inquire into the affairs of the corporation, and to report thereon in such manner as he may direct.

It will be remembered that the honourable gentleman from Grey (Hon. Mr. Sproule) called attention to the fact that irregularities did sometimes occur.

The proposed amendment was agreed to.

Hon. Mr. POWER: I should like to point out to the honourable the leader of the House that, if this schedule is adopted in the form in which we have it, it may lead to some question as to the schedule of the original Act. Section 4 of the Bill says that "Form C in the schedule to the said Act is hereby repealed and the following is substituted therefor."

Hon. Mr. BELCOURT: Form C contemplates some corporation with capital stock, whereas there is no provision in the Bill for such corporation.

Hon. Sir JAMES LOUGHEED: My honourable friend will see that by section 3:

> Notice of the granting of the letters patent shall be forthwith given by the Secretary of State of Canada by one insertion in the Canada Gazette.

The Secretary of State gives this notice to the public.

Hon. Mr. SPROULE: Should not Form C be changed to make it correspond with the name of the Bill, or should not the name of the Bill be changed?

Hon. Sir JAMES LOUGHEED: The Secretary of State simply gives this notice to

the public and he frames it according to the conditions.

Hon. Mr. SPROULE: Suppose it were a company for the purpose of gain?

Hon. Sir JAMES LOUGHEED: Then he would adapt it to that. This goes into the Companies Act.

Hon. Mr. BEIQUE: Subsection 5 of section 2 provides only for companies incorporated by Act of the Parliament of Canada. I think it would be better to enlarge that section in order to permit companies incorporated by provincial legislation, and desiring to extend their operations into more than one province, to be incorporated under this Act.

Hon. Sir JAMES LOUGHEED: I do not quite follow my honourable friend. A corporation to which letters patent are issued under this Bill will have power to operate throughout the country.

Hon. Mr. BEIQUE: Take a corporation of that nature incorporated under letters patent of a province. A corporation of that kind, although it desired to extend its operations beyond one province into one or two or three other provinces, or the whole Dominion, could not claim the benefit of this Act.

Hon. Sir JAMES LOUGHEED: Would not my honourable friend think that a provincial corporation that wanted to extend its operations would at once make application to come under this Act?

Hon. Mr. BEIQUE: What I am pointing out is that it could not.

Hon. Sir JAMES LOUGHEED: The clause could be made to read, "any corporation" without making any reference to the Parliament of Canada.

Subsection 5 of section 2 was reconsidered.

Hon. Mr. BEIQUE moved:

That after the words "Act of the Parliament of Canada" the following words be added:

"Or under provincial authority, but whose operation extends to more than one province for any of the objects mentioned in this section."

Hon. Mr. SPROULE: Honourable gentlemen, this seems to me to be introducing a principle which in the past has caused a great deal of controversy and trouble in the House of Commons, with regard to bringing provincial Acts under federal authority. In many of the provincial Acts there are provisions which are applicable only to the requirements of the province, and if they are divorced from the original intention and given federal authority, instead of being repealed, they will not accord with the provincial law. For instance, in connection with some of our Railway Acts we have had a great deal of difficulty in this respect. I remember distinctly discussing the Joint Stock Companies Act some years ago, when it was intended to amend it considerably so as to make it workable. One of the provisions of the Bill was similar to this, and it was found rather difficult to deal with. I am very much afraid that if we introduce the principle here, it may be found in the future that some provincial Acts of incorporation have been extended under the provisions of this law so as to come under federal authority, and that by that means we have done away with the control which it was intended in the first instance, by the provincial Act, that the province should have.

Hon. Mr. BELCOURT: The answer to that is that if a provincial company seeks incorporation under this Act and if the provincial incorporation contains provisions entirely inconsistent with the provisions or powers of the Dominion Act, the corporation will have to renounce those provisions. In other words, the provincial corporation gets incorporation under the Dominion Act only within the powers or limitations of the Dominion Act, and if there is any inconsistency it will have to give them up. I mean that because provincial corporation may apply under this new Act for incorporation it does not follow that it will get from the Dominion all the powers that it got from the province.

Hon. Sir JAMES LOUGHEED: It could get them anyway by applying for them under this Act.

Hon. Mr. SPROULE: The company incorporated will come under federal authority, and there are provisions in the Bill which require that reference shall be made to some authority in the province to determine the rights of the incorporators. Which will govern on the carrying out of the provisions of the incorporation, the provincial or the federal authority? If regard is had only to the federal authority, then the provincial law may be violated. That is just the trouble that arose over and over again in connection with the railway laws. The question was whether to apply to the provincial Board of Commissioners or to the Federal Board of Commissioners, and it was

found that you could not make the law workable without a violation of either the federal or the provincial law. Therefore it seems to me that it is important to look very carefully into this matter before we commit ourselves to the extent of giving the right which is proposed. A corporation wants to extend its operations from Ontario to Quebec, and it makes application without any regard to the provincial rights, and when it commences to operate under that new authority, it finds itself in conflict with the provincial law.

Hon. Mr. BEIQUE: I appreciate the suggestion of my honourable friend, and I realize that if the principle which I have suggested is to be introduced, the wording should be such that provision shall be made for the surrendering of the provincial charter. I suggest that the clause be left unchanged. I withdraw and reserve my proposed amendment. I may make a motion on the third reading of the Bill.

Hon. W. B. ROSS: I think it is ultra vires as it is worded at present.

Hon. Mr. BELCOURT: The difficulty referred to by my honourable friend from East Grey (Hon. Mr. Sproule) is not the difficulty to which my honourable friend from Middleton (Hon. Mr. Ross) refers. The difficulty which my honourable friend from East Grey has in mind is that by applying for incorporation under this Act, provincial corporations might withdraw themselves from limitations or obligations under which they are bound by provincial legislation. I think that is the difficulty which my honourable friend desires to overcome, and I think there is a great deal in his contention after all, because some companies might seek this means of relieving themselves of the burdens to which they are subject by provincial legislation. There is very serious objection to that.

Hon. W. B. ROSS: A provincial company cannot apply for incorporation under that section unless the legislature of the province has first authorized it to do so.

The proposed amendment was withdrawn, and subsection 5 of section 2 was agreed to

The Bill was reported, with amendments.

NORTHWEST GAME BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 100, an Act respecting Game in the Northwest Territories of Canada.—Hon. Sir James Lougheed. Hon. Mr. Gordon in the Chair.

Hon. Sir JAMES LOUGHEED: Yesterday we passed all the sections of this Bill with the exception of paragraph a of section 4. An amendment was moved by the honourable gentleman from Halifax (Hon. Mr. Power), which I was to consider. By the amendment it is proposed that the following be substituted for paragraph (a) of section 4:

(a) Moose, deer and mountain goat between the first day of April and the first day of September;

(b) Caribou and mountain sheep between the first day of April and the first day of August, and between the first day of October and the first day of December.

I move that amendment.

Hon. Mr. POWER: Perhaps I may be allowed just briefly to explain to the Committee why the caribou and mountain sheep are put on a different footing from the other animals. It appears that the skins of these two animals are very much used by the Eskimo, and, I think, by the Indians, for purposes of clothing, etc., and those skins have to be got during the comparatively warm weather; and, in order to meet the wishes of the Eskimos and Indians, this little change has been made.

The amendment was agreed to.

The Bill was reported with amendments.

INCOME WAR TAX BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 117, an Act to authorize the levying of a War Tax upon certain incomes.

He said: Honourable gentlemen, this Bill proposes to levy a tax upon incomes, exempting in the first place all incomes not exceeding $1,500 in the case of unmarried persons, and widows or widowers without dependent children, and not exceeding $3,000 in the case of all other persons. Upon incomes beyond the two classes mentioned four per cent will be imposed, with a super-tax in an ascending scale upon incomes that are classified, likewise in an ascending scale: for instance, over $6,000 to $10,000, a super-tax of two per cent; over $10,000 to $20,000, five per cent; over $20,000 to $30,000, eight per cent; over $30,000 to $50,000, 10 per cent; over $50,000 to $100,000, 15 per cent; and over $100,000, 25 per cent.

I need scarcely say that this Bill has not been introduced as the result of a general demand upon the Government to adopt this form of taxation. Almost in-

variably we find the community divided into two sections in respect of taxation, namely, the section that seeks to impose the tax upon the other, and the section that seeks in turn to distribute it as much as possible upon the more dominant section. This tax is unquestionably the outcome of public opinion as represented by the most numerous class of citizens—a class which in all probability will have to contribute very little to the taxation provided for in the Bill. Under representative institutions this is the natural consequence—and very properly so—of the right which the majority has to govern the minority. The Government of Canada, although from time to time for a great number of years, more or less importuned to adopt a system of income taxation, has succeeded up to the present time in avoiding the assumption of that responsibility.

I suppose there is no form of taxation more unpopular than that of an income tax, and for various reasons. In the first place, tradition has for centuries past established sources of taxation by which incomes to a very large extent have succeeded in escaping the burden of taxation which should be placed upon them. Tradition has established, by some means or other—it is difficult to understand why—that most of the taxation, particularly for local purposes, should be placed upon land. The unpopularity of an income tax rests very largely also upon the fact that it affects the individual more directly than any other class of tax. It is a direct tax that is imposed upon him; it involves an extended inquiry into his personal affairs; and it seeks to detach from his personal fortune the amount of the tax which is imposed upon him. He looks upon it rather as a personal contribution than as a contribution which is properly made as a share of the burden of the State.

I doubt if there is any tax that is logically so defensible as an income tax. Incomes may be divided into four classes, which have to be considered in connection with such a tax. In the first place, there is the income which falls below the amount that is taxable—the income of those who come under the exemption, and very properly so. If the income of a citizen be only sufficient to provide the necessities or even the ordinary comforts of life, it would be unreasonable for the State to ask that the citizen limited to such an income should contribute to the burdens of the State, when there are incomes sufficiently far in advance of the amount of which he is in receipt to very well bear the incidence of taxation.

We then come to the first income that is available for such a tax, namely, the income that will furnish the citizen with the necessities and comforts of life, and yet leave a surplus. There is no reason why such an income should not bear the burden of public taxation. Then there is the income that is so large as to permit of a man living in extravagance or maintaining such a degree of luxury as is incompatible with good citizenship. In this age of democracy, when the theory that all men are equal prevails, I think the state should not hesitate to impress upon incomes of the kind which I have just described the burden of the state to such an extent as the state may consider that they should contribute. There is still another class of incomes that are so large as to render it impossible under extreme conditions to spend the interest which annually becomes capital. The public are most willing that those who are so fortunate as to possess incomes of the last two classes should contribute to any extent. The sympathy of the public is undoubtedly with the man whose income will not permit of its being taxed to any extent, but immediately the income goes beyond that point the receiver of the income loses the sympathy of the public in proportion to the largeness of the income.

It seems to me that we are living in an age when the state can very well say that those who are in receipt of very large incomes are more or less partners with the state, and that the state is entitled to participate in the profits on those incomes. All the institutions of government are so established as to be for the advantage and benefit of the public to a greater extent than has ever existed before, and the larger incomes must contribute, in the degree to which they are possessed by the owners, to the maintenance of those institutions which the state is called upon to maintain under the peculiar conditions of the twentieth century. The very institutions that have to be maintained by the state for the protection of life and property, for peace and good government, are all necessary not only to the building up of incomes, but to their enjoyment. If by reason of the maintenance of law, order and good government those incomes are built up and property is protected, there is no reason why the state should not logically say: "We are entitled to participate in the profits which you have made from your various investments or the

various businesses in which you are engaged. I think the principle must be recognized at once that there is no class of property in the state that should be made so available for taxation as incomes.

Take, for instance, the other classes of property upon which we levy taxation. The municipalities and provincial governments levy the great bulk of their taxes on real estate. There is no evidence prima facie that the property in question can pay the tax without feeling it severely, or without the owner suffering possibly to an extent which will be embarrassing. We levy a tax indiscriminately on property which possibly may not be self-supporting. We levy by indirect methods a tax upon products, a tax upon imports. It may be that those products and imports cannot readily pay the tax which is imposed upon them, and it may be found upon investigation that such is the case. It is unquestionably clear that income is profit. It can be readily ascertained whether a man has an income beyond that which he really needs to live upon. There is no class of property upon which a tax can be levied with the same degree of certainty as to the incidence falling equitably upon the property, as that of income. Up to the present time the Government has been able to raise sufficient revenue without having recourse to this particular form of taxation.

It is needless to say that this is a war measure; but having originated as a war measure I am not prepared to say that such a system of taxation will not continue. The older countries of Europe, and the United States, have reached the point when they have adopted the income tax as practically a permanent system of taxation. It may be so in Canada. I simply mention that fact to indicate the reason why the Government has reached the point when it is considered necessary to augment the revenues of the country by this particular system of taxation.

I need not go into the details of the Bill. Of necessity it is a complex Bill.

Hon Mr. THOMPSON: Is it a money Bill?

Hon. Sir JAMES LOUGHEED: That may be susceptible of discussion and argument.

Hon. Mr. CASGRAIN: We cannot amend it, I suppose.

Hon. Sir JAMES LOUGHEED: There is no question whatsoever that it is a money Bill, but to what extent we may consider the Bill it will be for the Senate to determine.

Hon. Mr. DANDURAND: That does not imply that we shall not be able to examine it in committee.

Hon. Sir JAMES LOUGHEED: I should be very sorry to take any such extreme ground as to say that the members of the Senate could not make suggestions as to how the Bill might be improved.

Hon. Mr. DANDURAND: I suppose that in the last analysis we would have to give way to the Commons; but until we reach that point the views of the Senate should be welcomed.

Hon. Mr. CASGRAIN: If the Commons do not accept our suggestions we can throw out the whole Bill.

Hon. Mr. LOUGHEED: It is not to be whispered, but the House of Commons is but a fallible body. It is possible that they have not exhausted all the intelligence that may be concentrated in this House; but, as my honourable friend has observed, it is the right of the Senate to consider even a money Bill, and to reject it if it is not approved of. However, I have no doubt that the Commons will be only too glad to give every consideration to any improvements which the Senate may be able to suggest.

Hon. Mr. BOSTOCK: Honourable gentlemen, I have listened with a good deal of interest to the disquisition of the leader of the Government on the question of income tax. I noticed that he dealt with it in the same manner in which it has always been dealt with by members of governments, especially Finance Ministers. I think on no occasion has the system of income tax been first introduced into any House except as a war measure; but it has been found to be such a convenient and useful tax that no Government, as far as I know, has ever been prepared to abolish the tax once it has been established. I have always felt that direct taxation was a better method than indirect taxation. When people pay taxes directly they realize that they are paying the money out for taxes, and they are apt to take a very much greater interest in the way in which the money is expended, and to watch more carefully the details of the expenditure on the part of the Government. I think that will be one very good effect which will be derived in this country from the imposition of an

income tax. It will bring home the fact that the people have to pay taxes directly for the purpose of providing for the expenditure—I may say the very heavy expenditure—under which we are placed at the present time. They will therefore hold whatever Government is in power more closely to account for the expenditure of the money that is coming into their hands.

The honourable leader of the Government has referred to four different classes of incomes. Figures were given in another place showing the way in which this tax would apply to certain incomes. I do not purpose going into those figures; but I want to draw attention to the fact that as the tax increases, although in reading the Bill it looks to be a large increase, the effect on the individual is not as great as I think it possibly might be. When a tax of $40 is deducted from a small income, as it would be in the case of an income of $4,000, it may mean a great deal more to the man in receipt of that income than it would mean to take $5,260 from an income of $50,000. A man who is living on an income of $4,000 a year probably has to watch very carefully to see that he makes both ends meet; but the man who has an income of $50,000 a year or over can easily afford to pay a tax of $5,260. If any criticism is to be made of this Bill, I think it would be that the higher incomes could bear a heavier tax than they are called upon to bear under the Bill.

My honourable friend did not say how the amount of income was to be arrived at. He spoke of income generally; but there is such a thing as gross income and net income. Probably when we get to the committee stage we can take that question up, and the leader of the Government may be able to tell us exactly what is meant. Other governments have found it advisable to deal with the question by dividing incomes into two parts: that which a man earns by his profession or his work, and that which a man receives from his investments and securities. Very often a difference is made in the amount of the tax that a man is called upon to pay, depending upon whether his income is derived entirely from his profession or business, or salary, or whether it is derived from interest which he receives on stocks, bonds, shares, or rent. That is done in England, and I think in other countries also. I think such a provision would be a very good one, because we have to consider that the income derived by a man from his profession or his business is very largely dependent upon the man himself, his capability for carrying on his profession or business, his general health, and other things that enter into his general life. I think it is usually recognized that a man in that position should be so placed that he can afford to put away a certain amount in case of accident or any trouble that may occur to him, and that it is not fair to levy as high a tax on that class of income as is levied upon an income derived from interest on stocks or shares, rents, or other fixed returns.

A question was raised as to people being deterred from coming to this country. I do not fear anything of that kind, because I think people generally, especially immigrants coming to this country from European countries, are so accustomed to a tax of this kind that it would not in any way affect their decision to come to Canada to make their living.

As I said before, I think that direct taxation appeals very largely to people who understand the incidence of it. They recognize that they know better what the Government is deriving by direct taxation from the people, and they watch more carefully the way the money is expended. The only point that I desire to make is that I think it would have been wiser on the part of the Government if they had instituted this income tax before. When the war started the Government seemed to consider that it was better to raise the duties, and thus increase the revenues which they received by indirect taxation. I think it would have been better for the country if they had made up their minds to introduce an income tax rather than increase the duties on imported goods.

There will be, I think, when we reach the committee stage of the Bill, several matters which we shall want to discuss, and I am glad to know that my honourable friend realizes that we have every right to make, at any rate, suggestions to the House of Commons as to the way that the Bill may be amended.

Hon. R. DANDURAND: Honourable gentlemen, I should like to add a few words to what has already been said in commendation of the general principle of income taxation. We are all agreed that it is a fairer taxation than the indirect taxation which is drawn from customs. It is fairer because the load is carried by those who are best able to bear it, and in proportion to their strength or their capacity.

One of the objections that I see to this Bill is that it does not sufficiently differ-

entiate amongst the persons in each of the classes up to a certain amount, say up to $20,000.

I have not examined closely the various income taxes imposed in different countries throughout the world; but I had occasion to see the income law of the French Republic, and in it I noticed that there are five or six columns wherein appear the charges which are imposed upon the taxpayers. If the taxpayer is single, he appears in the first column and bears the whole load. If he is married, a small deduction is made. If he has one child, again a deduction is made; and there are proportionate reductions in the case of two, three, four, five and six children. It stands to reason that a person with an income of $7,000, $8,000 or $10,000 a year, and who has no children, can better afford to pay the tax than one who has five or six children to take care of and educate; and I regret that this legislation does not take into consideration the charges which the heads of families are obliged to meet.

In that respect, I suppose, we are powerless. The question has been raised in the House of Commons and the Minister of Finance has decided against it. I doubt that even the unanimous recommendation of the Senate would induce the House of Commons to reconsider this legislation. If they will not do so this year, they may be induced perhaps, if we touch upon that point, to review this legislation after the war, when it is bound to be examined anew, under the normal conditions which will then prevail.

There is one other remark which I should like to make, and it bears upon the interpretation to be given to the word "income." In section 3 an interpretation is given to the word:

> For the purposes of this Act, "income" means the annual profit or gain or gratuity, whether ascertained and capable of computation as being wages, salary, or other fixed amount, or unascertained as being fees or emoluments, or as being profits from a trade or commercial or financial or other business or calling, directly or indirectly received by a person from any office or employment, or from any profession or calling, or from any trade, manufacture or business, as the case may be; and shall include the interest, dividends or profits directly or indirectly received from money at interest upon any security or without security, or from stocks, or from any other investment, and, whether such gains or profits are divided or distributed or not, and also the annual profit or gain from any other source; with the following exemptions and deductions.

And the exemptions and deductions follow. At first sight it seems clear that income should be interpreted as being the net income. I am sorry that the word "net" is not in the clause, and I would suggest to my honourable friend to see if the interpretation should not be made somewhat clearer and if the opinion should not be expressed by this House that it is the net income that will be taxed and that the word "net" should be inserted in this section. I confess that, in reading the Act through, I have come to the conclusion that there would be considerable divergence of opinion by the tribunals that will have to pass upon it in deciding what is taxable, that is, the net income of the individual, and what is exempted. I am not speaking of those things which are specially exempted, but of what should go in the column of liabilities against the gross income of the contributor. I was all the more nonplussed as to the decisions that would be rendered upon the interpretation of this clause when I read the explanations given by the honourable the Minister of Finance, who was responsible for the carrying out of this Bill. He stated that a party owning built property, in stating his income, could charge against the rentals received the interest on mortgages, the taxes, insurance and repairs; but when the minister was asked if from the income of a person holding building lots, mortgages, and upon which taxes would have to be paid—unproductive property—these charges should be deducted, he answered in the negative. He cited the case of a person in Toronto or Ottawa drawing a salary of $5,000 or $10,000 and having real estate in the Northwest which would bring no income, but on which he would be called upon to pay $2,000 or $3,000 a year in taxes. The minister was of opinion that in that instance that $2,000 or $3,000 which he would have to pay upon that unproductive real estate should not be deducted from his ordinary income. Members of the House of Commons, on both sides, took issue with the honourable the Minister of Finance as to the interpretation placed upon the clause. I think that most members of this House will take exception to that interpretation. Of course, it will not be what we shall say, nor what has been said in the Commons, that will constitute the law; the law will be found within the four corners of this Act; yet when we see the head of the department charged with the administration of this Act giving such an extraordinary interpretation as to what is an individual's income, it seems that we need to go closely into this measure and scrutinize it and try to

make it so clear that there shall be the minimum of dispute before the ordinary tribunals; and if we are all agreed that in the last analysis a person will be made to pay taxes only upon what is his net income, it seems to me that it is our duty to make that point clear. If a person has an income, from divers sources, of $10,000, $15,000 or $20,000, but happens to have against that income liabilities which eat up half or two-thirds of it, surely the State will not tax him upon his liabilities—for it would be tantamount to that. The State, it seems, will tax him only upon the residue—the net income which has been at his disposal during the year. I make these general remarks because it seems to me that the Act will be sufficiently difficult in its application at the outset without clouding the principle which underlies the whole Bill, that of the interpretation of the word "income."

Hon. Wm. ROCHE: The honourable leader of the Government has given us an explanation of political economy, expressing his favour of income tax, and the honourable the leader of the Opposition has also expressed himself as being enamoured of an income tax. Both these gentlemen should remember that it is not an alternative, or choice, but we have all the other taxes already, and this income tax is a surplusage—an additional tax which will not be abandoned with the termination of the war. I am not going into the details of the Bill, because I do not understand them altogether; but I would ask the minister who leads this honourable House if he will kindly tell us whether or not the principle of duality runs through this Bill. I give one or two instances which I think might occur under the operation of the Act. Suppose, for instance, an individual pays a business tax. Would he be liable under this Act to be taxed on all the profit that is derived from that business, when it is his income? Again, take the case of a partnership which has to pay a business tax, and the several partners in which have in addition to pay this income tax on that which has already been taxed. Then again, in the case of a company which has paid a tax on business profits, would each of the partners or shareholders in the company be liable to be taxed on his individual income, when his income had already been taxed in the co-partnership tax? Then, again, there would be the case of a bank. A bank pays a large amount of business profits tax; it has also made contributions to all the funds. It was not the bank that did it; the bank is no entity; it was the shareholders' money that paid these taxes. Now, will each shareholder who has a sufficient income under this Bill be liable to pay a second time on his income? The tax upon his income has really been paid by the bank in its corporate form. The principle of duality apparently runs through this Bill. I would like to understand it better. An explanation would throw light upon all the clauses of this Bill.

Hon. Mr. BEIQUE: I agree with the opinion which has been expressed as to the equity, in principle, of the income tax. It is a principle which has been applied all over Europe, and which was sure to be applied to this country sooner or later. But I must express my regret that it has, of necessity, come to Canada so soon; and I do so now because I entertain very grave apprehensions that it may be fatal to the future of this country. It is quite true, as was stated by the honourable leader of the Opposition, that European countries will be so burdened that their people will not find much difference between Canada and their own countries if they choose to emigrate; but the difference might tell against Canada in another respect. Of course, it must be borne in mind that Canada is a large country, and undeveloped, and will require a great deal of capital for its development, and we cannot shut our eyes to the fact that the income tax, heavy as it will be, will be a great objection and will to a very large extent deter capital from being imported into this country. This disadvantage will be aggravated, I am afraid, by the fact that we are alongside a very prosperous and rich country, the United States. The United States, it is true, have gone into the war, but they have great national wealth, and they are taking the means of paying the cost of the war within a very short period. They propose, if I am correctly informed, to levy at once an income tax amounting to as much as $1,500,000,000. The United States Steel Corporation will pay very nearly $200,000,000 this year as income tax or business tax. The exact figure is said to be over $197,000,000 for that one corporation alone, and there are a number of other corporations which will pay $100,000,000 or more. I am quite satisfied that within two or three years after the war is ended the United States will have no income tax, while Canada, alongside that country, will be, of necessity, loaded with a large income tax.

Hon. Mr. DANDURAND: Our income tax will be reduced after the war.

Hon. Mr. BEIQUE: I do not know.

Hon. Mr. CASGRAIN: It will take a long time to reduce it.

Hon. Mr. BEIQUE: I am afraid that at the rate at which we are going it will not be reduced for a long term of years. I am afraid that it will be a very great obstacle to the development of this country. I quite appreciate, as the honourable leader of the Opposition has stated, the indirect advantage. It will have the effect of stirring up leaders in society. Men of wealth are as a rule men of influence, and they will better realize the necessity of seeing that the country is properly administered and that expenditures are not lavishly made, because they will recognize that they will be called upon to put their hands deeply into their pockets to defray any unnecessary expenditure.

I quite agree with what has been said with regard to some features of this Bill. First, I think the word "income" is not properly defined. The honourable the Minister of Finance admits that it was intended to mean net income. If that is so, it should be clearly stated in the Bill. If it is not so, it would not be fair, because a man may receive an income of $3,000 a year, and outside of his living expenses he may have to pay taxes, interest on mortgages, and other things, amounting in all to very near the total of his income. It would not be fair to tax that man to the same extent as if he had no debts. This is one of the features of the Bill which should be changed.

There is another feature of the Bill upon which I think this House should express its opinion—I refer to the question of a man's family. The Bill goes on the principle that if a man is unmarried he should be satisfied with $1,500 a year free of taxation, and if he is married the amount is increased to $3,000; but no difference is made between a man who is living alone with his wife, having no other dependents, and a man who may have six, seven or ten children. It violates one's sense of justice to accept a principle of that kind. The principle which obtains in France, and I think also in England, should be followed. It is a proper principle. Living is too expensive to say that there shall be no difference made between a man who has five or six or ten children dependent upon him and a man who has no person dependent upon him but his wife.

There are other features of the Bill which will have to be looked into. I refer particularly to subsections a and b of section 3. I would not go into the details now but for the fact that I may not be able to be present when the Bill is considered in committee. Subsection a excepts "the value of property acquired by gift, bequest, devise, or descent." On referring to the debate in the House of Commons I find that the Minister of Finance stated that it was not the intention to exempt the income on such properties—that it was the intention to exempt only the capital. If that is the case it should be so stated, because if it is not stated I am very much afraid that the accessory will go with the principal; therefore not only the principal but the income would be exempted, and it would not be fair at all. Take the case of a man who has inherited $5,000,000 or $10,000,000 of property—and we all know of such cases—if the whole of that fortune, or if the income from it were exempted, it surely would not be fair. Subsection b says:

> The proceeds of life insurance policies paid upon the death of the person insured, or payments made or credited to the insured on life insurance endowment or annuity contracts upon the maturity of the term mentioned in the contract or upon the surrender of the contract.

If that provision were to remain in the Bill it would be very easy for a man to transform his income into an annuity. He would pay a large sum possibly, but in consideration of the amount which he would thus pay he would get a yearly amount of $10,000, or $15,000, or $20,000, or $100,000, and under this clause of the Bill that amount would be exempt from taxation. Surely that is not the intention of the Bill. It would be opening the widest door for the evasion of this law. It is true that the question was raised in the House of Commons, but they seem to have acquiesced in the opinion of the Minister of Finance. I do not see that any vote was taken. The opinion of the Minister of Finance was not challenged.

These are some of the reasons why we should urge our views upon the House of Commons as strongly as we possibly can. I hope the House of Commons will take these reasons into serious consideration and accept the suggestions made by this honourable House.

Hon. Mr. CLORAN: Before entering into a discussion on this Bill, I should like to ask the honourable the leader of the Government if this is a money Bill?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. CLORAN: Therefore no amendment can be made to the Bill; therefore no discussion is necessary. If I understand the matter correctly, even the leader of the Government here, in his wisdom—and he has a good deal of it—if he wanted to make an amendment to the Bill could not do so. He would be powerless. That is the understanding, is it?

Hon. Mr. DANDURAND: No.

Hon. Mr. CASGRAIN: He would get the Government to change it.

Hon. Mr. CLORAN: The leader of the Government in this House is no more capable of making an amendment to this Bill than any other honourable gentleman. He cannot amend his own Bill. Then, what is the use of discussing it? If the honourable the leader of the Government tells me that he can make an amendment to the Bill and that I can follow suit, then I shall be prepared to enter into a discussion upon it.

Hon. Sir JAMES LOUGHEED: I do not propose to make any amendments.

Hon. Mr. CLORAN: Would the honourable gentleman have the power to do so?

Hon. Sir JAMES LOUGHEED: When we go into committee on the Bill it will be for the House to deal with it in whatsoever way they think best.

Hon. Mr. CLORAN: What is the use of going into committee on the Bill if the Senate has no right to amend it?

Hon. Mr. DANDURAND: It has the right.

Hon. Mr. CLORAN: It has the right to make an amendment to a Money Bill? In my experience in this House it has always been laid down that a Money Bill could not be amended. This question has been ruled upon several times from the Chair. If that rule is going to be changed I am quite prepared to accept it. I think it would be better that this Senate should not be here simply to accept what the House of Commons gives us, without discussion, without analysis, without amendment. My experience has been that we might talk night in and night out with no result. I am getting tired of that kind of discussion. If we cannot do something there is no use in wasting our breath and bluffing the country.

On motion of Hon. Mr. Choquette, the debate was adjourned.

The Senate adjourned until to-morrow at three o'clock in the afternoon.

Hon. Sir JAMES LOUGHEED.

THE SENATE.

Thursday, August 30, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

RECENT RECRUITING.

INQUIRY.

Hon. Mr. THOMPSON inquired of the Government:

1. How many men have been recruiting since the 1st June up to 25th August?
2. Into what branch of the service have they been placed?
3. How many of these men have come from United States of America?
4. At what places in Canada have they been entered, giving the number in each place?

Hon. Sir JAMES LOUGHEED:

1. 11,829 from 1st June, 1917, to 15th August, 1917.

2. Infantry, 3,543; artillery, 706; railway construction and forestry, 2,989; army service corps, medical service, etc., 4,591.

3. 3,393 accepted from week-end June 16, 1917, to August 18, 1917.

4. Military Districts: No. 1, London, 84; No. 2, Toronto, 1,309; No. 3, Kingston, 6; No. 4, Montreal, 229; No. 6, Halifax, 190; No. 10, Winnipeg, 338; No. 11, Victoria, 407; No. 13, Calgary, 2; New Brunswick troops, St. John, 828; total, 3,393.

Nos. 1 and 2. Returns are rendered semi-monthly.

Nos. 3 and 4. Returns are rendered weekly; total, therefore, given to week-end August 18.

Period of recruiting in United States of America commenced week-end June 16.

CANADIAN OFFICERS IN BRITISH FORCES.

INQUIRY.

Hon. Mr. BOSTOCK called the attention of the Government to the hardship caused to the officers of the Canadian Expeditionary Force being transferred from the Canadian Service to the British Service without a proper understanding of the terms of transfer being arrived at, and inquired:

1. Can an officer of the Canadian Militia be compelled to transfer from the Canadian to the British service against his will?
2. Can a Canadian officer loaned by Canada to the British War Office be transferred to the British service against his will?
3. Can the separation allowance granted to wives of Canadian officers be taken from them without notice or explanation?

Hon. Sir JAMES LOUGHEED:

1. No.

2. No.

3. Yes; when there are good and sufficient reasons, but such cases are extremely rare.

Hon. Mr. BOSTOCK: I desire in this connection to refer to the case of an officer who was a member of the Canadian militia. When the war broke out he took an active part in getting volunteers for his regiment, which was a mounted battalion stationed at Kamloops. The battalion came down to Valcartier with a full complement of 650 men and officers. At Valcartier the battalion was broken up. This officer then went forward to England, and, as I understand, was loaned to the British Government and received an appointment in England. Afterwards he was moved to Egypt and later on to Mesopotamia, where he was wounded. Upon his return to England he was informed by the British Government that he was not entitled to the special allowance made to British officers who had served in the forces in Mesopotamia, inasmuch as he was looked upon as a Canadian officer. Later on, on May 14, 1917, he was informed indirectly that he had been transferred to the British War Office and that the allowance which had been given to his wife in common with the wives of other Canadian officers had been withdrawn without notice either to himself or to his wife. It seems rather a hardship that because he was a Canadian officer he was not entitled to the special allowance made to British officers in Mesopotamia, and in the second place that he was transferred without any definite notice to the British forces, and that his wife was cut off from the allowance which is given to the wives of Canadian officers. I understand that this officer took the matter up before the Imperial Board and was thanked by General Smuts for doing so, as it affected officers belonging to New Zealand, Australian, and South African forces in England, and in consequence materially helped in their success in getting recognition from the British War Office. Therefore I want to bring this matter to the attention of the Government in the hope that they will give some consideraion to it.

Hon. Sir JAMES LOUGHEED: I shall be glad to attach the remarks of my honourable friend to the inquiry and submit them to the Department of Militia.

THE STEAMER LEEBRO.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. What is the annual rental paid by the Department of Marine and Fisheries or the Department of Naval Service for the steamer Leebro?
2. From Whom is this vessel rented?
3. What are the terms of the arrangement?
4. Are the wages and expenses of the crew paid in addition to the rent?
5. How long has the present arrangement been in existence?

Hon. Sir JAMES LOUGHEED:

1. This vessel is under charter to the Department of Marine and Fisheries at $150 per day, for so long as the department shall require her services.

2. The Crescent Shipping Company, Victoria, B.C.

3. The rates referred to are for the steamer all found in supplies of all kinds, and cover the wages of the necessary officers and crew for navigating the boat, also fuel and provisions. The owners have also to keep the vessel in repair at their own expense.

4. No.

5. The Leebro has been chartered by the department from time to time since June 3, 1908, the rate being $135 per day until December 16, 1911, when the department succeeded in getting a reduction of $10 per day. The steamer has been in service from that date until August 1, 1917, at $125 per day, on which date the rate was increased to $150 per day, owing to the increased cost of coal, supplies, wages, etc.

EXPERIMENTAL FARMS AND RETURNED SOLDIERS.

SPECIAL COMMITTEE APPOINTED.

Hon. GEORGE G. FOSTER rose:

To call the attention of the Senate to Experimental Farms being operated by the Government of Canada, their location, the acreage contained in each farm, the distance from each farm to the nearest post office and the nearest village or city, and the population of such village or city, and the employees kept in connection with each farm.

He said: Honourable gentlemen, in moving for the information which I have requested in connection with the Experimental Farms of Canada, my object is to bring before this House—and before the Government—a question which I believe to be of great importance to this country, to the returned soldiers, and to the usefulness of the Experimental Farms of Canada. I am aware that the members of this body,

irrespective of the differences which may divide them on other questions, are united in their desire to meet the obligations which we are under to the men who have served this country and the Empire; and that every honourable member of this House, no matter from what province or part of the country he may come, is determined that Canada shall discharge to the last limit the obligation which she owes to the men who have defended us.

I may say that when I gave notice of this motion, I had not had the opportunity of hearing the remarks of the honourable senator from Rigaud (Hon. Mr. Boyer). It was only afterwards that I learned that his mind and mine, so far as this important question is concerned, ran very much along the same line. We have in Canada a system of Experimental Farms which have furnished a large amount of experience and wisdom which is at the disposal of our farmers and which has brought to the country untold wealth. I believe that we can to-day utilize those same institutions in another direction to bring to us still more benefit and profit. I am aware that there is, in the minds of certain people who have spent their lives in cities, whether they have lived in a palace or a hovel, a prejudice against country life, and a dislike for the conditions that exist in the country. But, honourable gentlemen, I am convinced that if we can develop a certain branch of our Experimental Farms in such a way as to introduce into agricultural life men who have been temporarily maimed, men who through illness are unable to exercise the functions which they exercised before the war and are perhaps unable to resume their former occupations, but who with improved health and strength might be able and willing to engage in agriculture, even in a small way; and if this can be done we shall have accomplished a great deal for them and for Canada.

Now, it is not my intention to enter into the details of any plan. It is my desire simply to call the attention of the House to this matter and to ask for the appointment of a committee to consider it. I should like to see associated with each one of those Experimental Farms a building and organization—not a hut, but a comfortable, well regulated institution, in which would be received not men who should be in hospitals, but either men who are unable to engage in any other occupation or men who have indicated a desire to engage in farming and who would have an opportunity to learn there, as they could in no other way. I am aware that there is a disposition on the part of the Government, as has already been announced in the other House, to provide certain places to which these men can go; but that does not meet the idea which I have in my mind. It is not that these men shall be sent to be cared for in an institution simply because it is in the country; it is not that they shall be housed in hospitals where they can be properly attended to, and have nothing to do after they leave the doctors' care except to think of the horrors of the past and perhaps the horrors of the future. It is that they shall be so situated in everyday life that they will have an incentive to go out from one of those great institutions and take part in the development of a farm and have something to do besides thinking of their sad experiences. I believe, honourable gentlemen, that if we could create in one of these institutions a home such as I have described, and place in it some of those men who are to-day suffering in the cities, as all men must suffer who have been engaged in active life and find themselves with nothing to do—if we could take those men to any one of these farms, especially the one that I have in my mind, and make them comfortable and get them interested in the progress and development of that farm, it would be not only better for this country but infinitely better for every man who went into the institution. That being the case, it seems to me that it is our duty and the duty of this Government to consider carefully the question of the utilization of these farms along the line which I have indicated.

There is, honourable gentlemen, another feature to this matter. I hear that the Government are using and will continue to use every effort to develop as far as possible the agricultural industry of this country after the war, and for the benefit of the returned soldiers; but there is an aspect of that project to which I desire to call the attention of this House. My home is in the province of Quebec; and, notwithstanding what anybody may say concerning it, I love the province of Quebec. Loving the province of Quebec, I turn my eyes to the Experimental Farm on the bank of the beautiful river St. Francis at Lennoxville, where I see a chance to create a home for the men, French and English, who have gone from the province of Quebec and fought the battles of this Empire, and

have returned partially unable to resume their ordinary work. It is perfectly right for me to say that when our men come back to the Eastern Townships we would prefer to see them located in a home in the Eastern Townships rather than anywhere else in Canada. That is what I have in mind, honourable gentlemen, when I say that we ask the Government to consider carefully the utilization of that institution by establishing in connection with it a home for those of our men especially who were engaged in agriculture before they went to the war, and who when they come back may be unable to return home to take the care and control of a whole farm, but could be useful in aiding in the development of that institution, situated among the hills and mountains of the Eastern Townships, in which they would be happier, enjoy life and regain their health more quickly than in any other spot on earth.

Honourable gentlemen, if I am in order to do so, I would move that a committee composed of two members from each side of this House be appointed for the purpose of investigating this matter—a committee composed of the honourable senator from De Salaberry (Hon. Mr. Béique), the honourable senator from Rigaud (Hon. Mr. Boyer), the honourable senator from Bedford (Hon. Mr. Pope), all of whom I know to be interested in agriculture; and I should be honoured to be a member of that committee; and I would suggest that the committee investigate the situation at Lennoxville and consider, with the other members of this House, the further enlargement of the scheme, in order that the idea which I have briefly outlined to you may be carried out. Later other farms can be utilized.

Hon. Mr. LANDRY: I suppose that this motion will be in sequence to the first motion moved by the honourable gentleman.

Hon. Sir JAMES LOUGHEED: My honourable friend has asked in his motion for certain information and I have very great pleasure in placing this information upon the Table.

No.	Farms and Stations.	Located at	Acreage.	Distance from nearest P.O.	Distance from nearest city or village.	Population 1911 census.	Approximate number employed.	
							Jan. *	Aug. *
	Farms (5).							
1	Central Farm.	Ottawa, Ont.	465	3 miles.	3 miles.	73193	83	246
2	Nappan	Nappan, N.S	300	½	½	8973	15	20
3	Brandon	Brandon, Man.	652	2½	partly in city	13839	9	23
4	Indian Head	Indian Head, Sask.	680	½	in village limits	1203	13	24
5	Agassiz	Agassiz, B.C.	1,400	¼	" "	200	16	28
	Stations (16).							
1	Charlottetown	Charlottetown, P.E.I.	107	1 mile	at city limits	7208	12	23
2	Fredericton	Fredericton, N.B.	450	3 miles	3 miles	2304	16	38
3	Kentville	Kentville, N.S.	294	1	1	1500	10	27
4	Ste. Anne de la Pocatiere	Ste. Anne de la Pocatiere, Que.	251	½	½	2700	13	40
5	Lennoxville	Lennoxville, Que.	449	1	1	5000	12	15
6	Cap Rouge	Cap Rouge, Que	339	½	½	400	22	28
7	Spirit Lake	Amos, Que.	1,200	on St'n.	5	400	28	24
8	Kapuskasing	Macpherson, Ont.	1,000	on edge St'n	at edge farm	300	22	19
9	Morden	Morden, Man.	280	½ mile	½ mile	1130	4	13
10	Rosthern	Rosthern, Sask	650	½	½	1172	4	16
11	Scott	Scott, Sask.	518	½	adjoins town	500	6	10
12	Lethbridge	Lethbridge, Alta.	400	1¼	"	8050	7	19
13	Lacombe	Lacombe, Alta.	610	1	"	1029	10	14
14	Summerland	Summerland, B.C.	550	2½	2½	500	12	17
15	Invermere	Invermere, B.C.	82	½	½	300	8	10
16	Sidney	Sidney, B.C.	125	2	3	1934	7	14
	Tobacco Stations.							
1	Harrow	Harrow, Ont.	49	1 mile	1 mile	355	3	5
2	Farnham	Farnham, Que.	60	¼	¼	1814	1	8
3	St. Jacques Achigan	St. Jacques, Que.	7	¼	¼	1357	1	3

*In the Ottawa figures for employees are included the office staff.

May I permitted at the same time to say that the Chamber is greatly indebted to my honourable friend for directing our attention to the very important subject on which he has so eloquently spoken. While the Dominion Government has given considerable attention to the cultivation and development of our Experimental Farms, and the country has invested a great deal of money in them, yet I am not one of those who believe that everything has been done that the Government can do in connection with public undertakings of this kind. No matter to what extent the Government of the day may devote its attention to developing and perfecting, so far as we possibly can, any system, agricultural or otherwise, that can be greatly assisted by the intelligent consideration of the subject, not only by members of Parliament, but by the public generally. It is therefore something to be appreciated when gentlemen, particularly those occupying public positions, identify themselves with important subjects of this kind for the purpose of improving the systems which we are utilizing. There is no question in my mind as to the Experimental Farm system, adopted by the Government of Canada and pursued so successfully for many years, being one of our great public undertakings, and one of which we may well be proud. Yet it has always been impressed upon my mind that we might make our Experimental Farms very much more practical. There is no good reason, it seems to me, why those farms should not be used in connection with the very important work outlined by my honourable friend from Alma (Hon. Mr. Foster). The war has undoubtedly thrown very great problems upon our hands, problems which will demand our most serious and very best attention for many years to come, problems which revolutionize our preconceived ideas upon many questions affecting public interests. The people of Canada will have to adapt themselves to that general and national readjustment which must necessarily take place after the cessation of the war. It would be of great national interest to the people of Canada if the Experimental Farms, the long list of which I have placed upon the Table to-day in answer to my honourable friend's question, could be utilized for the very important purposes which he has so very well described. If by the use of these farms we can create a love for farming, even an interest on the part of our people to settle upon the land and become engaged in the very important work of agriculture, and to recognize the importance of this not only to themselves but also to the Dominion of Canada, by reason of the increased production, we shall accomplish one of the most important public duties upon which we can enter.

It is a matter of much gratification to this honourable House that so much interest has been taken in the subject of agriculture, not only during the present session, but also during the last session of Parliament. My honourable friend from De Salaberry (Hon. Mr. Béique) made a very important move in this direction last session in moving for the appointment of a committee to deal with the many questions which enter into the subject of agriculture. I am satisfied that the investigation which has been made into that important subject will be of great national benefit and will reflect the deep interest taken by the Senate of Canada in the promotion of agriculture. I am very glad to see my honourable friend from Alma (Hon. Mr. Foster) interesting himself in this specific subject. It seems to me that, by concentrating upon some specific subject, by taking up a particular problem and bringing an intelligent interest and attention to bear upon it, we are likely to be more effective than we can be by dealing with subjects generally. My honourable friend has taken hold of a problem which may be worked out with great advantage to the best interests, not only of the returned soldier, but of the people of Canada.

I need not say, what I have said on other occasions, that the Government have fully recognized the seriousness of the questions with which they are called upon to deal in connection with the return of the soldiers after the cessation of the war. Up to the present time they have given serious attention to many questions involved in the solution of this particular problem of dealing with the returned soldiers. The Government are to-day engaged in carrying on vocational training on a very large scale from the Atlantic to the Pacific. They have on their hands approximately 10,000 returned soldiers, all of whom are more or less compelled to take up the question of vocational training. Not only are many of the men applying themselves closely to the new vocations or occupations in which they are interested and which for the balance of their lives they will follow, but their application to a particular branch of study or of industry is giving to many of them the inspiration as to their future in life which, owing to the

many calamities of the war, they had to some extent lost. The presentation of the present problem, in addition to the many problems with which the Government has already grappled in this connection, will be a matter of very great interest. This problem is one which must necessarily command the attention of the Government, and I hope some way may be found of meeting the views which have been expressed so ably by my honourable friend from Alma. It is needless to say that the committee for which my honourable friend has moved will have a very important subject to deal with, and I am sure that it will be the desire, not only of the Government, already engaged in this work, but of every honourable member of this House, that this subject shall receive the very best attention and interest at our hands, and that such action may be taken as will result in very great benefit to the men who are concerned.

Hon. T. S. SPROULE: Honourable gentlemen, I regard the proposal made on this occasion as very good, very timely, and very appropriate. The problem is, I presume, one which most people are thinking about to-day: what is the best thing that can be done with the returned soldiers? Those institutions which are providing for vocational training on various lines are undoubtedly proceeding in the right direction, and will absorb a large number of the returned soldiers; but, there are many of the men who left farms and are more familiar with farm life and farm work than with any other line. One of the difficulties with which I apprehend they will be confronted on their return, if they contemplate settling down to agricultural life again, will be the question, where can they settle so as to avoid the lonesomeness of life on the farm and have the advantages of the company and the freedom which they have enjoyed in the last few years, and which have become part and parcel of their life worked into it to such an extent as to have become second nature. The next difficulty with which they will be confronted will be the management of a farm. What makes for the success or failure of farm life? It is the knowledge of how to put in the crop, where to put it in, how to provide for the care of it, when to market it, how to prepare it for the market, and all these things. Now, I foresee in this proposal a very valuable and important suggestion which might be made, and that is, that if a large number of these men were located within a reasonable distance of one of these farms, the employees of the farm could give an oversight to their work and give them instructions from day to day and from week to week on the various problems of farm life on which they would require to be informed, and encourage them to take advantage at the right time of the opportunities offered to them, and which would make for their success or failure in proportion as they attended or did not attend. I think some scheme might be worked out whereby these farm hands could be made very valuable in educating returned soldiers and in keeping them in touch with the operations of the life in which they are engaged. They could give them valuable information and advice with regard to machinery, grains that might be grown, or the lines of agricultural industry which might be followed in their particular locality. They could advise them as to whether dairying, bee-keeping, stock raising, grain raising or any other line would bring the greatest returns to those engaged in it. This would keep their interest centred to such an extent that they would probably solve the farming problem successfully, instead of becoming tired of it and may be becoming absolute failures. I think there would be fifty chances to one in favour of success under this system as compared with what would be the result if returned soldiers were sent individually into Ontario, Manitoba, Saskatchewan, or Alberta, and left to settle down by themselves, buy any machinery that they liked and go into any class of farming they chose, without being given proper information. If this problem is not taken hold of, they will become tired of farm life and go back to the cities. If this suggestion were acted upon, these men would be in closer touch with society in their localities and with those things that are of value to them. I regard it as probable that forty-eight out of fifty would be more likely to make a success under this system than five out of a hundred would make if they were sent out to the farms individually therefore it meets with my hearty approval.

Hon. Mr. McLENNAN: I shall just detain the House for a moment in order to say that the Military Hospitals Commission, of which Hon. Sir James Lougheed is chairman, and which has the care of returned soldiers, is quite in sympathy with the

spirit of the motion made by the honourable gentleman from Alma (Hon. Mr. Foster), and is already taking certain steps along that road. Arrangements are about completed with the great agricultural college of Saint Anne de Bellevue, near Montreal. There will be an institution for the care of soldiers coming from that district and elsewhere, and it was located there especially so that they might derive the advantages to be gained from that agricultural college. The Government of Ontario has placed a splendid institution at Guelph at our disposal. It has workshops and immediately adjoins the Guelph Agricultural College. There again the advantages of that college were a very important consideration in deciding us to take advantage of the offer which was made. I am sure that the report of the proposed committee will receive every consideration from hon. Sir James Lougheed and his colleagues.

Hon. Mr. CHOQUETTE: I wish to congratulate the honourable gentleman who brought up this very important question. When I say that I am a farmer's son, he will understand that I am interested in this question and want to do all that I possibly can to help in this matter. I should like, however, to ask the committee, when they go to these Experimental Farms, not to forget to go to Cap Rouge in Quebec, where there is one of the best farms situated on the shores of the St. Lawrence. It is about 10 miles from Quebec city. I should be glad if they sent as many of these heroes as possible down there, so that they could learn everything in a practical way.

The motion was agreed to.

MINISTER OF OVERSEAS MILITARY FORCES AND PARLIAMENTARY SECRETARIES BILL.

THIRD READING.

Bill 122, an Act respecting the Minister of the Overseas Forces, the Parliamentary Secretary and the Department of Militia and Defence, and the Parliamentary Under-Secretary of State for External Affairs.—Hon Sir James Lougheed.

COMPANIES ACT AMENDMENT (NON-GAINFUL CORPORATIONS) BILL.

THIRD READING.

Bill U2, an Act to amend the Companies Act so as to provide for the incorporation by Letters Patent of Corporations for purposes other than that of grain.—Hon. Sir James Lougheed.

Hon. Mr. McLENNAN.

NORTHWEST GAME BILL.

THIRD READING.

Bill 100, an Act respecting game in the Northwest Territories of Canada.—Hon. Sir James Lougheed.

INCOME WAR TAX BILL.

SECOND READING.

The Senate resumed from August 29 the adjourned debate on the motion of Hon. Sir James Lougheed for the second reading of Bill 117, an Act to authorize the levying of a War Tax upon certain incomes.

Hon. Mr. CHOQUETTE: Honourable gentlemen, as this proposed income tax is absolutely necessary to the carrying on of the war. I think the Bill is a good one, because it will place the taxes on the shoulders of those best able to pay them. For myself I am sorry to say that, not being one of that class, I do not expect to be called upon to pay many thousands of dollars in taxes. The people who will be most sorry will be either those who are not able to pay the tax or those who are going to be loaded with taxes. What I most particularly wish to say at the present time is that I think the scale of taxes is most unfair. Take the case of men who come under classes c, d and e of section 4 of the Bill. Class c covers those who have incomes of from $10,000 to $20,000. This classification is most unfair, because one man may have a large family, and another one may have no children at all, but they will have to pay the same amount in taxes. According to this Bill, a man who has an income of say $10,500, and who has five or six children, will have to pay the same amount as a man who has an income of $19,900, and who has no children. It is most unfair; in fact, it is immoral, because it would lead to race suicide in some provinces where the sanctity of marriage is not so well recognized as it is in the province of Quebec. Some people would be inclined not to raise children. It is immoral to put temptation in the way of these people, and the percentage of families who have no children and who have an income of between $10,000 and $20,000 is very large. I call the attention of the Government to this fact. I think it would be well to have some amendment to remedy that condition. Something should be deducted in the case of a man who has a family.

Hon. Mr. EDWARDS: Is it understood that there will be free discussion in committee on this question?

Hon. Sir JAMES LOUGHEED: Oh, yes. I may say that the discussion will probably take place on the details of the Bill.

Hon. Mr. ROCHE: I think it is agreed on all hands that this is a money Bill. The object of submitting it to a committee is to amend or alter it. It is the function of the House of Commons to make all grants of money to the King. There is no doubt that this is an aid to the King. Why should we interfere with the undoubted prerogative of the House of Commons? We should be setting a bad precedent which might lead to a conflict with the House of Commons. I think the line is very clearly drawn that the Senate shall not interfere with money Bills either to amend or to negative them. The House of Commons has the right to alter such Bills, but we have no right, and I would oppose the motion to commit the Bill.

Hon. Sir JAMES LOUGHEED: We are only following the usual course adopted with reference to all Bills. If the House is of the same opinion as my honourable friend from Halifax, that we should allow the Bill to go through as it is, I would not object to taking the third reading to-day.

The motion was agreed to, and the Bill was read the second time.

SHIPMENT VIA CANADIAN PORTS.

DISCUSSION CONTINUED.

The Senate resume from August 28 the adjourned debate on the inquiry of Hon. Mr. L'Espérance:

To call to the attention of the Senate to the fact that our tidewater ports are now properly equipped for the storage and speedy handling of grain and other merchandise, and to urge that the exportation of our products by the allied government buyers should be routed through our Canadian ports as far as possible, and to inquire if it is the intention of the Government to take any action to prevent in future the bulk of the export of the oceanic traffic being routed via American ports.

Hon. P. A. CHOQUETTE: Honourable gentlemen, I was unfortunately absent from the House when the honourable gentleman from the Gulf division (Hon. Mr. L'Espérance) brought up this important question of the tidewater ports; but I have read with pleasure and interest, not only the speech of the honourable gentleman himself, but also the remarks made by the seconder of the resolution, the honourable gentleman from Toronto (Hon. Mr. Nicholls), who spoke a good word for Quebec, the remarks made by the honourable gentleman from De Lanaudière, (Hon. Mr. Casgrain), and those of the honourable gentleman from Rideau (Hon. Mr. Edwards). I am sorry to have to disagree with the statement in the motion of the honourable gentleman from the Gulf division that "the tidewater ports are now properly equipped for the storage and speedy handling of grain and other merchandise," etc. I think this statement is incorrect and is, moreover, misleading. It has misled even the honourable the junior member for Halifax (Hon. Mr. Crosby), who said in his address:

The honourable gentleman states that the port of Quebec is now equipped with terminal facilities sufficient for all the export from this Dominion across the Atlantic.

So I say that the remarks made by the honourable gentleman from the Gulf division were not only inaccurate, but very misleading. I have taken the trouble to obtain some information from the Quebec Board of Trade and the Mayor of Quebec in order to correct that statement, so that later on we may not be reproached for having said that we wanted nothing more for the port of Quebec, because we had all that we required. So it is most important at this time to place the facts before this honourable House and show the necessity of improving and continuing to improve not only the port of Quebec but all Canadian ports.

I understand from the remarks made by the mover of the resolution that, in introducing this question, he had two different points of view: first, that of the necessity and importance of the matter; and, secondly, that stated in the following remarks, which he made at the close of the address:

If my feeble words and deeds may contribute in the slightest degree to the realization of this great dream of mine, I shall be amply compensated for the harsh and unjust criticisms which some of my public acts have brought upon my head.

It is hardly necessary to point out that the only excuse for that statement by the honourable gentleman was the vote which he gave in this House recently on the question of conscription; because, from his past declarations, not only in the elections of 1911, but since then, we all know that he was opposed to conscription. Of course, he had the right to change his mind; I have nothing to say against that; but there is no doubt that his change of mind has brought upon him the harsh criticisms of his conduct—which are, I may say, not unjust, but fair. At all events, in order to show my good fellowship towards him, I am quite willing to overlook that and consider only the interest he has in the

port of Quebec and his remarks upon that subject, reserving to myself the right to criticise his declaration that our ports are completely equipped for the storage and speedy handling of grain and other merchandise.

Honourable gentlemen, as a matter of fact, the equipment of our ports has only just commenced. At St. John the contract awarded to Norton Griffith has been suspended. At Halifax only one pier out of the six piers which are to constitute the admirable series of ship-docks for that port has been finished; and I see by the remarks of the honourable gentleman from Halifax (Hon. Mr. Crosby) on this subject that he complained that the work was not completed and slow progress was being made. At Quebec, where the 17 berths of the original Louise docks were found to be insufficient for the traffic prior to the completion of the Transcontinental and the Canadian Northern, only five additional berths are being constructed. They are not yet completed, though they have been under construction for five years. At Montreal the dock and elevator accommodation is continually being congested by the traffic brought there by the canals and by the older railways, which have been in operation for many years. So it may be said that practically no terminals have been completed at our seaports for the two new transcontinental railways, which are now ready to carry the grain of the Northwest to Canadian ports, if only there were at those ports grain storage accommodation and steamship berths to dock the steamers required to transport the grain to Europe. Does this indicate much foresight on the part of the Government? I am not going to make political capital on this point, for I place some little blame on the Liberal Government, which did not do all that could have been done, or even all that was promised. It is true that the Government at that time said they were building the Transcontinental railway and the Quebec bridge, which took a great deal of money; but in preparing for the completion of the Transcontinental and of the Quebec bridge they ought to have seen to the improvement of our ports.

Does it, I ask, indicate much foresight on the part of this Government, who have known for the last six years that the two great transcontinental railways were nearing completion, and that without seaport terminals they are useless for the handling of the grain from the Northwest? Is it not rather a deplorable want of foresight, similar to that shown in failing to provide any rolling stock for operating one of these great railways, upon whose construction more than $150,000,000 of the people's money has been expended? How did the Government expect that railway to be operated without rolling stock?

Hon. Mr. CROSBY: I would like to ask, is the honourable gentleman quoting some authority, or is he reading his speech?

Hon. Mr. CHOQUETTE: These are my notes on the subject of terminals and ports. One cannot be expected to know all about the subject. I wrote to a friend in Quebec, a member of the Board of Trade, and he has given me some information.

Hon. Mr. CROSBY: The question I am asking, Mr. Speaker and honourable gentleman, is one which I should like to have answered. Is the honourable gentleman reading his own speech, or is he quoting some authority? If he is quoting, let us hear from whom.

Hon. Mr. CHOQUETTE: I am referring to notes which I have made from information obtained from a gentleman who is thoroughly familiar with this subject—much more familiar than my honourable friend.

Hon. Mr. CROSBY: The honourable gentleman must know that it is contrary to the rules of this House for any member to read his own speech.

The Hon. the SPEAKER: A member has no right to read his speech, but he has a right to refer to his notes. If he makes a quotation, he must state from whom.

Hon. Mr. CHOQUETTE: I am going to quote the opinions of the Mayor of Quebec and the President of the Board of Trade on this subject.

It is true that we have in Quebec an elevator, completed last year, with a capacity of 1,000,000 bushels, which is now being enlarged, and that elevator has already proved the ability of the new Transcontinental railway to fulfil the purpose for which it was intended, namely, the cheapening of grain transportation, because it has permitted of the loading of six steamships at Quebec with Manitoba grain, brought there by that new, short, well-graded railway, at a freight rate of ten cents per bushel, a freight rate more than three cents per bushel cheaper than the ordinary rail-and-water rate via Fort William to Montreal

or New York. And the Acting Minister of Railways has told the House of Commons that this cheap rate has been profitable to the railway, whose level grades permit of handling double the tonnage heretofore hauled.

But, honourable gentlemen, of what use is a million bushel elevator—which may handle at the outside three to five million bushels in a season—to take care of the exports from the West, which last year amounted to nearly three hundred million bushels? Is it any wonder that nearly two-thirds of this quantity went to Buffalo and New York for shipment?

Hon. Mr. CROSBY: Mr. Speaker, I must rise again to a point of order. I really want to know whether the honourable gentleman is reading his speech or a speech which somebody else has written for him and from which he is quoting. It is needless to point out the rule that a member in making a speech has a perfect right to refer to notes, but he has no right to read the speech. If the honourable gentleman is going to read the speech, we want to know who wrote it, so that we may have some authority for the statements made and may know to whom we are listening. There is no doubt in my mind that the honourable gentleman is reading his speech, and I desire to call the Speaker's attention to this.

The Hon. the SPEAKER: If the honourable gentleman is reading his speech I shall have to object to that; but I cannot object to his referring to his notes.

Hon. Mr. CROSBY: My honourable friend is reading his speech. There is no doubt about it.

Hon. Mr. CHOQUETTE: I was not in the House the other day when this matter was discussed; I was in Quebec; but I read the speech of the honourable gentleman who moved the resolution, and I took notes. I dictated these notes, which are my own, from the information I got at Quebec. They have been translated from French into English, but I have not had time to memorize all the quotations. I am speaking from my own notes, and I may tell the honourable gentleman that I am able to make a speech of my own, whether he is able to do it or not.

The Hon. the SPEAKER: Order.

Hon. Mr. CROSBY: That is what I want my honourable friend to do—to make a speech of his own; and I have no objection to his referring to his notes, as any other honourable gentleman may do. But I am asking if he has any right to read a speech here. No one knows better than he does that it is against the rules. Any speech which I may make here is my own, and not anybody else's, and I want the honourable gentleman to make his own speech.

Hon. Mr. CHOQUETTE: I think I am entitled to refer to my own notes. I repeat, these notes have been translated from French into English in order that they may be understood by members who, like my honourable friend, cannnot understand French. I am going to continue.

Is it any wonder that nearly two-thirds of the quantity shipped from the Canadian West went to Buffalo and New York, and that a large proportion of the balance finally reached Portland?

The Government have been repeatedly urged during the last five years to build elevator storage at Quebec for 10,000,000 bushels and for an equal quantity at each of the ports of Halifax and St. John. What have they done? One-tenth of what is asked for at Quebec, and nothing at all at Halifax and St. John. That is the information I received from parties who understand all about transportation matters. It is true we are building an excellent system of steamship docks at Halifax, with berths for 27 steamers, and berths for 25 steamers are being provided for at St. John.

Hon. Mr. DOMVILLE: I do not wish to interrupt my honourable friend, but I should like to ask him where he got the quotation regarding 25 steamship berths at St. John.

Hon. Mr. CHOQUETTE: From the Quebec Board of Trade report.

Hon. Mr. DOMVILLE: It is wrong.

Hon. Mr. CHOQUETTE: It may be. Honourable gentlemen will have the opportunity of saying whether it is correct or not, but that is the information I got from the Quebec Board of Trade.

Hon. Mr. DOMVILLE: There should be 25, but there are not.

Hon. Mr. McMEANS: For what year was the report?

Hon. Mr. CHOQUETTE: It would be last year. It is to be hoped that to the steamship berths now being provided the necessary elevator accommodation will be added as quickly as possible. If the Transcontinental railway is to have any success it must have terminals of its own at its seaports. I cannot conceive anything so short-sighted as the manner in which this im-

portant question has been treated by this Government; but also, I must add, by the late Government in some respects. The Government railways, which have cost the country a quarter of a billion dollars, have no terminals of their own. At Montreal they are at the mercy of the Grand Trunk, and at Quebec at the mercy of the Canadian Pacific. We can imagine what that must cost annually. At Quebec the Government purchased three miles of splendid deep-water frontage on the St. Lawrence front, between the Champlain market and Sillery, for the freight business of the Transcontinental, and it is admirably suited in every way for that purpose.

The Hon. the SPEAKER: I am afraid I must point out that the honourable gentleman is reading his speech.

Hon. Mr. CHOQUETTE: Not at all. I am not reading my speech.

The Hon. the SPEAKER: I would not have said a word about the matter but that my attention has been called to it.

Hon. Mr. CHOQUETTE: The same rule applies to everybody. Other honourable gentlemen have read their speeches from beginning to end, and in their own language.

Hon. Mr. DOMVILLE: His own colleague has read a speech.

Hon. Mr. CHOQUETTE: I was saying that the Government purchased a splendid deep-water frontage on the St. Lawrence between the Champlain market and Sillery for the business of the Transcontinental, and it is very well adapted in every way for the purpose; yet they allow themselves to be induced by some unhappy influence to use the Canadian Pacific railway terminals and the very limited area of the Louise docks, where, as everybody in Quebec knows, there is not room enough to shunt a modern freight train. If more docks and elevators are to be built at Quebec it is to be hoped that they will be built on the property on the St. Lawrence front acquired by the Government for the purpose. But do the Government really intend to equip their railway with proper terminals at Quebec? The people of Quebec do not seem to think so, because the Mayor of Quebec some months ago wrote a formal protest to the Prime Minister, calling upon the Government to carry out its engagement with the city as to terminals, as made by a notarial agreement executed as far back as 1910.

Now, here is a quotation—not my own. It is a letter from the Mayor of Quebec to the Prime Minister dealing with all these matters which I am now bringing up. I have secured the best information, in order to be as accurate as possible in presenting these facts. I am not blaming this Government entirely for the situation, and am not saying that they have intentionally done anything against Quebec or any port in this country; but I want to emphasize that the statements which I am making are facts. If the views of the honourable gentleman from the Gulf division are wrong, I might say something on the subject myself; but my statements would not carry as much weight, so far as the public or the Government are concerned, as the authority of the Mayor of Quebec, supported by the city council, or the authority of the Board of Trade, acting on the recommendation of its president. Letters have been exchanged between the Mayor of Quebec and the Government, and between the Board of Trade and the Government, but nothing has been done in the matter. The letter of the Mayor of Quebec is as follows :

[Translation.]

Quebec, June 20, 1917.

To the Right Honourable
Sir Robert Borden,
Prime Minister of Canada.

Dear Sir,

I have the honour to enclose copy of a letter addressed by the Hon. F. Cochrane, Minister of Railways, to Sir George Foster, in reply to a telegram received from the Quebec Board of Trade, and which states "that the Railways Department does not at present need shops for the Transcontinental railway at Quebec, since those in operation at Moncton, Rivière du Loup and Transcona are adequate for the work to be done, and that on account of our heavy financial burdens the minister does not see the necessity of incurring the expense of equipping railway shops at Quebec until they become absolutely necessary."

I respectfully submit that this decision of the honourable the Minister of Railways has made a painful impression on the citizens of Quebec, who are fully convinced that they have vested rights in this matter which cannot be ignored.

In the first place the city of Quebec has contributed largely towards the Transcontinental railway, while no other city in Canada has been called upon to do anything in the same direction.

For a nominal sum we turned over to the Transcontinental the Champlain market property, the most valuable ground on the river front of the city, covering a space of 282,000 feet and worth, judging by adjacent property, from $5 to $9 per square foot, or over $1,400,000. We permitted the destruction by the Government of the biggest market in the city, the Champlain market, the building of which alone was worth at least $250,000, in order to allow of the land being used for the purposes of the Transcontinental.

In consequence of the destruction of this market the city has been obliged to establish a new market on the banks of the St. Charles river, and this new market cannot be used by the small market boats until after the present sluicing and dredging operations on the St. Charles river have been completed.

To facilitate the Railway Department in locating the terminus of the Transcontinental the city consented to grant to it without charge 133,000 feet of ground in Victoria park, worth at current prices about $400,000.

The city agreed also to furnish free of charge the water supply for the railway workshops of the Government, a concession which the city refuses to the most deserving charities, and the capital value of which represents a very considerable sum of money.

M. Napoleon Drouin, ex-mayor of Quebec, sent as a delegate to Ottawa on November 2, 1915 by the City Council of Quebec, has proven by official documents that these different grants represent a value of over $3,000,000. In return for these enormous sacrifices, which are out of proportion to the means and the population of Quebec, and which were imposed upon us as much by the previous government as by the Government of the day, the Government, by a legal contract dated August 26, 1910, undertook to build in Champlain ward, on the St. Lawrence river front, docks, elevators and terminal facilities to the value of $2,000,000 over and above the cost of the right of way and the cost of construction of the shops, and in addition to the wharves which were then in course of construction and on which the work has since been suspended. The Government undertook to build the said shops within the limits of the city or in its immediate vicinity.

The city of Quebec has never renounced any of these conditions, and the Government has never fulfilled any part of the obligations specified in the contract, except with reference to the construction of workshops, which were erected in one ward of the city and were completed a few months ago at a cost of $1,800,000, with the exception of one building, and are not yet in operation and have not been equipped. The honourable the Minister of Railways has alleged that the shops in operation at Moncton, Rivière du Loup and Transcona are sufficient for the work necessary, and does not see the necessity of incurring the expense of equipping the railway shops at Quebec before they are needed.

We are of opinion that the minister has been badly advised by his subordinates in this matter. Thus it is a notorious fact that the Intercolonial shops at Moncton and Rivière du Loup are inadequate for the Intercolonial. How can it be maintained that they can be overloaded with the work of the Transcontinental, which extends a distance of 1,800 miles? The Transcona shops are not utilised merely for the Transcontinental alone, they do all the work of the Grand Trunk Pacific from Winnipeg to Prince Rupert, a distance of 1,800 miles. Moreover, the Transcona shops are not located so as to be able to serve the Transcontinental economically. Those shops are 448 miles from the head of Lake Superior and 1,350 miles from tidal waters, so that the cost of coal, steel and other materials required is very high. On the other hand, Quebec is more advantageously situated, nearer tidal waters, where these materials can be delivered at much less expense. Labour is cheap here, and Quebec besides being at the head of ocean navigation, is a central point for the Government railway system, and is a peculiarly suitable location for the big workshops which the Government has built here.

The Government must certainly have had all these advantages in view and deemed them of great value when it agreed by contract with the city of Quebec to build the shops in this city at a cost of about $2,000,000. The expense of equipping the shops is assuredly not a sufficient reason to justify the attitude taken by the Government towards the city of Quebec.

It has been pointed out to the Government that the Transcontinental is not adequately provided with rolling stock, that thousands of carloads of pulp-wood and other freight, the product of the labours of the new settlers along the railway, cannot be transported for lack of cars. There is no more favourable place than the workshops at St. Malo for the building of these cars. These St. Malo shops could employ 1,500 men, thus relieving the unemployment at Quebec due to the sudden closing down of the Ross factory and the dismissal of nearly 3,000 employees. The Transcontinental lacks rolling stock; why not build it at once?

May I point out also that the manner in which the Transcontinental is being operated by the Railways Department is far from being satisfactory to the people of Quebec. Every effort is apparently made to provide a rapid service with first-class equipment, between Toronto and Winnipeg, where three transcontinental lines are in competition, and where, the Canadian Pacific being shorter than the Transcontinental, the latter cannot compete successfully. But from Quebec to Winnipeg, where the Transcontinental is 214 miles shorter than the Canadian Pacific, nothing is being done to encourage the steamship traffic from overseas and from the Maritime Provinces to take advantage of this great saving of distance and of time. The trains are made up of old worn-out cars from the Intercolonial, whose appearance and sanitary condition leave much to be desired. In fact, this line between Quebec and Cochrane is treated like a simple branch line instead of being considered as the main line, shortening the distance between Quebec and Winnipeg. And yet this is what had been represented to the citizens of Quebec when they were induced to agree to concessions equivalent to $3,000,000.

In spite of all these disadvantages, the operations of the railway show the surprising result of gross receipts amounting to $5,798,516 and a surplus of $429,455. This magnificent result, which you did not expect, shows clearly the wisdom and necessity of equipping this highly valuable property by establishing suitable terminals and providing sufficient rolling stock without further delay, so that this railway may stop the diverting of our western trade towards the United States, which now occurs to an alarming extent.

In conclusion, I am desired by the City Council of Quebec to protest strongly against the decision of the honourable the Minister of Railways not to operate the Quebec workshops, and I respectfully submit that it should be done without delay and that the terminal work in Champlain ward should be completed without delay, in accordance with the terms of the agreement of August 26, 1910.

If, however, the Government persists in not treating this railway as a national enterprise, which would provide the farmers of the Northwest with cheaper transportation for their grain shipped to Canadian ports, an object which we have always understood Parliament had in view

when the construction of the Transcontinental was decided upon, I beg to state that the city of Quebec intends to cancel all its arrangements with the Government and to take back the Champlain market property, requiring of course repayment to the city of the value of the market buildings torn down by the Government.

I have the honour to be sir,
Your obedient servant,
(Signed) H. E. Lavigueur,
Mayor of Quebec.

P.S.—Since writing this letter I learn that the honourable the Minister of Railways has given orders that the rails on the main line of the Transcontinental between Quebec and St. Prosper, a distance of fifty miles, be taken up. I venture to protest strongly against that decision, which will compel this railway to use the lines of its two greatest rivals in order to enter the city of Quebec, its only eastern terminal.

Very respectfully,
(Signed) E. H. Lavigueur,
Mayor of Quebec.

A few days ago Hon. Mr. Rogers was asked in the House of Commons by Hon. Mr. Graham, ex-Minister of Railways, why there was no provision in the budget for extra elevator accommodation at Quebec, Halifax and St. John, to handle the grain traffic of the Transcontinental railway. Hon. Mr. Rogers replied that he could see some use for such facilities at Halifax and St. John, but not at Quebec, which, he said, is only a summer port. Can it be possible that this statement reflects the views of the Government with regard to the port of Quebec? Can this be the reason why 27 new steamship berths are being built at Halifax, that the plans propose 25 new berths at St. John, and that only five are being built at Quebec? If fifty-two new steamship berths are required at St. John to do the business of this railway for five winter months of the year, how is the business of the other seven months to be done unless there are similar facilities at Quebec, which is the summer terminus of this railway?

If the present disastrous situation is not soon remedied it is going to have a serious effect upon the future of Canada. Parliament consented to the vast expenditure involved in the construction of the Transcontinental railway upon the distinct understanding: firstly, that it would materially reduce the cost of transporting the grain of the farmers of the Northwest; secondly, that the railway would bring all its ocean traffic to Canadian seaports; thirdly, that there would always be ocean steamers at those seaports to handle the traffic. We have been bitterly disappointed. The railway has proved its ability to reduce by 3 cents per bushel, or one-quarter, the cost of carrying the grain. If this understanding were carried out, this saving would mean that the farmer would get that much more for his grain, which would be equivalent to an annual gain of about $20,000,000, on the basis of the crop of two years ago. But it cannot be carried out, because the railway has no terminals and no elevators, and to add to the difficulty, on account of higher marine insurance, ships charge higher freight rates from all Canadian ports than they do from New York. The result is that, after the colossal expenditure in building three transcontinental railways the people of this young country find that two-thirds of the trade which was to have been done by these railways at Canadian seaports, is being done at the seaports of the United States. If this condition cannot be remedied, it is a misfortune which may result in breaking up the Confederation. This condition can be remedied, and in my humble opinion the remedy has been very clearly stated to the Government in a resolution which was passed at a general meeting of the Quebec Board of Trade, which was amplified by a letter from the President of that board to the Prime Minister, which I now read so that it may be preserved in Hansard:

Quebec, July 14, 1917.

The Right Hon. Sir R. L. Borden,
Prime Minister,
Ottawa.

Dear Sir,—At the last general meeting of the Quebec Board of Trade held in the month of June, a resolution was adopted—a copy of which was sent you—respectfully suggesting that the Government should not adopt either of the reports, made by the majority and the minority of the Royal Commission named by the Government to report as to the railway system of Canada, and as to the best means to be adopted to overcome the financial and other difficulties which have arisen, owing to the unfortunate duplication of lines.

May I be permitted to explain, a little more at length, the views of the Quebec Board of Trade, which influenced the recommendations expressed in the resolution in question.

The reports of the Royal Commission both recommend, though not to the same extent, the acquisition and operation by the Government of certain railways constructed by companies.

We are of opinion that this would not be the wisest course—in the first place, it would mean an increase of the public debt of Canada to a figure so vast that it might weaken the splendid financial strength of the country in the money markets of the world. In the second place, Government operation of railways is often far from being satisfactory, and it lacks the initiative which company management generally has, initiative of which we have so splendid an example in the case of the Canadian Pacific, which has done so much to bring about the great prosperity and financial strength that we now enjoy.

Our Board is of opinion, as stated in the resolution, "that the Government management of its own mileage, between Halifax, Quebec and Winnipeg, now operated by the Government, should be sufficient to regulate rates, so

as to direct the western trade to Canadian seaports; and that it would seem wise to let the railways work out their own financial problems, and to concentrate Government efforts upon the proper equipment of our seaports with steamship docks and grain storage, upon reducing marine insurance rates and thereby attracting vessels to our seaports, upon building or causing to be built ocean steamers to carry the trade of Canada, and in this way making our railway system fulfil the objects for which it was created, and arrest the alarming diversion of our trade to United States seaports."

We look upon the Transcontinental Railway between Winnipeg, Quebec and Moncton, as being a most valuable addition to the public works of the country, which, if properly completed and equipped with terminals at its seaports, will soon repay Canada, directly and indirectly, the interest upon its great cost. It shortens the distance between the wheat fields and tide water by 214 miles, it is so level that its trains can carry nearly double the tonnage heretofore carried—it runs, between Quebec and Cochrane, through the greatest spruce forests in the world, where numerous water powers are already attracting costly industries which will turn that spruce into pulp and paper, affording employment to thousands and furnishing traffic to the railway. Already more than four thousand new settlers have gone into this district to cultivate the lands of the new and fertile clay belt through which this railway runs. They, too, are furnishing the railway a large traffic in forest products.

In the first year of its operation, this road, without terminals at its seaports, and almost without equipment, has earned the very large sum of $5,800,000, or more than $3,200 per mile, a wonderful return for a new road through an uninhabited country. In short, the Transcontinental railway, derided by many people, as costly and useless, has proved itself. Already its trains shorten the time for ocean passengers and mails between tide water and Winnipeg by nine hours, and have reduced the freight upon the export wheat of the Northwestern farmer by more than three cents per bushel.

We are firmly convinced that if ample grain storage is provided at Quebec, Halifax and St. John, so that the railway may have a constant, instead of an intermittent traffic in grain, if steamship docks are built at Quebec (the steamship berths now building at Quebec are entirely inadequate) and St. John, similar to those now being built at Halifax, and if the railway is properly equipped with rolling stock, it will fulfil the objects intended by Parliament at its inception, namely the saving in freight upon the wheat of the farmer of the Northwest, with the consequent increase in the value of his grain, and the securing of its traffic for Canadian seaports. We believe it will do more, because it can be used by Government as a regulator of freight rates, and thus put a stop to the alarming diversion of our western trade to United States seaports, via Fort William and Buffalo, which last year took away from us two-thirds of the grain which should have been shipped from Canadian ports.

We would therefore most earnestly and respectfully suggest that the Government should not adopt either of the reports of the Royal Commission, which would involve a very large increase in the public debt—but that they should, rather, devote their energies and the resources of the country, without hesitation, to putting a stop to the diversion of our trade to foreign ports, and to making it secure for Canadian ports.

We are firmly of opinion that this can be brought about:

1. By building grain storage for ten million bushels at each of the ports of Quebec, Halifax and St. John, with steamship docks at Quebec and St. John similar to those now being built at Halifax, and also an ample equipment of rolling stock for the government railway system, in which, we are glad to see a beginning has been made, so that the trade of the country may not be stifled, as is the case at present, and that, when necessary, some of the stock may be rented to help out the needs of other Canadian railways, until they are fully equipped.

2. By Government control of marine insurance rates, so that the insurance rates from Canadian ports shall by agreement with the underwriters, be at all seasons of the year the same as from New York. The present discrimination against Canadian ports is driving ships to New York. This might cost the Government something annually, but the result would be worth the sacrifice.

3. By Government compelling all subsidized steamers to accept the same rates of ocean freight to and from Canadian ports, as are current, from month to month, at New York. There would, once the insurance difficulty is overcome, be no injustice in this, because Quebec is 500 miles and Halifax 700 miles closer to Liverpool than New York is.—This might be regulated through the medium of the Railway Commission.

4. The Government to build and operate, in connection with the Transcontinental and Intercolonial railways, not less than ten large ocean freight steamers of 10,000 to 15,000 tons capacity, to run a semi-weekly service from Quebec in summer and Halifax or St. John in winter. These ships could handle about 50 million bushels annually, which would ensure a constant traffic, all the year round, to the trains of the Government railway system, and, in combination with the railway, would prove a regulator of freight rates, to the joint benefit of the farmer of the Northwest and of Canadian ports.

This may seem a programme involving heavy expenditure, but the amount will be trivial, compared with the many millions which would be required if the Government were to take over the railways, mentioned in the reports of the Royal Commission. Moreover, what we suggest is essential if Canada is to reap the benefits expected from our enormous expenditure for three transcontinental railways, and if we wish to arrest the present diversion of two-thirds of our trade to United States seaports, which is so alarming.

The public is always being threatened with the spectre of the dire results which it is said must follow if Parliament does not again come to the rescue of railways which have been built with more or less erroneous judgment as to location—But have we not already done enough in that direction? Will any great harm come if these roads are left to work out their own salvation, with perhaps a little judicious help as to equipment and ocean terminals? The traffic of these roads is increasing rapidly —why should not the financial interests which

have carried them so far carry the load a little longer?

Yours respectfully,
(Sgd) J. G. Scott,
President Quebec Board of Trade.

I may say that this Mr. Scott is one of the most able men in transportation matters, either by railway or by water, and is an authority on this question.

Honourable gentlemen will see from the facts that I have put before the House that the Quebec Board of Trade had communicated with board of trade in other provinces. This, in my opinion, is the remedy for the extremely serious position in which Canada finds itself to-day. If the Government will follow the advice given I feel confident that the farmers of the Northwest and the seaports of Canada will soon reap all the benefits which were promised in Parliament when the building of this railway was undertaken.

The question was raised, I think by the honourable gentleman from De la Durantaye (Hon. Mr. Tessier) as to it being in the interest of Canada in general and of Quebec in particular to declare Quebec a free port. This is a question upon which I am not ready to pronounce myself. We know that the port of Hamburg in Germany is a free port; but whether it would be advantageous to Quebec to be a free port is a question which requires some study, and I have not had the occasion nor the time to study it. It will be time enough to discuss this question when the Government have taken all the facts into consideration, and have come to a conclusion. I hope that the Government will seriously consider the letter from the Mayor of Quebec. I put my own opinions aside—and the letter from the Quebec Board of Trade.

Quebec is entitled to special consideration. Some seven or eight years ago, as is mentioned in the letter of the Mayor, Quebec gave property valued at over $3,000,000 in order that the Government might build elevators, terminals, a union station, and workshops, and do whatever was necessary to make the port of Quebec ready to receive all the grain from the west. Nothing has been done as yet. All we have got is a little station on Champlain market. Properties that cost over $1,000,000 were sold to the Government for $100,000 on the understanding that over $3,000,000 would be expended in building elevators, and so on. We were promised workshops. They have built workshops, but, instead of putting them in the place where it was decided that should go, they were built in St. Malo, near Quebec. These workshops were completed nearly two years ago, but they have been closed down and nothing has been done since then. They have never repaired an engine there, they have never done a dollar's worth of work for the public. I point out to the Government the special position that we are in, apart from what ought to be done for the port of Quebec, and I ask the Government to look into these facts and do what is right not only in the interest of Quebec but of the Dominion at large. I have no doubt that the honourable gentleman from the Gulf division (Hon. Mr. L'Espérance) introduced his resolution in good faith, and I congratulate him upon it. Certainly he is in earnest and knows something about the question, being still chairman of the harbour commission; but I think his enthusiasm has carried him too far. What he has said was no doubt in good faith, but when he says that "our tidewater ports are properly equipped for the storage and speedy handling of grain and other merchandise, it is misleading and would prevent our obtaining what is due to us if not put right.

Hon. Mr. DOMVILLE: Honourable gentlemen, this is a very important subject and need not be approached with any feeling of acrimony. The honourable member for Grandville (Hon. Mr. Choquette) has stated his case very well. Every one must agree that we want to export our products through our own ports.

Hon. Mr. CROSBY: Hear, hear.

Hon. Mr. DOMVILLE: My honourable friend from Halifax says, "Hear, hear." Halifax got $30,000,000, but St. John, with Courtenay Bay, has been given only two or three millions.

Hon. Mr. CROSBY: $15,000,000 was voted for St. John five or six years ago.

Hon. Mr. DOMVILLE: $15,000,000?

Hon. Mr. CROSBY: For construction at Courtenay Bay.

Hon. Mr. DOMVILLE: My honourable friend says that there is $15,000,000 in the estimates.

Hon. Mr. CROSBY: They have been spending the money for years. It may not be in the estimates to-day.

Hon. Mr. DOMVILLE: I refer to the honourable the leader of the Government. He will tell us what is in the estimates.

Hon. Sir JAMES LOUGHEED: I cannot answer my honourable friend. I know that

within the last six years the Government has spent an extraordinarily large sum of money in St. John.

Hon. Mr. DOMVILLE: That is all right, but my honourable friend from Halifax (Hon. Mr. Crosby) says that there is $15,000,000 in the estimates now.

Hon. Mr. CROSBY: I said they had been spending it.

Hon. Mr. DOMVILLE: I leave it to the House. The honourable gentleman said there was $15,000,000 in the estimates.

Hon. Mr. CROSBY: I did not say that. I object to my honourable friend saying that I did.

Hon. Mr. DOMVILLE: It does not make any difference what the honourable gentleman says; it cuts no ice here; nobody cares anything about it.

I am in favour of this resolution, but I object to it being stated that the Government is putting up twenty-five berths at St John. That is incorrect. Admitting all this great expenditure in Halifax, and admitting the value of that port to the representatives from there and I have the greatest appreciation for them I say that Courtenay bay is still standing without anything having been done, everything closed down on account of the Norton Griffith contract. Where are the twenty-five berths? A promise is like a pipe, it is made to be broken.

With all due deference to my honourable friend from Grandville (Hon. Mr. Choquette), I ask him how is grain going to be shipped from Quebec in the winter? The port is closed. St. John is an open port. Perhaps I am taking up too much of the time of the House, but this is a burning question. We in St. John have stood quietly by. We know the disadvantages of Halifax, that on account of the long haul grain cannot be carried as cheaply that way as by St. John.

Hon. Mr. McMEANS: Soon it will all go by the Hudson Bay railway.

Hon. Mr. DOMVILLE: I do not know about that. That is only my honourable friend's opinion. The honourable gentleman from Grandville has expressed the opinion that whatever can be sent by way of the lower provinces should go to Quebec in the summer time. We in St. John have no objection to that; but when winter comes we have a right to hope, a right to expect nay, a right to demand— that the port of St. John should not be held up as it is to-day.

Hon. Mr. CHOQUETTE: Before five years have passed, Quebec will be an open port all the year round.

Hon. Mr. DOMVILLE: I may not be here to see that day. I suppose we cannot agree on everything, but we agree in the main. Halifax should get something; it has been struggling for years. The railway through New Brunswick was built to give a short line to Halifax, and I think it is 17 miles longer than the Intercolonial. Why should St. John be held up? Nothing has been done for Courtenay bay unless it has been done in the dying hours of Parliament. The Government may have had a change of heart, and may have thought that if they did something it would influence St. John in their favour. Time will show whether St. John will resent that or whether they will allow themselves to be passed over. Of course, it is natural that St. John should occupy a commanding position, with its short line to Montreal and the West. All that the people of St. John ask is a fair share of the trade. They do not ask to be bolstered up here and there, with walls and things of that kind such as Halifax has, but they ask the Government to give them, as is given to the rest of the Dominion, such aid and facilities as will place them in a position to do the business to which they are entitled. My friends who will read what I am saying now will know that in my humble way I am speaking on behalf of the city of St. John. It is nearly forty-five years since my honourable friend (Hon. Mr. Landry) and myself came into Parliament. I have had a chance of judging of the merits of various questions without losing my temper in differing from the views of others. We are asking for our rights. My honourable friend the leader of the Government has pointed out that now is a good time to call the attention of the Government to what may be done. My honourable friend from Halifax (Hon. Mr. Crosby) will admit that anything which builds up St. John is going to help Halifax, and anything which builds up Halifax will help St. John. We do not object to the development of the West by the construction of railways, etc., for which we must pay our share, but by this motion attention is called to the needs of our eastern ports. I suppose it is now too late in the session for this Government to take action; but

at any rate I trust that when we meet—what is it?—the new National Government, my honourable friend from Halifax will support me in urging that consideration shall be given to the winter port trade.

Hon. H. W. RICHARDSON: I notice that the motion calls attention to the port of Quebec, stating that it is properly equipped for the handling of grain and other merchandise, and that the exporters should use that port as much as possible. That is a very creditable motion,and it deals with a matter of great importance at the present time. When steamships are so scarce as they are at present, any saving that can be made in the voyage from North America to Europe should be made. It is desirable to use the port of Quebec, which is the closest to Europe—closer than New York or Montreal. There is a saving of a day, or a day and a half, in the voyage between Quebec and Liverpool as compared with the voyage from Montreal to Liverpool. A 10,000-ton ship is now worth, I suppose, from $3,000 to $5,000 a day; so that in a day and a half a saving of from $5,000 to $7,000 is effected by using the port of Quebec. Now, I am coming down to dollars and cents, because, after all, we may have all the elevators we want, and do all the dredging that is required, but if the merchandise cannot be sent most cheaply through that port all the dredging or elevator accommodation is of no use. Grain, like water, will flow through the easiest channel, that is, the cheapest channel. I have been engaged in the grain trade since 1873 and have followed the export trade closely. My firm was among the first to ship Manitoba wheat to Europe. No matter how loyal I have been to Canada or how anxious to build up Canadian trade, I have been forced many times in the past to use American ports to forward my grain to Europe.

Now, let us go back and see what has been the cause of this. The United States were exporters of grain long before we were. When our trade was in its infancy theirs was at its zenith, and the practice was established of shipping grain through American ports. Railways and elevator systems were built for the purpose of handling grain going in that direction, and the lines of boats were calling at American ports to move the grain. That system cannot be changed in a day, but it is changing year by year. There are now only one or two United States ports which are regular line shippers—the ports of New York and Boston; the other ports are tramp shippers. For instance, Baltimore is an immense shipper of grain, but it ships almost entirely by tramp boats. Portland is a big shipper of grain—Canadian grain most of it, sent by the Grand Trunk. Some Chicago grain, it is true, goes to Portland, but nine-tenths of the shipments going to that port come from our Northwest. Why? Because Portland is closer than any other port to the inland shipping points. The Grand Trunk is using Portland exclusively for its winter exports. Because both Halifax and St. John are farther, it costs more money to move the grain to Halifax and St. John—there is no question about it; and it is going to be very hard to overcome these difficulties.

Again, the port of Buffalo is a late fall port. It is open at the very close of navigation. It has an immense elevator system.

While I am on this subject I am going to speak very plainly. There is, so far as I am aware, no elevator in the United States built by the Government. The trade have built the grain elevators, and they are located on the routes best adapted for trade, where most money can be made out of them. When a government undertakes to build an elevator at one port—for instance, at the port of Montreal—other ports claim an equal right to assistance. Quebec asks for aid, as Quebec has a right to do, and receives it. Then Halifax and St. John do likewise. This assistance would never have been necessary if the erection of elevators had been left entirely to the trade.

Hon. Mr. DOMVILLE: I do not know.

Hon Mr. RICHARDSON: The Government have taken the matter out of the hands of the trade and have built the elevators.

Hon. Mr. DOMVILLE: Let me ask my honourable friend why the work started at Courtenay bay, at St. John, was left after a considerable amount of money, a million or two dollars, had been spent. If it was not to be used, why should it have been started? There is an inner story to that, but I do not want to go into it.

Hon. Mr. RICHARDSON: I am not able to answer why the Government does certain things, but I suppose it is the ambition of the Government to encourage the export of Canadian products through Canadian ports as much as possible; or it should be.

Hon. Mr. DOMVILLE: Yes, that is right.

Hon. Mr. RICHARDSON: Let us consider the grain trade. I will give you a little in-

formation regarding that, because I do not believe any of you know much about it. It is thought to be a speculative trade. It is believed that a man makes money in it because he plunges—that he makes his fortune by buying up long on grain and selling it. Nothing of the kind. If the business is properly conducted there is not a line of trade in the country to-day in which there is less speculation.

Hon. Mr. McMEANS: What does the honourable gentleman mean by "properly conducted"?

Hon. Mr. RICHARDSON: If the man who buys grain can sell it on future, it is his right to do so. If I have a line of elevators, say 75 elevators, in the Northwest—as I have—these elevators are buying at the proper season 1,000, 2,000, 3,000 or 4,000 bushels of grain each per day. A report comes in by wire in the evening, and next morning my man goes into the pit, on the floor of the exchange, and he sells next month's delivery against that grain. It has been bought and sold and is shipped so that it will arrive at the terminal elevator to protect the sale, and the profit of the elevator handler is legitimate. Or if I am shipping grain to Europe my man goes into the pit of the exchange and buys openly; if I sell the grain in February I buy it for May. The grain is shipped from some country elevator, and the storage must be paid for. That is straight business—there is no speculation about it, and if it is done properly there is no more legitimate business on the face of the earth.

Hon. Mr. DOMVILLE: Cannot the shippers route the grain from the west in any direction they like? There is no law to compel them to send it to a particular port.

Hon. Mr. RICHARDSON: No, there is not. Grain is like water; it flows in the easiest channel.

Hon. Mr. DOMVILLE: The proper channel along which to send it is the cheapest.

Hon. Mr. RICHARDSON: The grain in the Northwest is brought into country elevators. That grain is shipped out to terminal elevators, which are at Fort William and Port Arthur. It is held there under Government inspection and supervision, both inward and outward. From there the grain is moved, almost entirely by water. It is shipped to the seaboard by the cheapest route, whatever route that may be. Sometime the St. Lawrence is the cheapest, and sometimes the cheapest route is via Buffalo and American railroads. It depends very largely upon the quantity of grain and the quantity of ore and things of that kind, shipped by the lake. It is entirely a matter of freight.

However, I digressed from what I was saying. Buffalo is the natural port for winter distribution, because late in the fall of the year the ore docks on lake Superior and lake Michigan freeze up. The ore is all crushed and finely ground, and when the weather gets cold about the middle of November, the steamers carrying ore have to discontinue those shipments.

Hon. Mr. DOMVILLE: Iron ore is it?

Hon. Mr. RICHARDSON: Iron ore. Then they will take a cargo to Buffalo, and if the weather is favourable they will return to Fort William and load another cargo, of grain, and hold it free of storage. The grain is carried in the steamers all winter, if the owner of the grain so desires, and there are storage charges on it, but only a small insurance charge. When the owner of that grain sells it for shipment abroad he orders the steamer to go to the elevator. Then it is put on the cars, and four days afterwards it goes aboard the steamship in the port of New York.

Now, you can see the immense amount of American tonnage that becomes available late in November. That must be used, and we are at present practically the only shippers of grain, for the American Northwest does not ship much grain now. They do ship some oats and corn but very little wheat, except in the months of August and September. After that they require all their wheat for themselves. So the grain from Canada goes by way of Buffalo, and the American railroad gets the haul to the port of New York, and New York gets the distributing charges. Incidentally, the New York brokers and New York grain men are helped by this flow of Canadian shipments to their ports.

Hon. Mr. DOMVILLE: About eighty per cent of the grain goes to the States, does it not?

Hon. Mr. RICHARDSON: Last year we shipped more grain by the Canadian route than by Buffalo. We shipped by water to Canadian ports 80,687,000 bushels of wheat, and by water to American ports 81,000,000 bushels of wheat—practically the same quantity—a difference of only 500,000 bushels. But we shipped by rail in Canada 10,670,000 bushels of wheat. So we shipped

9,000,000 more bushels of wheat by the Canadian route than through the United States.

Then, take our shipments of oats, which are sometimes forgotten. People are inclined to forget that we have more in this country than wheat. We are large shippers of oats. Last year we shipped through Canada 33,000,000 bushels.

Hon. Mr. EDWARDS: That quantity was shipped abroad, was it?

Hon. Mr. RICHARDSON: Yes, 33,000,000 bushels; and through American channels we shipped only 17,000,000. Further, we shipped 12,000,000 bushels of oats by rail, A considerable quantity is used for domestic purposes in Ontario and Quebec.

Hon. Mr. DOMVILLE: For porridge.

Hon. Mr. RICHARDSON: Again, we shipped from the West last year, by water 4,500,000 bushels of barley; we shipped 3,500,000 bushels to Buffalo, and three-quarters of a million bushels by rail in Canada. So honourable gentlemen will see that it is a mistake to think that Buffalo is taking more trade than we are giving to our own ports. In 1914 and 1915 the situation was different, because we had a tremendous crop and our towns were not able to take care of it. Last year we shipped as much of the crop by our own channels as by the United States route, but unfortunately we could not ship more, because we did not have more space in which to carry it.

Then, it must be remembered that conditions are not normal to-day. A great many of our Canadian boats were built for the St. Lawrence and the Welland canal trade. They are small draft boats, carrying 2,200 or 2,300 tons. The owners of these boats at the outbreak of the war found it more advantageous to send them on the ocean than to have them remain on the lakes; so this class of tonnage has gone out on the ocean. I do not think it will ever be entirely replaced, because a few years hence the trade will change. The Welland canal will be available. That will permit of deep draft vessels of 21 or 22 feet to continue eastward, and will revolutionize the trade, providing the ports of Montreal and Quebec can take care of the grain which will be shipped there.

Hon. Mr. CROSBY: Do not forget Halifax and St. John.

Hon. Mr. RICHARDSON: They will be used in the winter time only—never in summer time. They cannot take care of the grain during the season of navigation. Even when the new Erie canal—which is supposed to cheapen the rate via Buffalo by two cents a bushel—is completed, there will be no route which can compete with the new Welland canal. That is the only way in which our grain trade can be saved to this country.

Hon. W. B. ROSS: Why?

Hon. Mr. RICHARDSON: I will tell you why in a moment. Buffalo and Port Colborne are at equal distances from the West, both at the foot of lake Erie. It takes a large steamer, say a 10,000-ton steamer, 11 days to load, unload, and make the round trip from the head of lake Superior to the port of Buffalo and back. If the steamer proceeds, say to Kingston, at the end of lake Ontario, the end of deep water navigation, it takes her 24 or 25 hours longer, and the return trip the same time; say an additional two days, or two and a half are required. The ordinary rate to Buffalo in summer time is from $1\frac{3}{4}$ to 2 cents a bushel. The rate to Kingston is only two-elevenths more because it takes only two-elevenths of the time to make the additional trip. The freight from Buffalo to New York would be at least $3\frac{1}{2}$ cents, and it is often $5\frac{1}{2}$. The freight from Kingston to Montreal is $1\frac{3}{4}$ or 2c. That is a saving of a couple of cents a bushel; but the war has put public works back, and it will be ten years before this condition obtains. Then, there are other things, such as free ports and boats getting into port without much pilotage. There are two classes of boats being used in the grain trade: one is the line steamer and the other is the tramp. The agents for the line steamer are located in Montreal or New York as the case may be. The shipper's agent goes to that man and says, "What have you to offer to-day?" The ship agent says, "Oh, I can give you ten loads for next month." That means ten lots of 8,000 bushels each. The term "load" is taken from the old Erie canal barges each of which carried 8,000 bushels. The rate on grain is not so profitable to the line agent as the rate on package freight, such as cheese, butter, hogs; but, as he does not know that he is going to get enough package freight to load his steamers, he is going to make sure that he gets a load of some kind. He has a boat a week. If he finds that he has a load of package freight the first week he does not take your grain. He may wait until the second, the third, or even the fourth week before he will take it; therefore you have to get the tramp steamers in. In the past the cap-

tain of a tramp steamer going to the port of Montreal did not know the route, had never been there before, and the insurance rates going up the Gulf were very heavy—we used to have marine losses on the St. Lawrence river, and all these things hindered Montreal in getting tramp ships to come there. The Marine Department has improved navigation on the river, and there are better pilots. I think that for the last two seasons we have not had a loss on the St. Lawrence river which amounted to anything, which shows that it is just as good a stream to navigate as there is in any part of the world.

Hon. W. B. ROSS: Does the pilot go from Montreal right out to sea?

Hon. Mr. RICHARDSON: Yes, the pilot goes to Father Point.

Hon. Mr. EDWARDS: Can you ship as cheaply by tramp steamers as you can by passenger vessels?

Hon. Mr. RICHARDSON: Oh, yes, more cheaply—perhaps three cents a quarter, or three-eighths of a cent a bushel. You get consideration because the cargo is poured in quickly, and you guarantee to load in three or four days, as the case may be, or pay a penalty. The tramps ship has one hold, and likes to get a load of one kind of stuff. For this reason the rates are a little cheaper and we are able to sell the cargo in Europe and compete with shipment from other ports. In the future there will be tramp steamers at Montreal and Quebec which will be of great assistance to the trade, and when our lake navigation is fixed up as it should be there is no route on this continent over which grain can be carried as cheaply as by the St. Lawrence.

Hon. Mr. THOMPSON: What about the Hudson bay?

Hon. Mr. RICHARDSON: If the Hudson bay route were possible, it is impracticable. Years ago I advised the Government to hire a couple of Norwegian tramp steamers and to put them in to service for a couple of years in order to demonstrate how many voyages they could make to the Hudson bay and back. There are things which make the Hudson bay route impossible in the grain trade. Grain is liquid. In that respect it is as near to gold as anything on earth; there is always a market for it; it can be sold any day between ten o'clock in the morning and one o'clock; therefore a banker considers that it is the very best margin security that he can have, and he is willing to go within 10 cents a bushel of its value. But would he advance 10cents a bushel if you put it in the Hudson bay? There is another point to be considered. Grain has to be carried for months and months. Our crop in the Northwest does not come out until October; that grain would not get to the Hudson bay until the season of navigation was closed, and it would have to be kept there until the next June.

Hon. Mr. POWER: July.

Hon. Mr. RICHARDSON: It costs a cent a bushel a month for insurance and another cent a bushel for interest. If you keep the grain there for seven or eight months you have 16 cents a bushel against it, and whatever price you get for it you are putting it into the cheapest market to meet the American soft wheat raised in Texas and Oklahoma which is shipped in July and August. As a crop proposition or a banking proposition it is an impossibility.

Hon. Mr. McMEANS: Do you think any of the grain will go by way of Vancouver and the Panama Canal?

Hon. Mr. RICHARDSON: I see no reason why it should not. I think the time will come when the wheat from the Edmonton district and Southern Alberta may be routed through the Panama Canal by way of Vancouver. That route is quite feasible if you have a crop of good hard grain. If you had a crop like that of last year, which was not harvested until the winter when there was ice and snow all through it, which moistened it so that it would not keep, I think that route would be exceedingly dangerous.

I think that the port of Quebec should have business this year, as it is within the power of the Government to give it, because it is going to save ocean tonnage. Ocean tonnage at present is worth $5,000 or $6,000 a day, and there is not enough of it to go around. We are straining every nerve in this country to build ships. To-day the Government is paying four times the ordinary value per ton for ships. I think a man could go out to-day and get a contract to build a ship at from $175 to $200 a ton. $40 a ton has been the European price for ships in the past.

To-day our railroads are doing better; they are moving their freight. What they will do when the grain has to be moved is a question that I cannot answer. The rail-

roads could be induced to take this package freight to Quebec.

Hon. Mr. DOMVILLE: According to the argument of my honourable friend, the only time that grain could be shipped from the Maritime Provinces is in the winter, when these other points are closed up.

Hon. Mr. RICHARDSON: Yes.

Hon. Mr. CROSBY: No, summer and winter.

Hon. Mr. RICHARDSON: You will never make a success of shipping grain from St. John and Halifax during the summer months.

Hon. Mr. EDWARDS: I understand the honourable gentleman to say that the St. Lawrence route is the cheapest possible route to the ocean.

Hon. Mr. RICHARDSON: Yes.

Hon. Mr. EDWARDS: How would the Georgian Bay Canal compare with it?

Hon. Mr. RICHARDSON: The Ottawa river was originally a short route for the trappers, voyageurs, and Indians, from the St. Lawrence to the Georgian Bay and the West. Sentimentally it is splendid; historically it is very nice; but as a business proposition it is impossible, and the sooner this Commission that the Government is paying money to is done away with the better. The Ottawa river rises and falls 17 feet in a year, and the report of the Commission says it is very doubtful if there is sufficient water at the height of land, and it advises several years of careful consideration. In addition to that, there are some 34 half-mile curves in that canal, and to take a boat which is 650 feet long around a half-mile curve——

Hon. Mr. EDWARDS: Then the honourable gentleman would agree that it is a twin brother to the Hudson Bay railway?

Some Hon. SENATORS: No, no.

Hon. W. B. ROSS: How many bushels of wheat will the largest steamer on the lakes carry?

Hon. Mr. RICHARDSON: The largest steamer on the lakes would carry 400,000 odd bushels, but the ordinary carrier has a capacity of from 330,000 to 360,000 bushels. She will draw 19 feet of water—perhaps not quite that. It is not very often that she can get through the Soo canal when she is drawing 19 feet.

The motion was agreed to.

Hon. Mr. RICHARDSON.

The Senate adjourned until Monday, September 3, at three o'clock in the afternoon.

THE SENATE.

Monday September 3, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

COMPANIES ACT AMENDMENT BILL

REPORT OF COMMITTEE.

Hon. Mr. THOMPSON presented the report of the Committee on Banking and Commerce, to whom was referred Bill Q2, an Act to amend the Companies Act.

He said: I should like to state that this report represents a great many hours' work on the part of the Banking and Commerce Committee at a great many sittings. A most exhaustive study has been given to the Bill; and, while it incorporates very largely the Imperial Act, it is made to conform to the conditions in Canada, provincial as well as federal. I regret to notice, by a report from another place, that $5,000 for the administration of the Companies Act is to be withdrawn, and that a Bill for the revision of the Companies Act which had been introduced by the leader of the Senate it has been found impossible to go on with this session. I should like to say further that this matter ought to be treated in a different manner, as it would be if there were on the part of the representatives of the other House such a disposition to expedite legislation coming from this House as is exhibited by the honourable leader of the Government in this House toward their legislation My honourable friend the leader of the Government (Hon. Sir James Lougheed), I find by the Minutes of Proceedings, asks that the several standing committees be allowed to sit during the sittings of the Senate, and that all the rules in respect of legislation be suspended, in order that we may deal with legislation coming from the other branch of Parliament. They are asking us to deal with very important legislation—legislation that is controversial, that has taken a great length of time. I really think that, after the work which has been devoted to this Bill, it should be passed at this session. We should enter a protest. The other branch of Parliament should treat our legislation as we are disposed to treat theirs.

RAILWAY MILEAGE AND GRADES.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. What is the mileage by the Canadian Pacific Railway between Winnipeg and Quebec?
2. What is the mileage by the Canadian Northern Railway between Winnipeg and Quebec?
3. What is the mileage by the National Transcontinental Railway between Winnipeg and Quebec?
4. What is the total adverse grade on the Canadian Pacific going east, from Winnipeg to Quebec?
5. What is the total adverse grade going west on the same road?
6. What is the total adverse grade going east on the Canadian Northern Railway between Winnipeg and Quebec—the same going west?
7. What is the total adverse grade going east on the National Transcontinental Railway between Winnipeg and Quebec? The same going west?

Hon Sir JAMES LOUGHEED:

1. 1,587 miles.
2. 1,640 miles.
3. 1,351 miles.

4 and 5. Information has been received from the railways concerned, as follows:—Canadian Pacific Railway—ruling grades vary from 0.3 per cent to 1.1 per cent, on different subdivisions eastbound and from 0.4 to 1.25 per cent on different subdivisions westbound.

6. Canadian Northern Railway—Main line from Quebec to Winnipeg is built to 5-10 of 1 per cent, westbound and 4-10 of 1 per cent eastbound grades with the exception of 53 miles of westbound and 84 miles of eastbound short momentum grades which can be reduced later when necessary. Of these latter temporary grades, there are less than 6 miles of 1 per cent and less than one mile of 1.15 per cent grade. All other temporary grades are less than 1 per cent

7. National Transcontinental Railway—The total adverse grade on the National Transcontinental eastbound from Winnipeg to Quebec amounts to 608.0 miles in length and 8,946.7 feet of a raise. The total adverse grade westbound over the same distance and between the same points amounts to 536.8 miles in length and 9,730.3 feet of a raise.

Hon. Mr. CASGRAIN: With the leave of the House I ask that this be not printed, as it does not answer all the questions that I put. Is it understood that it will not appear in Hansard?

Hon. Sir JAMES LOUGHEED: I should very much prefer my honourable friend to state wherein it is not an answer.

Hon. Mr. CASGRAIN: The answer to the first three questions are all right. The other question asked what is the total adverse grade. That means the sum of the adverse grades on each of the three roads. A long rigmarole is given in this answer which does not answer the question at all. I suppose honourable gentlemen know what the total adverse grade means. It is the grade up which a locomotive must haul a train. The total on the National Transcontinental railway and on the Grand Trunk Pacific is 6,900 feet, whilst on the Canadian Pacific railway it is 23,000 feet. On the Canadian Pacific railway, for instance, between the Pacific and the Atlantic, every ton of freight has to be raised a height of 23,000 feet, or nearly 5 miles, whilst on the National Transcontinental and the Grand Trunk Pacific railways the freight has to be raised only 6,000 feet. I think the Canadian Northern railway would make a very good showing in this respect. The answer has nothing to do with that at all.

TUBERCULOSIS IN EXPEDITIONARY FORCE.

INQUIRY.

Hon. Mr. DANIEL inquired of the Government:

1. How many cases of tuberculosis have been discovered in the Canadian Expeditionary Force?
   (a) In Canada?
   (b) Returned from England?
   (c) Returned from France?
2. How many cases of tuberculosis are there at present in the Canadian Expeditionary Force?
3. How many of these are now in Canada?
4. What provision has been made, and is intended to be made for the treatment of these cases, either by the Department of Militia or the Military Hospitals Commission?

Hon. Sir JAMES LOUGHEED:

1. It is impossible to give absolute details as to the number of cases of tuberculosis discovered in the Canadian Expeditionary Forces, as many of these men may be in the hospitals in France and England for other causes and not in sanatoria. The records of the Military Hospitals Commission show as follows:

(a) Invalided in Canada before going overseas	1,271
(b & c) Invalided in France & England	1,359
Not known where invalided	27
In England awaiting return to Canada	600
	3,257

The records of the Commission do not show whether men returned from overseas have been to France. This information

could be obtained but it would take some days.

2. The number of cases of tuberculosis at present in the Canadian Expeditionary Force cannot be given, other than in so far as the information contained in the previous answer is concerned.

3. The number of those now in Canada is as follows:

In sanatoria:		
Not been overseas	324	
From England & France	838	
Not know	27	
		1,189
Discharged		1,468
		2,657

Of the latter 858 have been pensioned.

4. The question of treatment for men suffering from tuberculosis has engaged the attention of the Military Hospitals Commission since its inception. Use has been made of existing sanatoria, and in many cases additions have been erected, partly at the expense of the sanatorium authorities. Several institutions have been taken over entirely by the Commission and are being operated as sanatoria.

The following is a statement of the accommodation at present available, with the number of beds:—

Name of Sanatorium	No. of beds.	
"A" Unit—		
Laurentian, Ste. Agathe, Que.	50	
Laurentide Inn, Ste. Agathe, Que.	69	
Royal Edward Institute, Montreal	7	
		126
"B" Unit—		
Pier No. 2, Halifax, N.S.	29	
Dalton, North Wiltshire, P.E.I.	27	
Kentville, Kentville, N.S.	80	
		136
"C" Unit—		
Mowat, Kingston, Ont.		180
"D" Unit—		
Muskoka, Gravenhurst, Ont.	34	
Mountain, Hamilton, Ont.	144	
College, T. B., Toronto	2	
Spadina, T. B., Toronto	2	
		182
"E" Unit—		
Lake Edward, Lake Edward, Que.		84
"F" Unit—		
Byron, London, Ont.	54	
Freeport, Kitchener, Ont.	51	
		105
"G" Unit—		
Ninette, Ninette, Man.		100
"H" Unit—		
Earl Grey, Regina, Sask.		65
"I" Unit—		
Frank, Frank, Alta.	84	
Mountview, Calgary	25	
		109
"J" Unit—		
Balfour, Balfour, B.C.	121	
Tranquille, Kamloops, B.C.	46	
Sunnyview, Kamloops, B.C.	9	
		176
Total		1,263

CANADIAN NORTHERN RAILWAY COMPANY SHARES.

MOTION.

Hon. Mr. BOSTOCK moved:

That an order of the Senate do issue for a copy of all resolutions passed by the Canadian Northern Railway Company in connection with the creation, issue, or allotment of shares and of all original entries made in the books of the company for the carrying out of such resolutions.

The motion was agreed to.

MORNING SITTINGS OF THE SENATE.

MOTION.

Hon. Sir JAMES LOUGHEED moved:

That commencing on Tuesday next, unless differently ordered, there shall be two distinct sittings of the Senate every day, the first sitting to commence at 11 o'clock a.m., until 1 o'clock p.m., and the second sitting to commence at 3 o'clock p.m., and that all Standing and Select Committees of the Senate be permitted to sit while the Senate is in session, notwithstanding anything contrary in Rule 86.

Hon. Mr. BOSTOCK: I would ask my honourable friend if it is necessary to pass this motion at the present time. We have only two orders on the Order Paper to-day and have a very light Order Paper apparently for to-morrow unless there are other Bills coming up. Although my honourable friend stated last Thursday, I think, that he expected we should probably prorogue next Saturday, from what I can learn I do not think that event is liable to come about quite so soon. I should like my honourable friend to consider whether this motion could not stand. We do not wish to interfere or to retard the business of the House.

Hon. Sir JAMES LOUGHEED: In my judgment the motion is desirable. We have before us to-day the Income Tax Bill, whi-

is a very important Bill, and which will necessitate very considerable discussion. There will be read to-day, and placed on the Order Paper for second reading, the Military Voters Bill and the Canadian Northern Railway Company Bill. These are measures which will involve considerable discussion. It is therefore desirable that, if we can accelerate the various steps through which they have to go, we should do so. I am not going to ask the House to invoke unnecessarily the suspension of its rules, nor am I going to ask it to sit more than is absolutely necessary; but it seems to me desirable that we should get through as soon as possible, particularly in view of the fact that there is only one measure to detain the Commons. I am not going to ask the House to sit morning and afternoon unless it becomes necessary; at the same time I should like very much to have the rule suspended, so that if there is a pressure of business, we shall be able to do so.

Hon. Mr. DANDURAND: The motion says that we shall sit to-morrow morning.

Hon. Sir JAMES LOUGHEED: We can adjourn until the afternoon.

Hon. Mr. THOMPSON: Does the honourable gentleman think it quite right that the committees should sit while the two important Bills which he has mentioned are being discussed?

Hon. Sir JAMES LOUGHEED: I should be very glad to take that point into consideration. I am not going to ask the House to sit unless it is absolutely necessary.

Hon. Mr. CLORAN: The honourable gentleman has stated that there is only one measure before the House of Commons to retard prorogation—the Franchise Act. Am I correct in that? If so, I have to say that if I were a member of the House of Commons the Franchise Act would not pass until the 8th of October. If that is the only measure that is going to retard prorogation, my advice to the House of Commons is to retard its passage until the 8th of October. It is unfortunate that the House of Commons has not availed itself of its privileges to retard legislation which is diametrically opposed to the principles of government in Canada. If I had half a dozen men around me the Senate would not prorogue until the 8th of October. Unfortunately I am alone.

Hon. Mr. POWER: The honourable gentleman from Victoria is something like Casabianca—he stands alone. I think it is not usual to move the motion which has been moved by the honourable the leader of the Government quite as early as this. The Commons are not sitting in the morning yet, and, while there might be no very great objection to suspending other rules which require notice, I think the honourable gentleman might agree to let the motion with respect to morning sittings stand until to-morrow or the day after.

Hon. Sir JAMES LOUGHEED: We will not sit to-morrow morning.

Hon. Mr. POWER: The Railway Committee has a very important meeting to-morrow.

Hon. Sir JAMES LOUGHEED: I have no intention of asking the House to sit in the morning unless it becomes absolutely necessary. It is my intention to move that when the House adjourns it adjourn until to-morrow afternoon.

Hon. Mr. LAVERGNE: I think it would be safer if the honourable gentleman would take that motion off the Order Paper. The honourable the leader of the Government looks very kind, but he may not always be so kind. He may insist upon meeting at 11 o'clock in the morning. I think it would be better if the leader of the Government were kind enough to drop it. I oppose the motion, and will vote against it.

Hon. Mr. LANDRY: The honourable the leader of the Government may perhaps amend it, and satisfy everybody by putting off morning sittings until Wednesday or Thursday.

Hon. Sir JAMES LOUGHEED: I will move that the word "Wednesday" be substituted for the word "Tuesday."

Hon. Mr. CLORAN: This is what I call Senate closure.

The motion, amended as proposed, was agreed to.

Hon Sir JAMES LOUGHEED moved:

That from, and inclusive of to-day, and until the end of the Session, rules 23f, 24a, b, d, e and h, 63, 119, 129, 130, and 131 be suspended in so far as they relate to Public or Private Bills.

Hon. Mr. BOSTOCK: Does my honourable friend purpose to proceed with this motion to-day?

Hon. Sir JAMES LOUGHEED: We will let it stand, but I may say that I will move this motion with reference to certain Bills which will come up. For instance, I expect that the Insurance Bill will be up to-day,

and I should like it to go to committee. We have promised certain representatives of the financial interests that it would go to the Committee on Banking and Commerce, although it is a public Act. Therefore I should like to suspend the rule when it comes up, in order to speed its stages.

The motion stands.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

FIRST READING.

Bill 125, an Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway Company. —Hon. Sir James Lougheed.

MILITARY VOTERS BILL.

FIRST READING.

Bill 127, the Military Voters Act, 1917. —Hon. Sir James Lougheed.

ALLEGED RETIREMENT OF HON. SENATOR LA RIVIERE.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I wish to draw the attention of the honourable leader of the Government to an item that appeared in the Ottawa Journal-Press of August 31st last, which reads as follows:

Hon. La Rivière leaving the Senate.

Hon. A. A. C. La Rivière, the first senator appointed by Sir Robert Borden after he came into office in 1911, and for many years one of most prominent figures in the public life of Manitoba, has resigned, and it is probable that he will be succeeded by Mr. Aimé Bernard, Conservative member of the Manitoba legislature.

Mr. La Rivière has become tired of parliamentary life and now prefers the quietude of his home in St. Boniface.

The ex-senator is a native of Montreal, where he was born in 1842, but he moved to Manitoba in 1871. He was elected for St. Boniface in the local legislature a few years later, and in 1881 was appointed provincial secretary. Subsequently he held other portfolios, and in 1889 was elected to the Federal Parliament for Provencher. He represented that constituency until 1904.

It looks as if there had been some arrangement made between Mr. Aimé Bernard and Senator La Rivière in this matter that Mr. Aimé Bernard is to succeed him. I do not know whether the leader of the Government has any information that he can give the Senate, as to whether it is understood that Mr. Bernard is to succeed the Hon. Mr. La Rivière?

Hon. Sir JAMES LOUGHEED.

Hon. Mr JAMES LOUGHEED: I cannot give my honourable friend any information on that subject whatsoever.

Hon. Mr. CLORAN: I am not surprised.

INCOME WAR TAX BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 117, an Act to authorize the levying of a War Tax upon certain Incomes. Hon. Mr Sproule in the Chair.

On section 1—title:

Hon. Mr. ROCHE: Mr. Chairman, would it not be well at this stage of the proceedings for you to decide whether it is competent for the Senate to consider or to attempt to amend or alter this Bill? Some honourable gentlemen are of opinion that the Senate has no right to interfere with a tax being given to the King by the House of Commons. Others are of opinion that the Senate cannot consider or take part in this matter. Would it not be advantageous, before consuming time, that that question should be decided by you?

Hon. Mr CLORAN: I think the proposition made by the honourable senator from Halifax is quite in order, not only from his personal point of view, but also in keeping with the constitution governing the proceedings of this honourable House and those of the popular House. I dislike to be a party to a lottery; but when a tax Bill comes down to the Senate from the House of Commons we can do only one of two things—either adopt the measure en bloc or throw it out en bloc. To my mind, whoever drafted the constitution giving the Senate powers of legislation and powers of consultation were very remiss. What is the use of this honourable House discussing the provisions of this Act if we cannot amend it? There is no use. There may be some use in giving the country our ideas and counsel in the matter, but under the constitution we have absolutely no right to amend a money Bill coming from the House of Commons. That is our position under the constitution and by parliamentary practice. We are put out of business. We can criticise, but of what use is criticism unless we can bring forth an amendment? I have been ruled out dozens of times by this House on that point. I consider that this honourable committee would be wasting time in discussing the provisions of this Act if it has no power to amend it. You,

Mr. Chairman, are probably one of the oldest authorities on parliamentary procedure in this House, and I think you will decide that the point taken by the honourable member from Halifax was well taken.

The CHAIRMAN: I do not know whether the honourable senator from Halifax raised a point of order.

Hon. Mr. TESSIER: No, he did not raise it.

Hon. Mr. DANDURAND: I think perhaps it would be as well to discuss the point whenever an amendment is proposed.

Hon. Mr. LANDRY: Do I understand that the point of order has been raised?

Some Hon. SENATORS: No.

Hon. Mr. LANDRY: Did the honourable member raise a point of order?

Hon. Mr. ROCHE: I asked the opinion of the Chairman as to whether we were in order in proceeding to the consideration of this Bill when we had no power to consider it.

Hon. Mr. CLORAN: That is a point of order.

Hon. Mr. LANDRY: Is that to be taken as a point of order?

Hon. Mr. ROCHE: Yes.

Hon. Mr. LANDRY: Because, if the Chairman gives only an opinion, he is not ruling on the question; that is why I want to know whether a point of order is taken or not.

Hon. Mr. CLORAN: If I understand the honourable senator from Halifax, he is asking a ruling on the point whether this Senate can amend this Bill or not.

Hon. Mr. DANDURAND: There is no point of order taken. There is nothing before the Chair but the Bill. If no amendment is made, there is no need of putting a question to the Chair.

Hon. Mr. POWER: I do not take quite the same view as the honourable gentlemen from De Lorimier (Hon. Mr. Dandurand) with respect to the question asked by my honourable colleague from Halifax. We should not be too technical, and I think that practically he has raised a question of order. I say this with all deference to the authority behind me (Hon. Mr. Cloran), who has stated that the Senate must either accept the Bill as a whole or reject it as a whole. I do not undertake to decide that question; I think probably the Senate would have the right to make amendments in the Bill; but the point is that after we have gone through the Bill the Senate may conclude that it should not be passed at all, but that we should throw it out. Without going through the Bill we cannot find out what its character is.

Hon. Mr. BEIQUE: This House is not limited to the two courses mentioned, namely, of accepting the Bill in toto or rejecting it in toto. I think there is another course, that is, to offer to the Commons any amendments that commend themselves to the judgment of this honourable House. Any such amendment of Bills of this kind should be accompanied with a special message acknowledging that this House has no right to force upon the House of Commons an amendment, but rather offering it as a suggestion for their consideration. In acting in that way we are within the spirit and the letter of the law.

Hon. Mr. LANDRY: More than one decision has already been given on that point, and the purport of the bulk of those decisions was that the Senate had no right to amend any money Bill; Yet the Senate by its vote reversed those decisions and asserted the contrary opinion. Honourable gentlemen will not find in any Parliamentary law anything that would prevent us from offering amendments, but it is the privilege of the House of Commons not to accept them. As was stated on one occasion by the honourable senator, from Halifax, we are not bound to diminish our authority here. Let us take as much as we can, and if we are called to order by the decision of the House of Commons, it will be our duty to withdraw our amendments or reject the Bill altogether. Therefore I think we may venture to offer all the amendments possible, and the House of Commons will be within their strict rights if they refuse those amendments, as they are not obliged to accept any amendment of a money Bill coming from this House. That, in my opinion, is sufficient to prevent us from pressing our amendments, but we may make them under the rulings I have mentioned.

Hon. Mr. CASGRAIN: Does the honourable gentleman suggest that we should make certain amendments and send them down with the Bill that we will have passed?

Hon. Mr. DANDURAND: Yes.

Hon. Mr. CASGRAIN: We have liberty to thresh out the Bill, and if the House of

Commons do not accept our amendments, they would be seized of the Bill and could go on with it.

Hon. Mr. LANDRY: If we pass the Bill with amendments and the House of Commons reject our amendments, the Bill drops or they ask for a conference.

Hon. Mr. DANDURAND: I draw the attention of this honourable House to two precedents one in 1900, and one in 1903. The one of 1900 was a Bill increasing the salaries of judges and containing money clauses. One clause increased by three the number of judges of the Superior Court in the province of Quebec. On the motion of the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) that clause was eliminated, many other amendments were adopted, and the Bill was sent back to the House of Commons; and it pleased the House of Commons to accept our amendments. In 1903 the same Bill came from the House of Commons increasing the salaries of judges by $2,000 a year, and containing other clauses which bore upon the expenditure of money. It was to a clause in that Bill that the honourable gentleman from Hastings referred the other day when he cited the case of a judge who resigned his position before he had been fifteen years on the bench, and before he had earned the right to his pension, but who was appointed to one of the Lieutenant-Governorships of Canada. In that case the Government reserved to itself the right to give the judge his pension, although, I might say incidentally, the clause did not say that he would have to cover the fifteen years in those two functions. The Senate differed from the House of Commons and struck out that clause of the Bill which authorized the Government of Canada to pay a certain amount of money in the form of pension to a judge who had not completed his fifteen years. The House of Commons accepted our amendment and the Bill became law. In those two cases the Senate amended a money Bill and sent it to the Commons; and I draw attention to the fact that one of those amendments was initiated by the ministerial party of to-day, and the second by the party on this side of the House. So that in those two instances both parties went on record as asserting the right of the Senate to make the amendment. What would have happened if the House of Commons had differed with the Senate I do not know; but at all events it seems to me that we have in those two instances the fact that we have proceeded to amend money Bills. The honourable gentleman from Victoria division (Hon. Mr. Cloran) says money Bills cannot be amended. Well, there are Bills which deal with money matters only in certain of their clauses, while other clauses can by common consent be amended. That is the reason why I said that we should await an amendment, and then discuss the question now raised.

Hon. Mr. NICHOLLS: I think the case cited by the honourable member from De Lorimier (Hon Mr. Dandurand) is hardly parallel with this Act. But in order that the matter may be clear in my mind, I would like to ask the honourable leader of the Government, if this Bill were sent back to the Commons with one or two amendments, and the Commons refused to accept those amendments, whether the Bill would fall to the ground, or whether it could be sent back here for reconsideration in its original form. My own views would be governed largely by that decision. If we amend the Bill and it is sent back to the Commons at this late date of the session, we run the risk of having no income tax at all during the next ensuing year, by reason of the Commons not accepting the amendment. Therefore I ask the honourable leader of the Government for his opinion on that question.

Hon. W. B. ROSS: I desire to make a few remarks upon the question which is now before us, because it is important not only with regard to this Bill, but with regard to all Bills of a similar nature involving taxes or the appropriation of public revenue. The first remark I wish to make is that it must be borne in mind that we have a statutory constitution, the British North America Act. We are not on the same footing with regard to our constitution as the House of Lords and the House of Commons in England. They grew up with the country and their procedure is largely built upon precedents; but I do not think it makes the slightest difference how many precedents are set up to-day about what has been done in this House in the past. If those precedents are in accordance with the British North America Act, our constitution, they are right; if they are not in accordance with the Act, then we are not bound by them—they are all wrong. It is necessary to go back every time to the original constitution. Now, with regard to Bills for appropriating public

revenue or levying a tax, which for the purpose of discussion we may call money Bills, my view, which I have adopted after giving full consideration to the question, is that this House cannot originate a money Bill. It must originate in the House of Commons. Further, if a specific sum is mentioned in a Bill which comes to us, we cannot increase the amount, because the increasing of it is a question involved in the proposition that the Bill originate in the Commons. Apart from that, in my humble opinion, there are no limitations at all upon this honourable House; we can either reduce the amount or throw out the Bill.

There are two sections of the British North America Act to be considered—sections 53 and 54. Section 54 deals with the House of Commons. The House of Commons cannot originate money Bills; these Bills have to originate with the Governor General. It is worth while to consider what happens in the House of Commons with regard to these Bills. When the Committee of Supply or the Committee of Ways and Means come to deal with a money Bill, some person, speaking for the Governor General, has to say that the Bill has His Excellency's consent. The House of Commons cannot increase the sum recommended by the Governor General. If he recommends a million dollars neither of those committees can make it $1,500,000. There must be another recommendation for the increase. But the committee can reduce the amount, or throw out the Bill.

I desire to make one further remark on that point. I find it laid down very distinctly that it is unconstitutional, or at all events bad practice, for the Committee of Ways and Means or the Committee of Supply to tag on a recommendation, or a suggestion, or a qualification, to the resolution before them; they should pass it, or amend it, or reject it. For that reason I do not believe in our making amendments in the way of pious resolutions with regard to any money Bill in this House, and sending the Bill back in the hope that the House of Commons may entertain those amendments and perhaps embody them in the Bill. My view is that we must do one of two things: We must legislate or not legislate. I think, arguing upon the analogy with what happened in those matters, that it would be an objectionable practice for us to make suggestions for the amendment of a Bill; either we ought not to make suggestions at all, or we ought to put our amendments into the Bill.

Section 54 of the British North America Act is the section of which I have been speaking:

> It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue or of any tax or impost, to any purpose that has not been first recommended to that House by message of the Governor General in the session in which such vote, resolution, address or Bill is proposed.

When we go back to section 53 we find:

> Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons.

There is a rule of this House that when a money Bill comes up, this House requires an assurance that the House of Commons had the recommendation or the consent of the Governor General. The House of Commons have seen fit to pass rule 78 in which they embody section 53 of the British North America Act, and then add that it is their sole right to impose conditions and terms, etc., and further, add the words that the vote is not alterable by the Senate. Now, I want to know where the House of Commons got the right to pass that rule. In the first place, there is no use in comparing our powers with the powers of the House of Lords or the House of Commons in England. They are common law institutions, while ours are statutory We are bound by the British North America Act, and, unless the House of Commons can find in the British North America Act the power to pass a rule that we have no right to amend a Bill, then I say their rule is not of the slightest value.

The only possible argument that may be set up is based on the Act that was passed in 1868 relating to the powers and privileges of the two Houses; but when you come to examine that, you find that it does not deal with the legislative jurisdiction of the two Houses at all. It simply says that the powers and privileges of the two Houses, the Senate and the House of Commons, in Canada, shall be the powers, privileges and immunities of the House of Commons of the United Kingdom of Great Britain and Ireland. The Act of 1868 dealt simply with the question of the privileges of members and the arrest and imprisonment of members, also with the protection of the publication of the debates. I have tried to see if that Act could possibly be construed into an authority enabling the House of Commons to pass their rule 78.

Hon. Mr. BEIQUE: Has the honourable gentleman the wording of the Act before him?

Hon. W. B. ROSS: Yes. I quote from Bourinot:

On the assembling of the first parliament of the Dominion in 1867-8, an Act was passed "to define the privileges, immunities, and powers of the Senate and the House of Commons, and to give summary protection to persons employed in the publication of parliamentary papers." Under this Act the Two Houses respectively and their members shall exercise like privileges as at the time of the passing of the British North America Act, 1867 (sec. 18), were enjoyed by the Commons House of Great Britain, so far as the same are consistent with the said Act. These privileges are deemed part of the general and public law of Canada, and it is not necessary to plead the same, but they shall be noticed judicially in the courts.

All of Bourinot's comments on this point are in the same direction: they simply deal with the powers and rights of the Houses on the lines I have indicated, and not with the legislative jurisdiction of the two Houses. Most members of this House will remember that a rule was made by the Senate with regard to the taking of evidence on oath. The law officers of the Crown said it was ultra vires. Then there was other legislation with regard to the taking of oaths. But the question of examining witnesses under oath is now on a very distinct footing; that is to say, it is done by Act of Parliament, not by rule of the House of Commons or by rule of the Senate. All this, to my mind, points to the same thing —that if the House of Commons want to make rule 78 law, they must drop it as a rule of the House of Commons and get it embodied in an Act of the Parliament of Canada and assented to by the Imperial Parliament. Until that time comes we shall be governed entirely by section 53 of the British North America Act, which leaves us unfettered. I am strongly of the opinion that until new legislation is passed we are bound simply by the two limitations of which I have spoken, namely, that we cannot originate a money Bill and we cannot increase the amount involved. Apart from those limitations, we are free to deal with it as with any other Bill.

Hon. Mr. THOMPSON: The honourable gentleman from Middleton (Hon. W. B. Ross) has certainly taken down the restrictive fences to a considerable extent. If the only restriction against the right of the Senate to deal with money Bills is a rule of the House of Commons, and if there is nothing in the constitution against it, the honourable gentleman has let in a great deal of daylight upon the situation in this House. I have never heard that doctrine before. I am quite delighted to hear it. Do I understand the honourable gentleman to say that when a money or appropriation Bill comes into this House we are at liberty to take out items, or reduce items, or to change that money Bill? The honourable gentleman has taken the ground that we can decrease them or cut them out. Well, I am delighted to know that. I should like to hear the opinion of the honourable the leader of the Government on that question, and the sentiments of other honourable gentlemen who have been members of this House for many years.

Hon. Mr. CLORAN: That question deserves an answer. I suppose I must give it. For many a year I have been preaching practically the same doctrine as that laid down by a competent authority, a man in touch with the lines of democratic government. And I am glad to know that the honourable gentleman from Middleton (Hon. W. B. Ross) holds that opinion. How many times have I been called to order by the honourable the ex-Speaker here and the honourable the ex-Speaker there for discussing matters of this kind. Time and time again has my mouth been closed because the proposal which I had been discussing on behalf of the people was a money Bill. Now we have, to my mind, one of the brightest, ablest and best men in this Senate giving his view on the subject. I have listened to him with delight, as to a man who has common sense, and I have listened to the honourable gentleman from Toronto (Hon. Mr. Nicholls) who asked the honourable leader of the Government a pointed question, which he should have answered on the spot. The honourable gentleman from Toronto asked the leader of the Government: if the Senate adopts an amendment to a money Bill and that Bill goes down to the House of Commons with such amendment and it is not accepted by the Commons, does the Bill drop there and ipso facto become law, after signature by the Governor General, without coming back to the Senate? That was a fair question. The honourable leader of the Government has not yet answered it. If he does not answer it, I am on the horns of a dilemma. I do not know why he does not answer it. He is just as good as the Minister of Justice. I believe he is better. If, though the amendments made to a money Bill by this honourable House are not accepted in the Commons, the Bill becomes law, then I will take extreme objection to such a procedure. What would be

the use of this House passing amendments if they are going to be spat upon and buried without a decent funeral? Under such conditions, before allowing a Bill to go down to the House of Commons with amendments, I, as a representative of the people, would demand the withdrawal of the Bill or its rejection by the Senate. What would be the use of our passing amendments and sending them to the House of Commons if they are to be rejected and dropped there and the Bill is to become law? We should then lose half our rights; we should lose half our rights in being unable to reject the Bill in toto. There is one horn of the dilemma. Suppose the Bill goes down to the House of Commons with amendments and the House of Commons accepts the amendments. They must be sent back here to be re-endorsed. We would save our position; at least, we would accomplish our mission. These are the two horns of the dilemma. I am in sympathy with the honourable gentleman from Toronto (Hon. Mr. Nicholls) in asking the Government what the procedure would be. It is not a party question; it is not a political question; it is a question in the interest of public legislation for the benefit of the people. We should not be kept in the dark. We should not be asked to do things that we know nothing about. The question put should be answered.

Hon. Mr. NICHOLLS: May I interrupt the honourable gentleman and say that I asked the question, and I expect that it will be answered if the honourable gentleman from Victoria (Hon. Mr. Cloran) will give the leader of the Government an opportunity to answer it. The honourable gentleman from Victoria is taking up the whole time of the House in repeating the question which I asked.

Hon. Mr. CLORAN: When the question was put to the leader of the Government I asked for an answer, and if he had given his answer at the time I would have had nothing to say, and I can assure the honourable gentleman from Toronto that I would not take up his time, which is so valuable. I am trying to force the Government to give an answer. I asked the honourable the leader of the Government to answer the question at once. He declined to do so. He allowed other members to take the floor. I am here to defend the rights of the country and of the Senate. I think some other honourable gentlemen here do not represent the people very much.

Hon. Mr. POWER: At the risk of being considered an intruder I venture to say a word or two with respect to this question. It is not unnatural that the honourable gentleman from Toronto (Hon. Mr. Nicholls), who has been only a few days in the Senate, should not be quite clear as to the relations between the two Houses; but that an honourable gentleman like the honourable gentleman from Victoria (Hon. Mr. Cloran), who has been devoting his capacious intellect to the working of this House and to the working of the parliamentary system in Canada for some fifteen years, should want information on a question of almost every day practice is something which puzzles me. There has never been any question raised about the rule by gentlemen who have been any time in this House. If we make an amendment to a Bill which comes from the Commons, and the Bill goes back to the Commons with that amendment, or with three or four amendments, which the Commons accept, the Bill comes back with a message that they have accepted our amendments. If they accept one amendment and reject two, they send a message stating the fact. Then it is for the Senate to recede from the amendments which they have made or to insist upon them. That is as far as a matter generally goes. But sometimes, if the Senate feels very strongly on the matter and that they must insist on the amendments, they send a message to the Commons asking for a conference, and representatives of the two Houses are supposed to meet. That is now done by message. As a general rule, when the Commons refusal comes, we say that we shall insist or that we shall not insist. In the case of a Bill like the one before the House, if we made amendments to which the Commons did not agree and to which they said they did not agree, I assume that we should say we would not insist.

Hon. Mr. BEIQUE: May I be allowed to add a word to what I have already said? When I spoke first I took it for granted that it had always been assumed by this House up to this moment that money Bills were within the exclusive jurisdiction of the House of Commons. That is a practice which has been followed and upon which we have been acting heretofore, with two exceptions. Ever since I have been in this honourable House, I, for one, have contended that a Bill may contain provisions which pertain to money Bills and provisions which are foreign to money Bills. In other

words, I have claimed that matters which, strictly speaking, should be covered by two different Bills could be united in one; and I have claimed the absolute right of this House to amend such clauses, as I did not consider that they were money clauses at all. I think that doctrine was adopted in this honourable House on several occasions. The other doctrine which has been followed by this House heretofore is, as stated by my honourable friend from De Lorimier (Hon. Mr. Dandurand), that—although the Senate dealt with clauses which were strictly-speaking money-bill clauses—this House has deemed it advisable under certain circumstances to offer amendments and to send them to the House of Commons; and as a rule those amendments are accepted by the House of Commons. That is what I intended to suggest when I spoke a few moments ago. I must confess that the honourable gentleman from Middleton (Hon. W. B. Ross) has thrown a good deal of light on the question, and, as presently advised, I must say that I think he is quite right. He has stated the unquestionable principle that the Parliament of Canada is not governed by common law, so to speak, as are the Imperial House of Commons and the House of Lords. They are not acting under any statutory law; they are acting under customs and usages which are the result of long practice; but the Parliament of Canada is acting under a written constitution and must remain within the four corners of that statute. So far as they are within the four corners of the statute they are entitled to exercise all the rights and privileges which are given to them by that statute.

The honourable member from Middleton has referred to sections 53 and 54 of the British North America Act. Let me add that reference should also be made to sections 17 and 91, in order to make it more complete. The honourable member no doubt did not lose sight of those sections. I refer to them for the benefit of the lay members of this House. Section 17 says:

> There shall be one Parliament for Canada, consisting of the Queen and Upper House, styled the Senate, and the House of Commons.

This is the Parliament by which the powers are exercised by the Senate and by the House of Commons, and of course by the Queen or the Governor General, as the case may be, who sanctions or refuses to sanction any Bill that is passed. Then, we have section 91 of the constitution, which says:

> It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the legislatures of the provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated; that is to say:

Then we find the enumeration of subjects which are exclusively within the jurisdiction of the Parliament of Canada. The next section gives a list of those subjects which come within the jurisdiction of the provinces. But there is a proviso that anything which does not come within the exclusive powers of the provinces shall appertain to the Federal Parliament. In section 17 and section 91 we have the enunciation that the legislative power of this Parliament is exercised by the Queen, by the Senate, and by the House of Commons. Now, if the constitution had remained there, the Senate and the House of Commons would have been on a par as far as powers are concerned, and we have to look into the constitution to see whether there is any restriction to be found as regards one branch or the other. Then, we must refer to section 53 and section 54, as did the honourable gentleman from Middleton (Hon. W. B. Ross) and ascertain what the powers are. Section 53 says:

> Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons.

The honourable gentleman very properly cited section 54 first. It says:

> It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue or of any tax or impost, to any purpose that has not been first recommended to that House by message of the Governor General in the session in which such vote, resolution, address or Bill is proposed.

Section 54 limits the power of the House of Commons to this extent, that any recommendation of money votes must first be approved by the Governor in Council. Section 53 contains the restriction as regards this honourable House; but one cannot find any restriction other than that. Therefore, I think the honourable gentleman from Middleton has clearly shown that to say there are other restrictions would be importing restrictions which are not to be found in the constitution and which are merely to be found in a rule of the House of Commons. Surely it will not be contended

seriously that the House of Commons has any power to make any rules governing this honourable House. It has the power to make its own rules and the Senate has the power to make its own rules. As was very properly said by the honourable member for Middleton, it would be only after the substance of that rule was enacted into a law, to which the Senate of course would have to assent, that the powers of this House could be curtailed, as they are sought to be curtailed by that rule of the House of Commons. I entirely agree with the doctrine laid down by the honourable gentleman from Middleton.

Hon Mr. LANDRY: I suppose the consequence of that doctrine would be that if a Supply Bill came here we would have a right to diminish the expenditure asked for.

Hon. Mr. CASGRAIN: Certainly.

Hon. W. B. ROSS: Why not?

Hon. Sir JAMES LOUGHEED: I cannot subscribe entirely to the views expressed by my honourable friend from Middleton. While in the main I agree with him, yet, with reference to the reduction of a Supply Bill or of any appropriation, I entirely disagree with him, for the simple reason that section 53 of the British North America Act makes provision for the appropriation of any part of the public revenue by the Commons, or the imposition of any tax or impost originating in the House of Commons. If the Commons enjoys the exclusive right to appropriate any part of the public revenue, it must be that particular part which is appropriated by the House of Commons, otherwise a reduced appropriation would not be appropriation made by the House of Commons. That is manifest.

Hon. Mr. BEIQUE: Will the honourable gentleman allow me to suggest that he does not seem to remain within the wording of section 53?

Hon. Sir JAMES LOUGHEED: Section 53 of the British North America Act says:

> Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons.

Hon. Mr. BEIQUE: "Shall originate."

Hon. Sir JAMES LOUGHEED: Now, if there be an imposition of a tax or an impost that must originate in the House of Commons, it must be for the fixed amount determined by the House of Commons; otherwise it is not the Bill of the House of Commons. If the House of Commons should impose a tax or impost of $150,000 for a particular purpose and we should reduce it to $100,000, it is manifest that it is not the same Bill at all. The same would apply to the earlier part of section 53, namely, the appropriation of any part of the public revenue. That is to say, a Bill appropriating an amount out of the public revenue, or imposing a tax or impost, must be for the amount determined by the House of Commons; otherwise we might reduce it to an infinitesimal part, and hence it would be equivalent to our originating a Bill of an entirely different character.

Hon. Mr. DANDURAND: But we can reject it.

Hon. Sir JAMES LOUGHEED: I quite agree with my honourable friend as to that.

Hon. Mr. BEIQUE: Is there not a rule somewhere else which will guide us as to that? It is not open to a member of the House of Commons to originate any expenditure of money. But the moment the Bill has been originated the members of the House of Commons are absolute masters of the measure and can deal with it as they like, provided the amount authorized by the Governor in Council is not exceeded. Therefore I call the attention of the honourable members to the significance of the word "originate."

Hon. Sir JAMES LOUGHEED: I quite appreciate what my honourable friend has said, but it seems to me perfectly obvious that if a tax, or an impost, or an appropriation be made by the House of Commons, and we interfere with that appropriation, or tax, or impost, reducing it from the amount that was fixed by the House of Commons, then it is not the appropriation, tax, or impost originating or made by the House of Commons. To carry the argument to its logical conclusion, you might reduce that amount to an infinitesimal part and thus entirely convert it into an appropriation, a tax, or impost differing so absolutely from the original that it would simply have originated in this House. That would be an assumption on our part to deal with all tax Bills to the same extent as the House of Commons does. It seems to me that the difficulty into which the Senate has fallen in the past has been very largely owing to our failure to analyse or enter as fully as we have done to-day into what the original powers of the Senate are in reference to money Bills. We have started from the assumption that the Senate had no right to amend a money Bill, and we have

never gone beyond that and ascertained what our powers were. Discussions in this chamber up to the present time have been along the line as to what constitutes a money Bill, and not as to the Senate's original powers. It seems to me quite manifest that the rule passed by the House of Commons some time ago dealing with money Bills, and which would certainly fetter this Senate, was passed without any authority. Rule 78 of the House of Commons is as follows:

All aids and supplies granted to His Majesty by the Parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint, in all such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which are not alterable by the Senate.

From that I dissent. I think the House of Commons has no authority whatever to pass such a rule. That authority must necessarily come from the British North America Act. Nevertheless, it seems to me that in considering a money Bill, what we have to determine is how far the Bill constitutes an appropriation originated by the House of Commons, or the imposing of the tax or impost in question.

Hon. Mr. ROCHE: Might I ask the honourable leader of the Government at what period the right of the House of Commons and also of the Senate was reduced? Undoubtedly under the original provisions of the British North America Act the House of Commons had all the powers of the House of Commons in England, and the Senate had all the powers of the House of Lords.

Hon. Mr. POWER: No.

Hon. Mr. ROCHE: Yes, but afterwards they were reduced.

Hon. Sir JAMES LOUGHEED: The House of Commons and the Senate as we have them to-day are bodies which were created by the British North America Act. Our Constitution is a written one, and we cannot go outside of the four corners of the British North America Act to determine what are the powers and authority of the House of Commons and the Senate.

Some question has arisen as to what the result would be if the House of Commons did not concur in any amendment made by the Senate. My honourable friend from Halifax (Hon. Mr. Power) has properly explained that, so it is not necessary to enter into it; but we have two rules which enter very fully into that subject, namely, Rules 66 and 67, and honourable gentlemen will find those Rules more explanatory than I can make them. They are as follows:

66. In any case where a Bill, originating in the Senate and amended in the Commons, is returned to the House of Commons with any of the amendments made by the Commons disagreed to, or where a Bill originating in the Commons has been amended in the Senate, and has been returned to the Senate with any of the Senate amendments disagreed to, and the Senate decides to insist on such amendments, or any of them, and returns the Bill to the Commons, the message accompanying such Bill shall also contain reasons for the Senate not agreeing to the amendments proposed by the House of Commons, or for the Senate insisting on its own amendments, as the case may be; and such reasons shall be drawn up by a committee of three senators, to be appointed for the purpose when the Senate decides to disagree to, or insist on, as the case may be, the amendments in question.

67. In cases in which the Commons disagree to any amendments made by the Senate, or insist upon any amendments to which the Senate has disagreed, the Senate is willing to receive the reasons of the Commons for their disagreeing or insisting, as the case may be, by message, without a conference; unless at any time the Commons should desire to communicate the same at a conference.

Hon. Mr. CLORAN: This discussion has been of vast importance to the administration of public affairs in this country. The leader of the Government has just stated that money Bills originating in the House of Commons cannot be amended by this honourable body. I venture to state that that view is not well founded. All money Bills do not originate in the Commons at all. Such Bills—call them money Bills, appropriation Bills or aid Bills—originate in the Cabinet—in the Government of the country.

Hon. Mr. LANDRY: Not a Bill—a resolution.

Hon. Mr. CLORAN: Money expenditure has to come from the Government, sanctioned by the Governor General; so such Bills do not originate even among the members of the House of Commons.

Hon. Mr. LANDRY: The Bill does.

Hon. Mr. CLORAN: But I mean the sanction of the money. The offering of the money must come from the Governor General through his ministers. Then whatever the Bill may be, it is presented to the House of Commons, and it lies with the representatives of the people there to discuss that Bill, not to increase the amount suggested by the Governor in Council to his Cabinet, but the House of Commons may diminish the amount. The Government may call for a customs tax, say, of 35 per

cent ad valorem on a certain article. It is the privilege of any member of the House of Commons to have that reduced to 34, 33, and so on, but it is not his privilege to say that instead of the suggestion of the Government it should be 36 per cent. He has the privilege and the right to reduce, but not the right or privilege to increase. Suppose the figure is reduced, and that Bill is sent to the Senate for endorsation, we have no more right than the members of the House of Commons to increase the tax proposed by the Government; but we have an equal right with the members of the House of Commons to reduce that taxation, and that is the point made by the able senator from Middleton (Hon. W. B. Ross). The right of the Senate has been ignored under false pretenses of authority that are dead and gone, under political necessity, under party exigency; but when we examine the situation from an unpartisan point of view, we must admit that the Senate of Canada for the past fifty years has been cutting its own wings, so much so that it is unable to fly any distance. It is time that a halt was called to the cutting off of our powers, rights and privileges, not for our own honour and glory, but in the interest of the people. Why should the Senate of Canada abdicate its rights and powers when the British North America Act does not exact it? I am glad to see that the honourable the leader of the Government has gone a considerable distance in the direction of democratic government, and also that the honourable senator from Middleton has taken such an honourable stand on behalf of this Senate. I do not propose to take any objection to any provision of this Bill; if I made any protest, it would be that the Minister of Finance did not make the tax heavier on those who should bear the burden. It is not my intention to oppose any provision for the raising of taxes to keep our boys fed, clothed and munitioned at the front; if I made any objection, it would be that the Bill does not go far enough along that line.

Hon. Mr. DANDURAND: We have proceeded up to this date on the assumption that our powers were analogous to those exercised by the House of Lords, and we have been proceeding on the traditions of the British Parliament and citing May and Bourinot as to the practice.

Hon. Mr. LANDRY: Even the first clause of the rules of our Senate say that we should follow those of the House of Lords as far as they can be applied to our proceedings.

Hon. Mr. DANDURAND: We have proceeded on that assumption. If we turn to the British North America Act and limit our view to the powers therein granted, it may be that the conclusions of the honourable senator from Middleton are correct. If so, I do not agree with the honourable the leader of the Government as to the right of the Commons to originate and maintain the whole of its vote. The honourable leader has said that our sole right is to reject the Supply Bill.

Hon. Sir JAMES LOUGHEED: I said we had not the right to reduce, that is all.

Hon. Mr. DANDURAND: But if we take the text of the clauses cited by the honourable gentleman from Middleton, Nos. 53 and 54, it seems to me that all that remains with the Commons is the right to initiate. Now, if we have the right to reject in toto, have we not the right to cut in two? It will be for the Commons to say if that amendment suits them; if it does not, then the Bill returns to this House and the Senate decides whether it will stand by its amendment or allow the Bill to fall. So much as to the interpretation of the British North America Act.

Now as to the tradition of the House of Lords, when we assumed the right of the Senate to amend money Bills which contain money clauses, and to reject some of those clauses, we based our action upon good precedent. I cite May, 12th edition, of this year, page 519:

> The right of the Lords to reject a Bill for granting aids and supplies to the Crown has been held to include a right to omit provisions creating charges upon the people, when such provisions form a separate subject in a Bill which the Lords are otherwise entitled to amend. The claim of privilege cannot, therefore, be raised by the Commons regarding amendments to such Bills, whereby a whole clause, or series of clauses, has been omitted by the Lords, which, though relating to a charge, and not admitting of amendment, yet concerned a subject separable from the general objects of the Bill. On the 30th July, 1867, it was very clearly put, by Earl Grey and Viscount Eversley, that the right of the Lords to omit a clause, which they were unable to amend, relating to a separate subject, was equivalent to their right to reject a Bill which they could not amend without an infraction of the privileges of the Commons.

That is why I claim that we could not ask from the Chair a general opinion as to what are our rights to amend a Bill containing money clauses until a question is put to the Chair on the concrete point in the form of an amendment.

Hon. Mr. LANDRY: How does the honourable gentleman explain that phrase;

"the right to omit a clause which they could not amend"? What does that mean?

THE CHAIRMAN: In reference to the question asked by the honourable member from Halifax (Hon. Mr. Roche), as I have always understood, it is not the duty either of the Speaker or the Chairman to rule on the question. There must be a concrete objection taken by way of a point of order, which was not done. I think the discussion which has taken place has thrown considerable light on the matter. Some things have been said with which I would not agree: but I do not think it is competent for me to enter into any argument. I have always understood, as quoted in May, that all the aids and supplies to His Majesty in Parliament are the sole gift of the Commons, but they are recommended first by the representative of the Crown, and all Bills for the granting of any such aids and supplies ought to begin with the Commons, and that "it is the undoubted and sole right and qualification of the Commons to limit and appoint in such Bills the ends, purposes, considerations, conditions, limitations, and qualifications"—which I take it would mean quantity as well as particular purpose—"and qualifications of such grants, which ought not to be deducted or altered by the Lords." That is what May says. That, I take it, is the authority which controls the House of Commons in England and which is our best example. Then I take up Todd's "Parliamentary Government." Todd has always been regarded as one of our best writers. He says:

> The British North America Act, 1867, Sec. 53, declares that "Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons." No further definition of the relative powers of the two Houses is ordinarily made by any statute. but constitutional practice goes much farther than this.

I mention this merely because it seems to me to go further than the honourable gentleman who said we are justified in going only so far as the law has given us authority to go. My understanding has always been that the constitution of the British Parliament, as well as ours, is growing all the time by evolution and accretion.

Hon. Mr. DANDURAND: Not ours.

The CHAIRMAN: Ours, in many directions. We have practices that are not common in the House of Commons in England, but which have been followed here for years, and our own authorities lay down the principle that when we want to establish a rule to govern us, the rule shall be made by a committee and endorsed by the House, and after that it shall control the House. So I think that we go a little farther than we are authorized by the statutory authority laid down in the British North America Act; but any clause in the British North America Act which specifically governs our conduct cannot be departed from in any way. That point, I think, was very plainly commented on by Speaker Coburn in the House of Commons many years ago, and a very clear distinction was made.

With regard to the question how far the Senate can amend these Bills, I have been looking up the Journals of the Senate, and find that there is a summary of the Bills as to which they disagreed with the Commons—Bills that might be called money Bills; but it does not seem to me in looking over them that the point in dispute referred to changing the amount of money involved is one of them. I read from the Journals of the Senate for 1912-13, page 537.

Hon. Mr. LANDRY: That is taken from Bramwell.

The CHAIRMAN: I find that Bills have been amended:

> To rectify mistakes apparent in the context or other parts of the Bill;
> To rectify mistakes in amendments made by committees on Bills;
> To rectify mistakes in recitals;
> To rectify mistakes in description of persons;
> To rectify clerical errors;
> To amend surreptitious alteration of Bill;
> Being for alteration of dates elapsed or nearly elapsed;
> Being for clearer explanation of the intention of the Bill;
> Being for greater caution, and no alteration of the intention of the Bill;

Where the Commons have rejected some suggestions by the Senate:

> It has been maintained, during the discussion of the point of order, that the Senate had no right to interfere with Bills which increase the expenditure of money, but would have a right to amend such Bills in order to decrease or prevent the expenditure of money. I admit that, at first sight, I was of that opinion, but the authority of May, cited by the Hon. Secretary of State, at page 542, after saying that the House of Lords is excluded, not only from the power of initiating or amending Bills dealing with public expenditure or revenue, but also from initiating public Bills which would create a charge upon the people or which would deal with the administration or employment of those charges.

Then the Commons go on to say that in accepting some of the Senate's suggestions with regard to amendments it must be distinctly understood that they are not there-

by establishing a precedent or recognizing that the Senate have the right to amend.

Section 1 was agreed to.

On section 2—definitions:

Hon. Mr. BEIQUE: I would suggest that section 2 be amended by inserting, after paragraph a, as paragraph b: "income" means net income."

Hon. Mr. DANDURAND: I think that amendment would be better in section 3.

Section 2 was agreed to.

On section 3—income:

Hon. Mr. DANDURAND: Are we all agreed upon the interpretation of the word "income," that it means the net income which is taxed? I am addressing myself particularly to the honourable leader of the Government.

Hon. Sir JAMES LOUGHEED: Generally speaking, yes. That is a very large question which my honourable friend submits to me. The policy of the Bill is to make the net income taxable. It is needless to say that, notwithstanding that statement, many questions will arise as to what really constitutes net income

Hon. Mr. DANDURAND: Of course, I take it for granted that the idea of the Bill is to reach the income which is enjoyed.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: So if from a gross income of $10,000 liabilities of $5,000 must be deducted, it stands to reason that the income which a person emjoys is the net income of $5,000.

Hon. Sir JAMES LOUGHEED: I would not agree to that proposal.

Hon. Mr. DANDURAND: Of course, when I speak of liabilities I do not refer to liabilities incurred in the expenditure of the net income; I speak of fixed liabilities, such as the interest on a loan, or the taxes which a person pays upon property which gives him a return. It seems to me that we are all agreed that the Government does not intend to levy a tax upon the liabilities. The tax is levied upon the profits.

Hon. Sir MACKENZIE BOWELL: Suppose the person does not get profits?

Hon. Mr. DANDURAND: If he does not get profits, then there is no income.

Hon. Sir MACKENZIE BOWELL: Though he may have his money invested.

Hon. Sir JAMES LOUGHEED: In estimating profit the liabilities have to be taken into consideration.

Hon. Mr. DANDURAND: Certainly.

Hon. W. B. ROSS: The first test is whether the liabilities have been spent in earning the income. A man earns, say, $10,000 and he owes $5,000. If that $5,000 has been spent in earning the income of $10,000, it must be deducted.

Hon. Mr. DANDURAND: Yes. I would draw the attention of this honourable House to the clause of the United States Act passed in 1913. Section 2, subdivision 1, says:

> There shall be levied, assessed, collected and paid annually upon the entire net income arising or accruing from all sources in the preceding calendar year to every citizen of the United States, whether residing at home or abroad, and to every person residing in the United States, though not a citizen thereof, a tax of one percentum per annum upon such income, except as hereinafter provided; and a like tax shall be assessed, levied, collected and paid annually upon the entire net income from all property owned and of every business, trade or profession carried on in the United States by persons residing elsewhere.

There is a clear statement that the United States will levy its taxation only upon the entire net income. When the Government there presents its demand to the individual, it will ask, "What is your income?" And that individual will understand that it is his net income that is referred to, because surely it is not upon his gross income that he will be taxed. A business has a gross income and has a net income.

I do not see so clear a statement in the English law; but the English Act is not a piece of legislation which has been brought forward complete and logical, like the American Act; it has been changed from year to year.

I would suggest that section 3 be amended in order that its meaning may be expressed more clearly by inserting the word "net" in the following places: in the second line, before the word "profit" and before the word "gain" and in the fifth line before the word "profits."

Hon. Sir JAMES LOUGHEED: My honourable friend will see that if he proceeds to qualify those words he must consistently do so throughout the section. It seems to me that "income" can have only one meaning; "profit" can have only one meaning; "gratuity" can have only one meaning; "gain" can have only one meaning. All these words are used in the Act, and unless we are prepared to qualify each

by prefixing the word "net," we only introduce confusion into the Bill.

Hon. Mr. DANDURAND: I make the suggestion because I want to have a clearer indication given that what the State desires is that it is upon the net profit that the income tax shall be levied. Even then there will be, I am quite sure, a sufficient latitude for people to differ in a number of instances where the question will arise as to what constitutes a charge or a liability and what constitutes net profit. But it seams to me that we should go as far as possible towards making it clear that it is the net profit which is aimed at. It is all the more necessary that the word "net" should be added, because subsection 3 of section 3 contains the words "net profit."

In the case of the income of persons residing, or having their head office or principal place of business outside of Canada, but carrying on business in Canada, either directly or through or in the name of any other person, the income shall be the net profit or gain arising from the business of such person in Canada.

What distinction will a person be able to make between the words contained in subsection 1 of section 3, where "profit or gain or gratuity" are mentioned as meant by the word "income," and the words contained in subsection 3 of section 3, where a different expression is used to apply to the very same thing:

The income shall be the net income or gain arising from the business of such person in Canada.

Hon. Sir JAMES LOUGHEED: I think it would have been better if the word "net" had been left out in that case.

Hon. Mr. DANDURAND: There you have the indication that it is the net profit which is taxable, while generally it would seem by inference that it is not the net profit which is aimed at.

Hon. Mr. NICHOLLS: I would have been better pleased if the honourable member from De Lorimier (Hon. Mr. Dandurand) had put a stated case, so that we could all understand the matter once and for all. I will endeavour to do so. Suppose a man has been in business for himself; he has been unfortunate, and he has accumulated a liability and has handed over to his bank his assets as security, with an undertaking to pay the liability off within a term of years. After that he has to accept a salaried position—it does not matter whether his salary is $5,000 or $10,000 a year—say, at $10,000. That man has to pay the bank, in order to recover the assets which he has had to hypothecate, say $3,000 a year. Is his income $10,000 or $7,000?

Hon. Mr. DANDURAND: I have no hesitation in saying that it should be $7,000. That is all he will get and enjoy for that year. If the honourable gentleman asks me to suggest a case, I will repeat an illustration given by the Minister of Finance. I do not know if the Minister of Finance felt as sure of his ground after the discussion as he did when he brought the argument forward and used it. It was as follows: A man in Ottawa has a salary of $5,000 from a bank, and has that salary during the whole of the year 1917, which is the year upon which he will be taxed. For the last five or ten years he has had some vacant lots in the city of Ottawa, which he has inherited. He has not yet disposed of the lots; they are on his hands and he pays taxes upon them. Should not those taxes be deducted from his $5,000? What is his net income? I contend that his net income is not the $5,000 which he receives, because he cannot enjoy the $5,000. He must first pay his taxes. Suppose that upon those lots there is a mortgage of $5,000. He pays interest on that mortgage.

Hon. Mr. McMEANS: Would you deduct a man's life insurance?

Hon. Mr. DANDURAND: No, I would not.

Hon. Mr. McMEANS: Suppose he spends $500 a year on life insurance, is that to be deducted?

Hon. Mr. DANDURAND: No.

Hon. Mr. McMEANS: Is not putting money into real estate the same thing?

Hon. Mr. DANDURAND: He has that charge; he owes $5,000 on a mortgage.

Hon. Mr. McMEANS: He gets the advantage of it when he pays it off.

Hon. Mr. DANDURAND: He does not get the advantage until the lots are sold, and if they are sold below the value of the mortgage he receives no advantage.

Hon. Sir JAMES LOUGHEED: If my honourable friend puts the word "net" before the word "income" in that particular case, will that throw any light upon the matter? Let us deal with this case. My honourablbe friend has given as an illustration the case of a man with a salary of $5,000 from a bank. This man also has some real estate. What is his income? Is

his income that derivable from his usual occupation of a banker, or is he to deduct the liabilities that may attach themselves to some other investment into which he has gone?

Hon. Mr. DANDURAND: I will answer my honourable friend's question by another question. Instead of vacant lots this man has a house which he rents for $1,000 a year. He has charges of $500 to meet, taxes, interest upon a mortgage, and insurance, leaving $500, which he draws from the house. What is the net income of that man? Is it not the $5,000 which he draws plus the net profits from the house? Will my honourable friend contend that he gets $6,000 a year?

Hon. Sir JAMES LOUGHEED: Suppose that under the mortgage he has to pay not only interest, but $100 annually of the principal, would you deduct that $100?

Hon. Mr. DANDURAND: No. That is practically an investment. But, as a matter of fact, what is the amount of income he will enjoy in that situation? He will enjoy $5,500. If my honourable friend admits that from that $1,000 which he draws from that property $500 of charges must be deducted—and I think he will come to that conclusion—then how much should be deducted if the next year that house is not rented? The charges remain, but the man has not got the rental of $1,000. Then, I say his income is no more $5,500; his income, which was $5,000, which he received as a salary, is really $4,500. If he had the rental the state would tax the profit of the transaction, but the state surely must stand to lose if the income is reduced by the loss of the rental.

Hon. Mr. BEIQUE: The honourable member for De Lorimier (Hon. Mr. Dandurand) has shown that in the Act of the United States the words used are "net income," and I think he has conclusively shown that it is opportune to use that word here. I refer to Foster's "Income Tax," where I find this:

Judicial Definitions of Income.—It was said by Lord Chancellor Halsbury of England: "I think it cannot be doubted, upon the language and the whole purport and meaning of the income tax acts, that it never was intended to tax capital . . . as income at all events." Lord Macnaghten: "In every case the tax is a tax on income, whatever may be the standard by which the income is measured. It is a tax on 'profits or gains' in the case of duties chargeable under Schedule (A), and the expression 'profits and gains' is constantly applied without distinction to the subject of charge under all the schedules."

There are a few dicta in the state courts to the contrary.

"Strictly speaking, 'income' means that which comes in or is received from any business or investment of capital without reference to the outgoing expenditures." Accordingly, in a Georgia case "annual income" was construed as meaning "gross income." So, "property may have an annual value 'without any income'." And the term "profits or income" has been construed as meaning "gross profits" or "gross income," and not "net profits" or "net income." By the rule of construction, noscitur a sociis, however, the words in this statute must be construed in connection with those to which it is joined, namely, gains and profits; and it is evidently the intention, as a general rule, to tax only the profits of the taxpayer, not his whole revenue. Accordingly, money received as the result of the change of an investment, or as the proceeds of a sale without profit, is not income.

This book deals with the laws on income in Great Britain, the United States, France, and other countries. In the United States they have gone further than has been mentioned by my honourable friend from De Lorimier. They go this far:

That in computing net income for the purpose of the normal tax there shall be allowed as deductions: First, the necessary expenses actually paid in carrying on any business, not including personal, living, or family expenses; second, all interest paid within the year by a taxable person on indebtedness; third, all national, state, county, school, and municipal taxes paid within the year, not including those assessed against local benefits; fourth, losses actually sustained during the year, incurred in trade or arising from fires, storms or shipwreck, and not compensated for by insurance or otherwise; fifth, debts due to the taxpayer actually ascertained to be worthless and charged off within one year; sixth, a reasonable allowance for the exhaustion, wear and tear of property arising out of its use or employment in the business, not to exceed, in the case of mines, 5 per centum of the gross value at the mine of the output for the year for which the computation is made, but no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

Hon. Sir JAMES LOUGHEED: Is that the English Act?

Hon. Mr. BEIQUE: No, the United States Act.

Provided, that no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate; seventh, the amount received as dividends upon the stock or from the net earnings of any corporation, joint stock company, association, or insurance company which is taxable upon its net income, as hereinafter provided; eighth, the amount of income, the tax upon which has been paid or withheld for payment at the source of the income, under the provisions of this section, provided that whenever the tax upon the income of a person is required to be withheld and paid at the source as hereinafter required, if such annual income does not exceed the sum

of $3,000 or is not fixed or certain, or is indefinite, or irregular as to amount or time of accrual, the same shall not be deducted in the personal return of such person.

The Act goes on to define more closely how the net income is arrived at. It seems to me that we should all agree that what is intended is to tax the net income of a person. Of course, there are nice questions which arise and which will arise in practice in the working of the Act, as to what constitutes "net income," but I think we should adopt the suggestion and insert the word "net."

Hon. Mr. THOMPSON: I would think it was not the intention of the Act to tax property twice; but would not that be done in the case of a bank? The moneys in the bank belong to the shareholders. If there was no dividend declared, there would be a payment of taxes made on the earnings of the bank, where as if the profits were distributed to the shareholders, they would be called upon to pay a tax on this same money under the Act.

Hon. Sir JAMES LOUGHEED: That is provided for.

Hon. Mr. DANDURAND: I should like to limit my amendment to putting the word "net" in the second line of clause 3, after the word "annual." I draw the attention of my honourable friend to the fact that he will have either to add that word "net" in the first part of the clause or else strike out the word "net" in the last part.

Hon. W. B. ROSS: I think it is well to bear in mind that this Act is not a tax on the person, and it is not a tax on capital. It must be entirely upon income and what you have to deal with under the Act is not gross income or net income; it is the statutory income. The statute undertakes to ascertain what is the income on which you have to pay a tax. In doing that it puts in one account the profits of your business or your salary, and in the other it puts the number of exemptions, and by subtracting those exemptions you find the statutory income. I cannot see how the insertion of the word "net" there will do anything more than probably cause trouble. The annual profit or gain from the business, after all, is not made any more specific or definite by inserting that word. The important thing is to check over the exemption items—a. b, c, d, e, f. In the American Act, which has been used very freely by the draftsmen of this Act, the income of a person is ascertained in one way with certain exemptions, while the income of a corporation is arrived at in another way. Our Act has put them both together, with this qualification, that at the end of section 4 we find that corporations are liable only for the normal tax and not for the super-tax at all, while individuals are liable for the latter. In the United States Act of 1913 there are a larger number of exemptions than in our Act, and national, provincial and municipal taxes are deducted from the tax paid by individuals; but they are not exempted from the income of companies, which pay only the normal tax.

Hon. Mr. EDWARDS: What would be the position of our business under this Act?

Hon. W. B. ROSS: It is not exempted. That raises the question whether a clause should not be inserted at the end there.

Hon. Mr. EDWARDS: It occurs to me that "net income" in that case covers the amount. In the case of a corporation there is no question about what the income is; it is net income after everything has been disposed of; but an individual who has an income, and who is carrying on certain operations, is not placed in the same position as a corporation unless provision is made.

Hon. W. B. ROSS: The honourable gentleman is evidently treating the matter from the personal standpoint. If a man has a business, say a lumber business, to find out what the income from that business is you do not subtract the general debts, but only the debts that are incurred in carrying on the business.

Hon. Mr. EDWARDS: That is exactly my point.

Hon. W. B. ROSS: But if the man deals in outside matters and loses money on the stock exchange, he cannot deduct that.

Hon. Mr. EDWARDS: No, but if he buys and pays for a certain stock, borrowing money for the purchase, and gets an income from it, but has to pay interest on the borrowed money, is that interest which he pays on his loan to be deducted from his gross income from the stock?

Hon. W. B. ROSS: If a man went into a gambling transaction and lost money on stock, he would not pay on that.

Hon. Mr. EDWARDS: My question does not refer to a gambling transaction at all. Suppose a man borrows money from the bank to buy stock; he pays interest on that loan; he receives an income from that

stock equal to what he borrowed; then he has no income at all. As an individual he would have to pay under this Act.

Hon. Mr. ROSS: But he has no annual profit.

Hon. Mr. EDWARDS: That is perfectly true; hence I think it is highly desirable to say "net income," because that would determine that case precisely.

Hon. Sir MACKENZIE BOWELL: Suppose a man paid the bank up, would he have income?

Hon. Mr. EDWARDS: If he once paid the bank, the stock would be his property then, and he would have an income.

Hon. Sir JAMES LOUGHEED: True, the man enjoys an income, but why should he pay for the stock out of the income?

Hon. Mr. EDWARDS: He owes the bank the money borrowed.

Hon. Sir JAMES LOUGHEED: But he is creating capital by paying for the stock.

Hon. Mr. EDWARDS: Suppose a man receives $5,000 of income from certain stock, but is paying the bank on a loan interest to an equivalent amount, or a less amount?

Hon. Sir MACKENZIE BOWELL: If the man borrowed from the bank at 6 per cent and the stock paid him 8 per cent, what would you do?

Hon. Mr. EDWARDS: He would have to pay on the 2 per cent.

Hon. W. B. ROSS: The interest that he pays would be deducted from the money that goes to income.

Hon. Mr. POWER: I think it must be pretty clear to the committee that the wording of this clause is not ideal. Here are a number of astute lawyers and keen business men who do not seem to see quite distinctly the meaning of the clause. How, then, can we expect people who have not those advantages to know what it means? I think the amendment suggested by the honourable member from De Lorimier is a very judicious one. Every one has a fair idea of what net income means, and if you are going to tax net income, as I think is intended, the right thing is to say so. Moreover I cannot see why the people who happen to be doing business and residing in Canada should be treated differently from persons who reside outside of Canada. Subsection 3 provides that non-residents' income shall be net profit or gain; why should not the same words be used in the case of residents of Canada? As the honourable gentleman from De Lorimier says, either the first or the third subsection must be changed, for there is no reason why a man living outside of Canada should be in a better position than one living here.

Hon. Mr. BEIQUE: I understood from the honourable member for Middleton (Hon. W. B. Ross) that this Bill is drafted on the basis of taxing total receipts less the deductions.

Hon. W. B. ROSS: No; in section 3 (1) the words in line 2 are "the annual profit or gain."

Hon. Mr. BEIQUE: Take the case of a joint stock company, are we agreed that what should be taxed are the net profits of that company? And suppose the company has borrowed $50,000, the interest payable yearly on the amount borrowed will be deducted for the purpose of ascertaining the amount upon which the tax will bear. It seems to me that the same rule should apply to the individual. Take two individuals, A and B, each of whom owns a number of properties that are rented. In one case the tenants pay taxes, and in the other the owner pays them. Under this wording I fear they would not be treated equally. Unless we adopt the words "net income" in one case the taxes would be deducted in fixing the income, and in the other case there would be no deduction because the owner is not paying taxes. In the United States they have gone further and have undertaken to designate what is the net income. Take also the case of two bank clerks, each receiving $5,000 salary, one occupying his own house, which is clear from incumbrance, the other being subject to a mortgage of $5,000. Surely interest on that $5,000 would be deducted before the second clerk would be taxed on the amount of his salary. A number of such cases might be cited to show the necessity of determining whether the tax should be on net income or not.

Hon. Sir MACKENZIE BOWELL: I should like to put this question to my honourable friend from Ottawa (Hon. Mr. Edwards). Suppose a man borrows from a bank $10,000 to invest in buying stocks, and pays 6 per cent for the loan, and draws 6 per cent from the investment, there would then be no profit?

Hon. Mr. EDWARDS: No.

Hon. Sir MACKENZIE BOWELL: Then would not that be covered by the word profit as well as if we said "net profit"?

Hon. Mr. BOSTOCK: No, because this covers an individual as well as a company. When you take the annual profit, it deals with an individual who is in business, and I take it that annual profit there means the gross profit. Then he has to make the deductions from the profit on his business before he can arrive at his real net income or net profit.

Hon. Mr. EDWARDS: My honourable friend assumes exactly what I am contending for, that only net profits should be reckoned on.

At six o'clock the Committee took recess.

The Committee resumed at eight o'clock.

The CHAIRMAN: It has been moved by Hon. Mr. Dandurand that the word "net" be added after the word "annual" in the second line of section 3.

Hon. Mr. DANIEL: We have heard the views of several honourable gentlemen on the question of inserting the word "net." My views are those of the ordinary man on the street. The ordinary citizen, who will take up this Act, as he will have to do, for he is going to be taxed under it, will draw his conclusions. Supposing the Bill is left as it is at present, without the word "net," he reads it over and finds that "income" means the annual profit or gain—the amount that he obtains by carrying on his profession or business, as the clause states. So he infers that it is the whole income which is to be taxed, until he turns over the leaf and finds that there are certain exemptions and deductions which are to be made in order to arrive at the income which is to be taxed. On the other hand, supposing the word "net" is inserted, he comes to the conclusion that it is only his net income which is to be taxed; that the deductions provided for in the Act are to be made, and there be other deductions in addition to those. Well, what does the ordinary man consider to be his net income? He looks upon his net income—especially when he is ascertaining it for the purpose of taxation—as being the income that is left after all possible deductions are made. So it appears to me that inserting the word "net" in this clause would only create confusion instead of preventing it. I for one certainly think that the clause is clearer and better defined as it stands than it would be with the word "net" inserted. I have been aided very much in arriving at this conclusion by the very clear statement made by the honourable gentleman from Middleton, who pointed out that the income to be taxed is the income mentioned in this Act, with the deduction to be made only as provided for in the Act. It appears to me that to put in the word "net" would cause controversy which would not arise if the word were left out. A man may oppose the taxation which is put upon him, and his lawyer immediately pitches on the word "net." To my mind it would increase the confusion and create trouble. Whereas the idea of the honourable gentleman who introduced the amendment was perhaps that it might make the Act clearer, it appears to me it would simply have the opposite effect. The amendment is not brought in for the purpose of providing people with a chance to evade taxation. This Bill is for the purpose of taxing the people. It describes, in various clauses, the kinds of taxation to be imposed—the property and income on which the taxation is placed. It is to my mind pretty clear, and I think if the word "net" is added to subsection 3 it would not be made clearer, but the change would have the opposite effect. As far as I am concerned, I shall be obliged to vote against the amendment.

Hon. Mr. POWER: I presume, then, that the honourable gentleman, when he comes to subsection 3 of this section, in which the non-resident is taxed only on his net income, will propose to strike out the word "net" in that subsection?

Hon. Mr. DANIEL: I may. I have not yet come to that clause. I like to take the matter up clause by clause.

Hon. Sir JAMES LOUGHEED: I was about to suggest that it might be well to allow this clause to stand with the suggestion which my honourable friend from De Lorimier has made. Then we can consider it in its application to the other clauses as we go through the Bill, and we can return to it afterwards.

Hon. Mr. BEIQUE: Before we leave this subsection, I think it would be well to draw the attention of this honourable House to the fact that the amendment of the honourable gentleman from De Lorimier, if it is adopted, should be followed by other amendments—such, for instance, as this addition:

> Provided, however, that in determining the net income the personal and living expenses shall not be taken into consideration.

I think it might come at the end of paragraph f of subsection 1.

Then there are other changes which might be made. Paragraph a should also be amended. I would call attention also to this fact, that the construction which would be put upon the words, "annual profit or gain," if the word "net" is not added, would be influenced considerably by the fact that deductions are made. I think that the context of the clause would tend to show that the tax is not to be imposed on net profit or net income, because the clause enumerates the deductions which should be made. For instance, the Act governing the income tax law of the United States makes deductions and enumerates them; the deductions are all supposed to be enumerated. The moment an enumeration of the deductions is made, those mentioned will be presumed to cover all the deductions and will exclude other deductions, which I think might be made if none were specified in the Act.

Hon. Mr. BOLDUC: If the word "net" is added to the Bill, will it mean that a man deduct all his living expenses?

Some Hon. SENATORS: No, no.

Hon. Mr. BOLDUC: If all the living expenses were deducted, there would be in many cases no profit left. "Net profit" ought to mean the profit remaining after certain deductions are made.

Hon. Sir JAMES LOUGHEED: It is proposed to mention specifically that living expenses shall not be deducted. I think that is what my honourable friend (Hon. Mr. Béique) intends in the amendment he proposes to make.

Hon. W. B. ROSS: There are two ways of arriving at the amount of taxable income. One would be to take the net income and place the tax upon that. The other would be to take the whole of the income and then make the deductions. But there are certain deductions provided for in paragraphs a, b, c, d, e and f of this Bill, and they must remain in it. Do I understand the honourable gentleman to say that he proposes to move that these exceptions be taken out?

Hon. Mr. DANDURAND: No.

Hon. W. B. ROSS: The way I propose to look at the question is to consider what deductions should be made from the total income. But, by whichever way the amount taxable is arrived at, the question is as broad as it is long.

Then, I want to call attention to what I think is probably an omission from subsection 3 on the part of the draftsman. I think he made this Bill a little ambiguous where the Act from which it was copied is perfectly clear. In paragraph a of subsection 1 you will find the words:

> The value of property acquired by gift, bequest, devise or descent.

The wording of the American Act is this:

> Any other source, including the income from, but not the value of, property acquired by gift, bequest, devise or descent.

That is very clear.

Hon. Mr. DANDURAND: But that phrase cannot be included in the clause as it is now drafted.

Hon. W. B. ROSS: No.

Hon. Mr. DANDURAND: That wording makes the intention clearer. If that wording were included in this Bill paragraph a would be a part of subsection 1 of section 3, paragraph b would become a, paragraph c would become b.

Hon. Sir JAMES LOUGHEED: Would the honourable gentleman propose to insert it as paragraph a?

Hon. W. B. ROSS: No; it would have to be included in subsection a of section 3.

Hon. Mr. POWER: Why should you treat it differently from the way in which it is treated here? Why not say:

> The income from property acquired by gift, bequest, devise or descent?

Hon. W. B. ROSS: Paragraph a is an exemption.

Hon. Sir JAMES LOUGHEED: It would come in after the word "source."

Hon. Mr. BEIQUE: If the suggestion were to make an addition after the word "source," I understand that paragraph a would be struck out.

Hon. W. B. ROSS: Yes, and b would become a.

Hon. Mr. DANIEL: It seems to me that that is going entirely against the law as laid down this afternoon with regard to the Senate increasing taxation. That is going to increase taxation. As it stands at present, it is only the value of property acquired by gift, bequest, devise, or descent that is deducted; but my honourable friend is going to put in the income from those things, so he is adding that much to the taxation Bill which we have before us. I appeal to him whether, according to his own view as expressed in this House, this Senate has the power to do that.

Hon. W. B. ROSS: I would say yes to the honourable gentleman. I am only trying to make the meaning of that clause clear. A man gets, say in January, a legacy of $10,000, and it earns $500 during the year. Under this section the $500 is assessed, but the corpus of the property is not. That is my reading of the Act. I have not any doubt that that is what it means, but many people have been troubled about it: Therefore, to make it clear that you are exempting the corpus or the principal and only taxing the interest, I move that after the word "source" the following be added:

including the income tax from, but not—

Hon. Mr. BOSTOCK: I would call attention to line 28, in section 3;

or unascertained as being fees or emoluments, or as being profits from a trade or commercial or financial or other business or calling, directly or indirectly received by a person from any office or employment.

In the first instance, one concludes that that means unascertained fees, or emoluments; but clause 7 of the Bill says:

Every person liable to taxation under this Act shall, on or before the 28th day of February in each year, without any notice or demand, deliver to the minister a return, in such form as the minister may prescribe, of his total income during the last preceding calendar year.

I presume those fees and emoluments are the actual fees and emoluments which he has been able to collect. They are not what a man has written on his books, what he has charged against clients, but which he may never collect. I take it that the fees and emoluments, under clause 7, must be the ones which he actually collects.

Hon. Sir JAMES LOUGHEED: Would not that be qualified by the words in the 30th line of section 3, "directly or indirectly received"?

Hon. Mr. BOSTOCK: Then, would it not be better to strike out the words "unascertained"?

Hon. Sir JAMES LOUGHEED: There might be an unascertained amount.

Hon. Mr. DANDURAND: But if it is not received——

Hon. Mr. BOSTOCK: The income would only be the fees or emoluments which he actually collects.

Hon. Sir JAMES LOUGHEED: That would be placing a premium upon allowing fees or emoluments to remain unascertained.

Hon. Mr. DANDURAND: He would collect them the following year.

Hon. Mr. DANIEL.

Hon. Sir JAMES LOUGHEED: "Unascertained" may not be uncollectable. The unascertained amount may be contingent upon something else, settlements of accounts, or an arbitration, or something of that sort. It might not go into the statement of that year, but it would have to go in the following year.

Hon. Mr. BOSTOCK: Until it is ascertained it does not become part of the income.

Hon. Sir JAMES LOUGHEED: It stands to reason, then, that he could not put it in the statement for that particular year.

Hon. Mr. BOSTOCK: Then, what is the good of putting in the word "unascertained"?

Hon. Sir JAMES LOUGHEED: He would escape taxation when it was ascertained. He might ascertain it immediately afterwards. It would permit of all kinds of evasion; it would place a premium on leaving fees unascertained.

Hon. Mr. BOSTOCK: The fees will only become part of the income when they are actually collected.

Hon. Mr. DANDURAND: I draw attention to the fact that this is in the definition of the word "income." The word "income" means wages, salary, profit, or gain, whether ascertained or unascertained. I suppose it does not mean that the tax will be collected if those unascertained profits are not collected, yet I see the point which my honourable friend makes.

Hon. Mr. BEIQUE: I understand that the suggestion of the honourable the leader of the Opposition is merely to strike out the word "unascertained," leaving fees or emoluments.

Hon. Mr. BOSTOCK: Yes.

Hon. Mr. BEIQUE: If that is done, let us see what it will lead to. Take a medical man. He may have $5,000 of accounts on his books. They are unascertained fees. They have to be taken into account, whether collected or not. He may lose half of them when he comes to collect them, but he will have paid much more than he should have paid. Under the English Act there is a provision to cover things of this kind. There is a certain delay granted to a man to show that he has paid more than he should have paid, and in that case he is entitled to be reimbursed in order to reduce the amount to the exact amount which he should have paid. Under this Act there is

no such remedy, and if these words remain in the Bill all these fees would have to be taken into consideration, although a man might never collect half of them. I am not exactly sure as to whether there can be any objection to striking out these words, but surely there are strong reasons why they should not appear in the Bill as it stands.

Hon. Sir JAMES LOUGHEED: What does my honourable friend think of the words in line 30, whether they have been "directly or indirectly" received by a person? There may be an unascertained amount.

Hon. Mr. BEIQUE: Do these words bear on the point?

Hon. Sir JAMES LOUGHEED: I think so. Profits may be of the same class. The form under section 7, to which my honourable gentlemen to the right, with regard to vision for unascertained accounts. It is to be a form prescribed by the minister. It seems to me obvious that if they are unascertained they cannot be included in the form and be subject to the tax before being realized, but they would appear in the statement of the following year.

Hon. Mr. POWER: I am sorry that I am not able to agree with the three honourable gentlemen to my right, with regard to this clause. I recognize the imperfections of this Bill, but I cannot see that the language that we are dealing with now is open to the criticism which has been bestowed upon it. "The annual profits, whether ascertained and capable of computation as being wages, salary, or other fixed amount"—these are all things that do not require investigation. If a man is paid $2 a day in wages, you know what his income is; if his salary is $2,000 a year, you know what it is. That is ascertained without any further inquiries. But when you come to deal with profits from a trade or commercial or financial or other business, then you come to something which requires investigation and inquiry before you can ascertain what the amount to be assessed is, and it is unascertained. I think the language fills the bill well enough.

Hon. Mr. EDWARDS: I take the same view. Nearly every business in the world closes at the end of the year. In taking an inventory there are a lot of outstanding accounts which have not been paid, and the usual practice is to put a fair value upon them. If they are all good; if they are doubtful, they are taken as of some value; and if they are bad they are taken as of no value I cannot see the difference between a business firm estimating its assets and a professional man.

Hon. Mr. McLEAN: Take the case of a man who is a partner in a business and who is making no money outside of that. His share, say, amounts to $2,200, and he pays an income tax to the local government and pays his school taxes and other taxes. Would that be deducted before the net profit was computed? We all know that above 7 per cent a man has to pay a 25-per-cent tax on his profits; but does the local income tax come out of the amount that he is assessed?

Hon. Mr. EDWARDS: It is involved in the question that stands.

Hon. W. B. ROSS: I think that the leader of the Opposition is a little at variance with us about this word "unascertained" in confining this word to fees or emoluments. I understand that "unascertained" runs through all the rest of the section. It may be ascertained or unascertained.

Hon. Mr. BOSTOCK: It says:

or unascertained as being fees or emoluments.

Then there is a comma.

Hon. W. B. ROSS: I have no doubt that it should not be there, because in the second line you have "ascertained" and in the fourth line "unascertained," and you will find at the very end of the section that the gains or profits are assessable, whether they are distributed or not. A man may have an interest in a company, they might have their statement ready, or it might have to stand over. Taking out that comma—

Hon. Mr. BOSTOCK: If that were taken out, I think it would put the matter right to some extent; but the honourable gentleman from Middleton (Hon. Mr. Ross) and the honourable gentleman from Russell (Hon. Mr. Edwards), in speaking of this both speak of the profits of business. Professional men do not generally make up a balance sheet such as ordinary business men do, and if this matter is not set out very clearly there will be trouble in finding what the income is. I would not take it from section 7 that the fees charged up during the year for professional services rendered would be the income, for

many of those fees might not be collected. A balance sheet would have to be drawn up and a certain amount written off for bad debts, etc., before the income could be arrived at.

Hon. Mr. NICHOLLS: A professional man is not liable for taxation on income until it is received.

Hon. Mr. BOSTOCK: But if it is received is it ascertained?

Hon. Mr. NICHOLLS: Yes, it is ascertained if it is received.

Hon. Mr. POWER: But the total is not ascertained.

Hon. Mr. BEIQUE: I would move that paragraph b be amended by making it read as follows:

The proceeds of life insurance policies paid upon the death of the person insured, but not the interest or income therefrom, or payments made or credited to the insured on life insurance endowment.

—striking out the rest of the paragraph. My reasons for the suggestion are these. We are dealing with exceptions or deductions to be made. Suppose the sum of $50,000 is paid to a beneficiary, surely the intention is to treat this as capital, but not to include as a deduction the interest or income from that $50,000. Then the second part which I wish struck out is this:

Or annuity contracts upon the maturity of the term mentioned in the contract or upon the surrender of the contract.

There is no reason to leave those words in. Surely it is not the intention that any person may make a contract with an insurance company, paying say $100,000 or $200,000, and in consideration of that payment receive an annual income of $20,000 or $30,000 on which no taxes would be levied. If those words were allowed to remain I think the Bill would be open to abuse in that direction.

Hon. Sir JAMES LOUGHEED: The proposal is, briefly, that annuities should not be exempt?

Hon. Mr. BEIQUE: Yes.

Hon. W. B. ROSS: The American Act has a proviso by which the proceeds of life insurance policies or endowments or annuity contracts are added to a man's capital.

Hon. Sir JAMES LOUGHEED: That is not the way it is here. It would look as if it were to be exempt from the payment of income.

Hon. Mr. DANDURAND: It is the same argument that prompted the honourable gentlemen to move his amendment to subclause a.

Hon. Mr. McLENNAN: As I see the point, it would be covered by striking out the words "or annuity contracts." An insurance endowment that is paid to a man during his life-time is capital, and not income, and I should suppose that the clause, "upon the maturity of the term mentioned in a contract or upon the surrender of the contract," would still apply to those life insurance endowments, which are unquestionably capital.

Hon. W. B. ROSS: The Act has nothing to do with saying how a man shall deal with his profits, whether he puts them in the fire or in an annuity; but suppose I had an endowment contract, and it were coming due this year, and I had paid nine payments and had one more to pay, before the contract fell in, when the contract comes due and the endowment is paid it ought not to be treated as income for this year, but rather as my capital.

Hon. Mr. McLEAN: I know a case where a man at a certain age paid $10,000 into a company, and from that he was to receive $1,500 a year during his lifetime.

Hon. Mr. BEIQUE: That is what I wanted to cover. I am afraid the Act is open to exclude from taxation annuities of that kind. If, by the payment of $100,000 in cash, a man of my age should be entitled to receive $12,000 or $15,000 yearly for life, why should not that annual payment be taxed ?

Hon. W. B. ROSS: It will pay income tax.

Hon. Mr. BEIQUE: But I am afraid that under the wording of subclause b it would not be taxed at all, because it would be an annuity.

Hon. W. B. ROSS: That could be cured by taking the words from the American Act and adding them, saying that this subclause shall not include as income the proceeds of life-insurance policies.

Hon. Mr. BEIQUE: My amendment may be too radical—that it should not affect contracts already in existence; but even so, suppose that a year ago I had made a contract of the kind I mentioned, it should be

clear that this $15,000 annual payment should be taxed.

Hon. W. B. ROSS: Suppose a man put $1,000 a year on deposit in the Savings Bank, and after ten years he has $10,000 with accumulated interest, he would pay income tax on that to-day. He could take another method, and buy an annuity with that $10,000. It is only right that in both cases, while the money is accumulating in the bank, or is invested in the annuity, the income or interest on the amount should be taxed.

Hon. Sir JAMES LOUGHEED: The inequality of it lies in this fact. Let us assume that $100,000 will purchase an annuity of $15,000 a year. The owner of that $100,000, if he had it invested on interest at 6 per cent, would be liable to pay an income tax on $6,000 a year; but if he bought an annuity, he has an income of $15,000 a year, on which he will have to pay income tax, which would be much larger than on his income from an investment of $100,000 at interest at 6 per cent. How are you to provide for that inequality? The question is, is it equitable to make the annuity liable to the income tax to the full extent, whereas if the man invested the same principal with which he bought the annuity, he would pay a very much smaller proportion of income tax? However, I suppose that is one of the difficulties that would have to be worked out.

Hon. Mr. McLENNAN: Does not the honourable leader of the Government overlook the fact that here the annuity is exempted?

Hon. Sir JAMES LOUGHEED: But we are providing against that. In my judgment there is no reason why it should be exempt.

Hon. W. B. ROSS: To return to subclause c: if this income tax lasts for any length of time I think it would be well to consider inserting a clause stating that after the allowances on the amount of the original cost of the mine or well there should not be any further allowances deducted.

Hon. Sir JAMES LOUGHEED: You can readjust that at any time. Suppose there is an allowance made, it is not an enduring allowance, so to speak.

Hon. Mr. WATSON: In a province where a moratorium is in effect, what would happen to the revenue where people cannot collect their rents and income? That would apply in Saskatchewan, Alberta, and British Columbia.

Hon. Sir JAMES LOUGHEED: In that case they would not have an income, I suppose.

Hon. Mr. ROSS: That would be a case of unascertained income.

Subsection 1 of section 3 stands.

Subsection 2 of section 3—holding companies—was agreed to.

Subsection 3 of section 3—non-residents—stands.

Subsection 4 of section 3—undistributed gains—was agreed to.

On subsection 1 of section 4—income tax:

Hon. Mr. BOSTOCK: I would make a proposal to the honourable leader of the Government in regard to this clause. I find that in the English Act, passed in the year 1910, provision was made for exception in the case of a man whose income from all sources does not exceed £500, but who has a child or children living under sixteen years, relief being given in such case to the extent of £10 for each child.

To that provision a further one was added, defining what 'children' meant, and so on. Apparently they found that that was a good move, and in the Act of 1914 they extended the provision as follows:

> Section 7. Section 68 of the Finance (1909-10) Act, 1910 (which gives to individuals whose total income does not exceed £500 relief from income tax equal to the amount of tax on ten pounds in respect of every child under the age of sixteen years of age), shall have effect as if £20 were substituted for £10.

In the year 1915 section 24 amended the clause still further, providing:

> Section 7 of the Finance Act, 1914 (which extends to the relief from income tax given in respect of children), shall have effect as if £25 were substituted for £20.

So they raised the amount that might be deducted from the income return to £25 for every child under 16 years of age. Then in the Act of 1916 they further provided:

> Section 68 of the Finance (1909-10) Act, 1910 (which gives to individuals whose total income does not exceed £500 relief from income tax in respect of children), shall, as amended by any subsequent Act, have effect as if £700 were substituted as the limit of income for £500.

So honourable gentlemen will see that in Great Britain they started by making the remission of £10 for each child; then they apparently found it was better to raise it to £25; and they further raised the

amount of income to which this provision might apply from £500 to £700. I think that is a point which the Government might very well consider in regard to the conditions of this country at the present time. I think that some consideration should be given to married people with children, and I would propose that an amendment somewhat like the following should be made:

After the word "persons" in the twenty-second line, that is, in paragraph (a) of subsection 1 of section 4, the following should be added.

Provided, however, that when they have children dependent on them an amount not exceeding $300 for each child so dependent on them may be deducted from the amount by which their income exceeds $3,000, before any tax shall be assessed, levied and paid thereon.

Hon. Sir JAMES LOUGHEED: The honourable gentleman fixes no age in the first place.

Hon. Mr. BOSTOCK: No, I have not fixed any age; I have left it to the committee to say whether they think it is desirable to insert the age or not. I have just put it generally—"dependent," because paragraph a of subsection 1 of section 4 reads:

Four per centum upon all incomes exceeding fifteen hundred dollars in the case of unmarried persons and widows or widowers without dependent children and exceeding three thousand dollars in the case of all other persons.

Hon. Mr. POWER: That would be a certain measure of justice to the province of Quebec. In England the premium is only $100 for each child, and the honourable gentleman proposes $300. Let us split the difference and make it $200.

Hon. Mr. BOSTOCK: Supposing a man's income were $4,000. First of all, $3,000 is deducted; then there is $1,000 left on which he would have to pay an income tax on 4 per cent. If he had one child he could deduct $300 from that $1,000, leaving only $700 on which he would pay the tax of 4 per cent. If he had two children he could deduct $600, and so on.

Hon. Mr. DANIEL: And if he had half a dozen children he would not have to pay any tax at all?

Hon. Mr. BOSTOCK: No, if the income did not exceed the $4,000.

Hon. W. B. ROSS: This Bill is constructed to meet the case of persons with dependent children. Where there are no children the tax is upon any amount exceeding $1,500, but where there are children the income is exempt up to $3,000. I know this point was discussed in the other House, and the excuse was given, or the defence made, that this difference was made because of dependent children.

Hon. Sir JAMES LOUGHEED: What is the amount mentioned in the English Act?

Hon. Mr. BOSTOCK: Twenty-five pounds —about $100.

Hon. W. B. ROSS: I think the exemption of $3,000 for married persons is enough as compared with the exemption for others, who are assessed on incomes in excess of $1,500.

Hon. Mr. DANDURAND: My honourable friend thinks that $3,000 exempted is a large amount.

Hon. W. B. ROSS: I did not say that.

Hon. Mr. DANDURAND: I thought I was repeating my honourable friend's words. Three thousand dollars for a couple to live upon is a sum which under certain circumstances may be sufficient, but what about a couple with six or ten children? I saw only last week an announcement of a widow returning to the city with six daughters; and I have a friend who has eight daughters growing up. I have an idea of what it means to maintain six or seven daughters growing up and going out. It seems to me unjust to put on the same footing a married couple without children and with an income of $5,000 a year, and another married couple with six or seven children. A remark was made a few moments ago that one could have such a large family that he would be free from all taxes. I have in my hand a schedule of the income tax law which was passed by the Parliament of France. Of course, it was a pre-war income tax, not a war tax. Take for instance a person having an income of 20,000 francs.

Hon. Mr. DANIEL: That is, $4,000.

Hon. Mr. DANDURAND: Four thousand dollars. An unmarried taxpayer without dependents pays 120 francs; a married taxpayer without dependents, 96 francs; a married couple having one dependent, 79 francs, 80 centimes; with two children or two dependents, 64 francs, 80 centimes; three dependents, 48 francs; four dependents, 36 francs, 40 centimes; five dependents, 26 francs, 40 centimes; six dependents, 16 francs; seven dependents, 10 francs; eight dependents, seven francs;

nine dependents, four francs; ten dependents, one franc.

I think it would perhaps be interesting for future reference to have this whole schedule inserted in our Hansard, because it gives the sliding scale. The unmarried taxpayer enjoys the same exemptions according to the number of his dependants. In this present bill we make no such provision. There are unmarried persons who have dependents. There are some—I know some myself—who have brought up brothers and sisters and have not married because they had those dependents. And yet they are not given the privilege that is accorded to the married couple with dependents. It seems to me that it is a most just provision to reduce the tax in proportion to the number of dependents that a person has under his care.

Hon. Mr. POWER: I thought the honourable gentleman (Hon. Mr. Bostock) proposed to reduce the amount from $300.

Hon. Sir JAMES LOUGHEED: I may say to my honourable friend (Hon. Mr. Bostock) that I could not accept that amendment. It would so materially reduce the income tax as to interfere with its effectiveness.

Hon. Mr. CROSBY: We might just as well strike it out altogether.

Hon. Mr. DANDURAND: Is the honourable gentleman objecting to the principle or to the amount?

Hon. Sir JAMES LOUGHEED: The amendment would introduce into the Act an entirely new principle calculated to substantially reduce the tax, and it goes so far, I think, as to warrant my statement that we have no right to introduce an element of that kind into the Bill. The other amendments which we have made are explanatory of the purposes of the Bill, and not an interference with the tax.

Hon. Mr. LANDRY: The amendment would not increase the tax; it would reduce it. We have already decided that this House can reduce a tax.

Hon. Sir JAMES LOUGHEED: I have no doubt my honourable friend from Middleton (Hon. Mr. Ross) will support the amendment.

Hon. W. C. EDWARDS: Honourable gentlemen, I understood from my honourable friend the leader of the Government that an opportunity would be afforded for discussing the general principle of the Bill; and, without expressing any opinion as to the amendment suggested, I should like, if I may be permitted, to say a few words on the general principle. Is that agreeable, Mr. Chairman?

Hon. Mr. DANIEL: That would require unanimous consent, would it not?

Hon. Sir JAMES LOUGHEED: It was understood on the second reading of the Bill that an opportunity would be given for discussing it further in committee.

Hon. Mr. EDWARDS: If it is preferable to defer my remarks till the third reading, I will do so.

Hon. Mr. POWER: Go ahead now, and let us have the information.

Hon. Mr. EDWARDS: I shall not detain the House long. My purpose in speaking is not to offer factious opposition to the Bill. The honourable gentleman from De Salaberry (Hon. Mr. Béique) entirely expressed my views when he spoke the other day, and to say that I endorse his speech would practically cover the ground. I am afraid this Bill will not achieve the objects which are intended. Canada is not like the old European countries or the United States, a large proportion of whose populations have fixed incomes. In Canada there are but a limited number of fixed incomes. All the businesses in this country upon which large incomes accrue are those connected with the development of the natural resources of the country, or its manufacturing. All, or nearly all the businesses of this country are large borrowers. My view is that the effect of this Bill will be to hinder development and enterprise; that it will have the very opposite effect from that which is intended, and that incomes such as there may be to-day will very rapidly decrease. From this unfortunate war, which has brought about present conditions, there are certain classes of manufacturers in this country who profit very largely—manufacturers who before the war, many of them, were in a very doubtful position. The classes in Canada who derive the greatest benefit from the artificial conditions which now prevail in Canada are those manufacturers and the agriculturists and the labouring classes. Those who suffer most are, many of them, engaged in the development of our national resources. For instance, the industry in which I am myself employed is crushed to the very earth as a consequence of the conditions brought about by the war. I do not think that the lumber trade of Canada to-day is making one dol-

lar—that is my honest conviction; and I do not see any hope for its immediate recovery. Now, those who levy taxation may always intend to be as just as possible. I do not wish at all to criticise the Minister of Finance. If there is a man in Canada to-day who is to be pitied it is the Finance Minister, for he has at present the most difficult task of perhaps any Canadian; and I am afraid that his position will not improve. The Finance Minister of the immediate future, whether it be the present minister or another—whoever he may be—will have a very difficult task before him. If there are any other gentlemen in Canada to be pitied besides the Finance Minister, they are the leader of the Government and the leader of the Opposition. I do not criticise in any unfair way whatever. In speeches that have been made not far from here on the question of conscription, a tremendous effort was made in the direction of taxing what was called "wealth." The newspapers of Canada talked of the idea, and from one end of Canada to the other, we heard not only of conscription of men but of conscription of wealth; but as yet I have not heard from any of those sources what definition was given to wealth. Most of the gentlemen who were speaking on that subject in another Chamber, and most of the newspapers who were writing upon the subject, seemed to imagine that there were certain individuals in Canada who had immense wealth stored away somewhere, and they wanted to get at that wealth and make it pay taxes.

Hon. Mr. DANIEL: Confiscate it.

Hon. Mr. EDWARDS: Yes. But they were overlooking the fact that there was no wealth in the country except property and labour. This idea that there is a store of money in Canada is all nonsense. Canada possesses very little money indeed. The basis upon which we are trading is credit. I am sure that it is the desire of any minister to tax fairly, and if taxation is levied, every man from the lowest to the highest should pay his fair relative proportion; but under this law that is not going to be the case. In my opinion, the supertax, as it is called, is not a fair imposition. A great many people think that because a man or a company has acquired a considerable amount of wealth, that individual or company should pay out of proportion to those who have not accumulated as much. This is the position. My neighbour and I start out in this world with equal opportunities and equal advantages in every respect. I am a profligate, but a money-maker; I spend my money as I go. My family enjoys from day to day everything that I acquire in the operation of business; they have every luxury and enjoy all the pleasures that this world can afford. My neighbour is a more frugal man, a more judicious man; he accumulates something and leaves something to his family; but because he has done so he is penalized while my family goes scot-free. My family have had their pleasure and luxury throughout my lifetime, but I leave them penniless. Those who apply themselves, those who are industrious and frugal are the subjects of undue taxation. I do not desire to occupy the time of the House for more than a moment, but I desire to point out that in this imagining as to great wealth, and where that great wealth exists, those who have been discussing the question overlook the fact, that after all the great wealth of Canada is in the hands of the agriculturists of the country. The capital invested in agriculture in Canada—in farm lands, machinery, live stock, and so forth—amounts to the sum of $3,509,000,000 while the capital engaged in manufacturing in this country is just about half that amount, showing—I am going to make a statement that I know no politician would make who was looking for votes—that as a general thing the farmers of Canada are practically exempt from taxation under this Act. The speakers and newspapers which I have referred to have been advocating to conscription of wealth, and, after all, the wealth of Canada is not conscripted at all. It is not the wealth of Canada that is conscripted; it is those who are endeavoring to develop the resources of Canada and to improve conditions financially and in a commercial way who are penalized. I say again that my anticipation is that as years go on it will be found that under this Act the incomes from the sources which I have mentioned will largely disappear. In my humble opinion a very great mistake has been made. I do not blame the Finance Minister for this mistake. After reading the speeches, I cannot believe that the Minister of Finance himself is favourable to this provision. My humble opinion is that it was forced upon him—that owing to articles in the newspapers of the country, and the speeches made in another Chamber, not so very far from here, he has found it necessary to accept and to put into effect something in which he himself does not believe.

Hon. Mr. BOSTOCK May I suggest to the honourable the leader of the Government that this matter stand for consideration until we come back to the other clauses?

Paragraph f stands.

On paragraph g of section 4—over $100,000, twenty-five per cent:

Hon. Mr. ROCHE: Is this the surtax, so-called?

Hon. Sir JAMES LOUGHEED: Yes, the 4 per cent runs all through, then the additional tax is added.

Hon. W. B. ROSS: The total tax is 29 per cent on anything in excess of $100,000.

Hon. Mr. DANDURAND: The surtax is graduated.

Subsection 1 of section 4 was agreed to.

On subsection 2 of section 4—corporations pay 4 per cent; fiscal year of corporations:

Hon. Mr. POWER: I think the honourable the leader of the Government ought to explain why corporations are treated in a more friendly way than individuals.

Hon. Sir JAMES LOUGHEED: The individuals will pay the tax through their stock in the corporations, and otherwise.

Hon. W. B. ROSS: The honourable gentleman will notice that paragraph f of section 3 works in with subsection 2 of section 4. The corporation pays the normal tax of 4 per cent under paragraph f of section 3, and the shareholder who draws a dividend from a corporation is exempted as to that 4 per cent. The 4 per cent is collected at the source by the company in which a man is a shareholder, and he escapes it under paragraph f of section 3; otherwise he would be paying twice. With regard to the surtax, the shareholders come under the general terms of the Act.

Hon. Mr. NICHOLLS: Commencing on line 43, this subsection says:

And the minister may permit any corporation subject to the normal tax, the fiscal year of which is not the calendar year, to make a return and to have the tax payable by it computed upon the basis of its income for the twelve months ending with its last fiscal year preceding the date of assessment.

Take the case of a corporation whose fiscal year ends in July. The tax may be computed on the basis of its income for the twelve months ending with its last fiscal year preceding the date of assessment. The last fiscal year may have been a very profitable one, but the operations of the current year may result in a loss. How would the tax be computed?

Hon. Sir JAMES LOUGHEED: It is discretionary with the minister. The minister may permit the corporation to do so-and-so.

Hon. Mr. NICHOLLS: If he does not permit—

Hon. Sir JAMES LOUGHEED: Before exercising his discretion I assume that the minister will be familiar with the facts, particularly covering the conditions which the honourable gentleman has just mentioned.

Hon. Mr. NICHOLLS: In that case, the matter would have to be deferred until the result of the next fiscal year was decided. It could not be computed for the calendar year, and if the corporation claimed that it was not going to make a profit, that its operations might result in a loss notwithstanding that the previous year had been a profitable one, I do not see what could be done.

Hon. Sir JAMES LOUGHEED: That is in the hands of the minister.

Hon. Mr. EDWARDS: As I understand the Bill, if the business year of the corporation does not terminate at the usual time, it provides that that shall be taken as the period of computation. That is all that is involved.

Hon. Mr. BEIQUE: The effect of this Act will go back to the 1st of January this year, I understand.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: Suppose the fiscal year of the company ends in July, the Bill provides for the computing of the tax upon the basis of the six months—

Hon. Mr. EDWARDS: It cannot do that.

Hon. Mr. BEIQUE: It seems to be open to some objection.

Hon. Mr. BOSTOCK: I should like a little further explanation. The honourable gentleman from Middleton (Hon. W. B. Ross) gave an explanation of this question. I understood him to say that a shareholder in a company would not pay the tax of 4 per cent on the dividends on his stock. Suppose a man had an income of $5,000 from shares in the Canadian Pacific railway. In the first instance the railway company would pay a tax of 4 per cent on the profits.

and the $5,000 would go to the individual as his dividends on the stock. Would the shareholder not have to pay the normal tax on that $5,000?

Hon. Mr. ROSS: Only the surtax.

Hon. Sir JAMES LOUGHEED: He would only have to pay a tax in case the dividends amounted to $6,000 or over.

Subsection 2 of section 4 was agreed to.

On subsection 3 of section 4—partnerships not liable to tax:

Hon. Mr. ROCHE: What about an individual? In the first place, an individual carrying on business would have to pay a tax on his profits. If he receives sufficient income he would have to pay again on his income. There is exemption for partners in a business and there is provision for shareholders in a company; but so far as I can see a private individual would have to pay twice.

Subsection 3 of section 4 was agreed to.

On section 5—incomes not liable to tax:

Hon. Mr. ROCHE: I think we ought to be benevolent and include in this section the indemnity of members of the House of Commons, because I am told they spend it all before they come into Parliament. No. doubt the modesty of the members in the Commons prevented the inclusion of such a clause in the Bill.

Hon. Mr. NICHOLLS: I would like to understand if subclause i would provide that all a person would need to do in order to be entirely free from taxation would be to invest his entire capital in Dominion of Canada war bonds? If so, to that extent it is an estoppel of enterprise. Another point is that by subclause c the income of any company, commission or association not less than ninety per cent of the stock or capital of which is owned by a province or a municipality, shall not be liable to taxation. I am not objecting to that, but I am wondering how it would work out. Suppose the municipality of Ottawa should go into the coal business, as is proposed, and supply say ten per cent of the citizens with coal, and make a profit, that company would be exempt from taxes, and the ninety per cent of the citizens who did not purchase their coal from the municipal company would be at a disadvantage because they would have to pay the surplus of the tax themselves for the benefit of the ten per cent who bought coal free from taxation.

Hon. M. BOSTOCK.

Hon. Mr. DANIEL: I suppose subclause j referring to military and naval pay would include the aerial service.

Hon. Sir JAMES LOUGHEED: Yes, it is a branch of the service.

Section 5 was agreed to.

On subsection 1 of section 6—payment of tax at source:

Hon. Mr. EDWARDS: There will be great difficulty in carrying out this plan. In many instances the greater part of the year is past before this Act comes into effect, and as those payments have already been made they cannot be deducted now as far as this year is concerned.

Hon. Sir JAMES LOUGHEED: In that case the section would not apply.

Hon. Mr. EDWARDS: Yes, I think the employer would be responsible.

Hon. Sir JAMES LOUGHEED: No, because the Act was not in force when they paid it over. It would only apply to money that has not been paid over after the Act comes into operation.

Hon. Mr. McLENNAN: In the case of a person whose dividends are collected by a trust company, I suppose they would be charged to pay the income tax out of their collections?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. W. B. ROSS: If I read this section correctly, not only the normal tax but the supertax will have to be collected under it. This section in the American Act is of value because it covers non-residents, such as a shareholder in the Canadian Pacific railway living in Amsterdam, who gets a dividend from that company, but who does not pay any tax under this section because he is not carrying on business here. The American Act of 1913 provides for the payment of the income tax out of the dividend payable to the non-resident alien. We do not need this section 6 as much as they do in the United States, for our section 20 makes this tax a debt due to His Majesty, so that if we had not section 6 at all we could collect the whole of our income tax. Subsection 2 of section 6—no exemption unless notice given and return made—is very clumsy and will cause friction. Section 7 provides for annual returns of total income; yet under subsection 2 of section 6 a man will have to file a statement with the Minister; then under section 7 he must file his regular statement. Where we are not going after non-residents, I think it

would be better to take section 6 out altogether, and in place of this somewhat indefinite clause, require the persons therein named to open new books and make a very careful examination of those to whom they are paying annual or periodical gains, profit or income, amounting to $1,500 in one case and $3,000 in another. It would be far better to let the money be paid over to those entitled to it, and let them settle with the Government for their income tax, for presumably none of them can get out.

Hon. Mr. ROCHE: How it would be in the case of ladies with incomes? Would they have to prepare books and make out accounts of income?

Hon. W. B. ROSS: Yes. No distinction as to ladies is made.

Hon. Mr. DANIEL: If you strike out section 6 you take away the duties of guardians over lunatics or infants, do you not?

Hon. W. B. ROSS: No. The guardian makes the return; the lunatic does not do anything.

Hon. Sir JAMES LOUGHEED: Why do you limit this to non-residents in Canada and exclude residents?

Hon. W. B. ROSS: Because section 4 provides for income tax from every person residing or ordinarily resident in Canada or carrying on any business in Canada. A man who gets his money out of the Canadian Pacific railway is not carrying on business in Canada. Section 4 does not include a non-resident alien, who merely draws income from this country but does not do business. More than that, we know from the discussion in the other House that they were endeavouring to provide for the non-taxation of persons abroad, and making them not subject to our income tax.

Hon. Mr. McLENNAN: Would they not be subject to our income tax as shareholders of our corporations? A railway company would collect that tax from every shareholder, irrespective of whether he was a resident or a non-resident.

Hon. W. B. ROSS: Section 6 would cause a great deal of friction.

Hon. Mr. BEIQUE: What is the interpretation that the honourable gentleman puts on the words "when the income tax of a taxpayer is withheld and deducted under the provisions of this section"? This is the beginning of subsection 2 of section 6. What is the meaning of the words: "withheld and deducted"?

Hon. W. B. ROSS: It means withheld or deducted by the person who is the employer of the taxpayer.

Hon. Mr BEIQUE: If he does not comply with the Act—that is what I understand.

Hon. W. B. ROSS: If I have a clerk to whom I am paying $4,000 a year, I am required under section 6, subsection 1, to deduct the tax from his income.

Hon. Mr. DANDURAND: From the surplus of $1,000?

Hon. W. B. ROSS: Yes.

Hon. Mr. BEIQUE: That is quite plain.

Hon. W. B. ROSS: Suppose that man had exemptions which would wipe out that $1,000 surplus and relieve him from paying any income tax at all. Then subsection 2 says:

> When the income tax of a taxpayer is withheld and deducted under the provisions of this section, such taxpayer shall not receive the benefit of any exemption or deduction under this Act unless he shall, not less than thirty days prior to the day on which the return of his income is due, under section seven hereof, (a) file with the person who is required to withhold and pay the tax for him a notice in writing claiming such exemption or deduction and thereupon the tax to the extent of such exemption or deduction shall not be withheld from such taxpayer, and (b) file with the person aforesaid and with the minister such return of his income and a statement of the deduction and exemptions as the minister may direct.

That man must file with the Finance Minister a statement that the thousand dollars is consumed by exemptions. There is a section in the American Act which is said to be very complicated, and in the elucidation of that section seventeen questions are asked and answered; and the American Act, remember, deals with only normal taxes, whereas, in this Bill of ours there are the normal tax and the supertax; so it is much more complicated.

Hon. Mr. BEIQUE: I quite agree with the suggestion of the honourable gentleman who has just spoken, and I would call attention to the fact that the taxpayer might be treated unfairly by the person who has withheld the money, and might not know of the money being withheld before the thirty days had expired. I think there should be some provision in this section to the effect that the minister should have the power to extend the time allowance of 30 days. But I would point out that under section 6 as well as under subsection 4 of section 7, administrators and persons in such capacity are called upon to deduct and withhold the portion of

the income which is to go to the Government as a tax, from the money going to the taxpayer.

Hon. Sir JAMES LOUGHEED: May I point out to my honourable friend while he is on his feet that this period of 30 days is for the benefit of the taxpayer; that is to say, he notifies the person withholding the taxes, and if he notifies him within 30 days that he is entitled to exemption, the money must be paid to him. So I do not know what application my honourable friend's suggestion could have, as to the minister extending the time, because this provision is simply to prevent the money from being withheld from the person entitled to it. Subsection 2 of section 6 is for the benefit of the taxpayer.

Hon. Mr. BEIQUE: But the beneficiary is given 30 days in which to file the statement mentioned in the section, and if he fails to file the statement he loses the right of doing so and of claiming the exemption; and the 30 days may elapse without his knowing that the person has collected the money or withheld it. That is the point I was making. I do not know whether I made myself clear or not.

Hon. Sir JAMES LOUGHEED: Yes, but it is 30 days prior to the day on which the return of his income is due. Suppose that period is extended. Presumably on the day when the income tax is due the money is paid over to the Government. Consequently the time could not be extended.

Hon. Mr. BEIQUE: At any rate, when I was interrupted I was dealing with another point, the point that under subsection 1 of section 6, and under paragraph 4 of section 7, employers, who are paying out moneys, or administrators who are collecting moneys, are obliged to retain out of those moneys, for the Government, the amount of the tax which is payable by the taxpayer. In answer to the honourable gentleman from Rideau (Hon. Mr. Edwards) a few moments ago, the honourable leader of the Government stated that the provisions of section 6 would not apply to the current year.

Hon. Sir JAMES LOUGHEED: I said they would not apply if the money had been paid over.

Hon. Mr. BEIQUE: The honourable gentleman is quite right—if the whole of the money has been paid over; but suppose that nine months out of the twelve elapse before this Bill becomes law and that in the meantime an employee, for instance, has been paid his wages every month. Very likely he has spent his wages. For the 12 months he is obliged to pay a tax of, say, $1,000. The moment that the Act comes into effect the employer would be bound to keep the money that is in his possession to the extent of $1,000, and would therefore be prevented from paying out any more money until he has made sure that the tax for which his employee is liable has been covered. So I think it would be very important to add to that clause the provision that it shall not apply to the current year.

Hon. W. B. ROSS: When I was speaking last someone interrupted me with a question as to what would happen in the case of a person unable to make the return required. That is provided for in subsection 3 of section 7. There is no difficulty about that. When I was speaking before I used the term "non-resident aliens." Of course I used the word "alien" in the sense of non-Canadian. Section 4 says:

> There shall be assessed, levied and paid upon the income during the preceding year of every person residing or ordinarily resident in Canada or carrying on any business in Canada—

An alien, strictly so called—that is, a citizen of the United States, or a Norwegian, or a Dutchman— will be exempt; and I take it also that all residents of any part of the British Empire other than Canada would be exempt from taxation on the same terms as the non-resident aliens. The question of income tax is one which has been engaging the attention of the British and Colonial governments for some time past. Just how the matter stands to-day I do not know; but I do know that in some of the West Indian islands it is proposed to levy an income tax on people who reside outside of the islands.

Hon. Mr. BEIQUE: I know that in the United States the income tax is levied on the foreigner.

Hon. W. B. ROSS: But it is a tax of only 1 per centum.

Hon. Mr. BEIQUE: But the law is now being changed.

Hon. Mr. W. B. ROSS: The tax may be increased.

Hon. Mr. BEIQUE: There are indications that it is to be very much increased.

Hon. Mr. DANIEL: May I remind my honourable friend (Hon. Mr. Ross) that there would be this difficulty, I think, in taxing the receipts from investments in this country against a non-resident alien, that

we should have to know whether he was an unmarried man and so entitled to exemption only up to $1,500, or whether he was a married man and exempt up to $3,000.

Hon. Mr. W. B. ROSS: There would be no difficulty, because he is not liable to the tax.

Hon. Mr. DANIEL: But if you put him in?

Hon. Mr. W. B. ROSS: It is not proposed to put him in. I would ask that this section be allowed to stand until to-morrow.

Hon. Sir JAMES LOUGHEED: I agree to that.

Section 6 stands.

On subsection 3 of section 7—return by guardian, legal representative, etc.:

Hon. Mr. LANDRY: What is the meaning of the term "such person" in line 20? Is that the deceased? "And if there is no person to make a return under the provisions of this subsection, then such person."

Hon. Mr. BEIQUE: Such person as may be required.

Hon. Mr. BOSTOCK: The minister may call upon anybody to make a return.

Subsection 3 of section 7 was agreed to.

On subsection 4 of section 7—returns by employers of salaries and by companies of dividends, etc.:

Hon. Mr. LANDRY: I suppose that is similar to the first clause, requiring that a return shall be made without any notice or demand "in such form as the Minister may prescribe."

Hon. Sir JAMES LOUGHEED: Subsection 4 of section 7 is germane to section 6, and I think we had better let it stand until we are considering section 6.

Hon. Mr. BEIQUE: I do not see any objection to that clause. The point that I was making refers to the first paragraph of section 6.

Hon. Sir JAMES LOUGHEED: Then we will pass this subsection and we can reconsider it later if necessary.

The subsection was agreed to.

On subsection 2 of section 10—minister not bound by returns:

Hon. Mr. DANIEL: Does that put to one side all the statements made by the taxpayer? If the minister appears to doubt them he can turn them down.

Hon. Sir JAMES LOUGHEED: Yes.

The subsection was agreed to.

On subsection 2 of section 12—oath:

Hon. Mr. BOSTOCK: I would ask the leader of the Government whether he does not think that the clause about secrecy should apply to the Board of Referees. As I read clause 11, it applies only to officials of the Government. The oath taken by the Board of Referees under the schedule does not say anything about secrecy. I think the Board should be bound to secrecy in the same way that officials of the Department are bound. Boards are appointed in different parts of the country, and things may come out about business that people do not wish to come out.

Hon. Sir JAMES LOUGHEED: Should the boards be sworn to secrecy or have enforced upon them any more than any other tribunal? Such a provision might be very unfortunate. For instance, if the statement of a taxpayer as to his income were impeached, it might become a matter of public examination. I think we shall have to rely upon the boards just as we do under the War Profits Tax Act, the Business Profits War Tax Act, and the Special War Revenue Act.

Hon. Mr. DANDURAND: Is it advisable that the inquiries be held in public?

Hon. Sir JAMES LOUGHEED: Not necessarily.

Hon. Mr. DANDURAND: Would not the taxpayer be interested in having the examination in camera? He surely will not desire that the public be made aware of his whole business organisation.

Hon. Sir JAMES LOUGHEED: It seems to me that it will have to be left largely to the discretion of the Boards, and they will be almost entirely governed by the peculiar conditions which may arise touching the examination of the taxpayer. In all cases the statement is prepared by the man himself, and it is only in the case of such a statement being impeached or tested by the board that any publicity can be given to it. To verify it would probably involve some examination being made.

Hon. Mr. BEIQUE: Under section 11 any person employed in the service of His Majesty is prevented from communicating information to any person not legally entitled to it.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: That would protect the persons as well as the officers referred to in section 11.

Hon. Sir JAMES LOUGHEED: Would not the boards be included among the persons mentioned in section 11 ?

Hon. Mr. BEIQUE: It seems to me that it would be better to amend section 11 by adding the words, after the word "Majesty" the words "or members of the boards hereinafter mentioned."

Hon. Sir JAMES LOUGHEED: They are appointees of His Majesty. It seems to me that section 11 has these very officials in contemplation.

Hon. Mr. BOSTOCK: Would it cover them ?

Hon. Sir JAMES LOUGHEED: I think so.

Hon. Mr. BEIQUE: I am afraid not. That section is to cover employees of the Government, not the members of the boards.

Hon. Sir JAMES LOUGHEED: The Board of Referees is in the service of His Majesty.

Hon. Mr. DANIEL: Are they paid a salary ?

Hon. Sir JAMES LOUGHEED: Oh, yes. They are appointed for the purpose of carrying out the provisions of this Bill.

Subsection 2 of section 12 was agreed to.

On section 13—court of revision:

Hon. Mr. NICHOLLS: Section 11 provides for secretary. I think the provision in section 11 applies to section 12, but when we come to section 13 it says :

A Board shall act as a Court of Revision.

A court is usually public. This would be the situation. A person makes a return, but the details of his affairs are not made public. If any official thinks the return does not disclose everything, this man has to go before a court of revision a public court and bring all his business affairs before the public in order to get justice even if his statement is afterwards proved to be correct.

Hon. Sir JAMES LOUGHEED: What does the honourable gentleman propose ?

Hon. Mr. NICHOLLS: I am not proposing anything ?

Hon. Sir JAMES LOUGHEED.

Hon. Mr. BOSTOCK: Does not that condition exist in the case of any taxation? A court of revision is held more or less in public and the whole question has to be gone into before the court. I suppose it might be a deterrent to sending in a false report.

Section 13 was agreed to.

On section 19—no assessment to be set aside for technical reasons:

Hon. Mr. BEIQUE: I suggest that a clause be added here providing that the proceedings of the board and of the Exchequer Court may be held in camera.

Hon. Mr. DANDURAND: I intended to press that point, because I realize that a person might shrink from making a statement in public regarding most intimate matters concerning his income, and his liabilities to the banks or other persons.

Hon. Sir JAMES LOUGHEED: I think there is much to be said in favour of that view.

Section 19 was agreed to.

Hon. Mr. BEIQUE: I propose that the following be added as section 19a:

All the proceedings of the Board and of the Exchequer Court shall be held in camera.

Hon. Mr. DANDURAND: Should we make it a hard and fast rule, or would it be better to say "at the demand of the taxpayer."

Hon. W. B. ROSS: It should be at the request of the taxpayer.

Hon. Sir JAMES LOUGHEED: "If requested by the taxpayer."

Hon. Mr. NICHOLLS: I do not know whether section 11, as to secrecy, applies to these proceedings. They may be held in camera, but still the officers are not bound to secrecy.

Hon. Sir JAMES LOUGHEED: Yes, the officers are in the service of the Exchequer Court.

Hon. Mr. NICHOLLS: Would the judges of the Exchequer Court come under that regulation?

Hon. W. B. ROSS: Certainly, if the proceedings are held in camera, that means that they are secret.

Section 19a was agreed to.

Section 20—tax a debt due the Crown—was agreed to.

Section 21—recovery of tax, etc.—was agreed to.

Section 22—minister to administer Act—was agreed to.

On section 23—appointment of officers to administer Act, and their salaries:

Hon. Mr. DANDURAND: I would like to know from the Government if it has been discussed who should be the officers to collect this tax. Can we be told if we have not throughout the land already federal officers who could take charge of the income tax, without an army of new officers being appointed as officers?

Hon. Sir JAMES LOUGHEED: The machinery will be somewhat similar to the officers who have been appointed for the collection of the special business profits war tax. They will be the same class; they are not very numerous, either.

Section 23 was agreed to.

Section 24—first return under Act, February 28, 1918, and 1917 first year's income to be taxed—was agreed to.

The schedule was agreed to.

Progress was reported.

THE INSURANCE BILL.

FIRST AND SECOND READINGS.

Bill 53, An Act respecting Insurance—Hon. Sir James Lougheed—was read the first time.

Hon. Mr. DANDURAND: From the appearance of the Bill it seems to be a revision of the old Act. Are there many clauses?

Hon. Sir JAMES LOUGHEED: I cannot say, but our purpose is to refer it to the Standing Committee on Banking and Commerce, so that those who desire to be heard may be heard before that committee. I would therefore move that Rule 63 be suspended and that the Bill be read a second time and referred to the Standing Committee on Banking and Commerce.

The motion was agreed to, and the Bill was read the second time and referred accordingly.

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

THE SENATE.

Tuesday, September 4, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

TRANSCONTINENTAL RAILWAY SHOPS AT ST. MALO.

INQUIRY.

Hon. Mr. TESSIER inquired:

1. What has been the cost of the Transcontinental railway workshops (G.T.P.R.) at St. Malo, P.Q.?
2. Are these workshops actually in operation, and for what purposes?
3. Has the Government received any offer for utilizing and operating the same, and from whom?
4. If so, on what terms?

Hon. Sir JAMES LOUGHEED:

1. $1,872,780.32 to 31st March, 1917.
2. No.
3. An inquiry was received from General Fages asking what it would cost to install heating and lighting system for the purpose of housing returned soldiers.
4. No terms were discussed.

LOANS TO CANADIAN NORTHERN RAILWAY.

MOTION FOR RETURN.

Hon. Mr. BOSTOCK moved:

That an order of the Senate do issue for a statement showing the amount of each loan made by the Canadian Northern Company or subsidiary companies, the net proceeds of such loan, giving separately the amount of commission and other expenses incurred in connection with it, also showing the cost of the money to the company when the aforementioned items are taken into consideration.

The motion was agreed to.

DOMINION LANDS ACT.

APPROVAL OF ORDERS IN COUNCIL.

Hon. Sir JAMES LOUGHEED moved:

Resolved, that the following Orders in Council, made by His Royal Highness and His Excellency, the Governors General in Council, under the provisions of Chapter 20, 7-8 Edward VII, "The Dominion Lands Act," on the dates hereinafter mentioned, that is to say:

(1) Order in Council, P.C. No. 1024, dated 2nd May, 1916, providing for the seizure and disposal of timber cut in trespass on Dominion lands in the Yukon Territory.

(2) Order in Council, P.C. No. 1146, dated 15th May, 1916, amending the regulations for the disposal of potassium or other minerals offering more liberal inducements to persons willing to risk the large outlay required in prospecting for such minerals.

(3) Order in Council, P.C. No. 1326, dated 3rd June, 1916, amending the regulations affecting agricultural lands in the Yukon Territory, providing for the sale of agricultural lands up to a maximum of 160 acres in the Yukon Territory.

(4) Order in Council, P.C. No. 1418, dated 15th June, 1916, rescinding the provisions of the regulations for the administration of grazing and hay lands in the Yukon Territory and substituting new regulations therefor.

(5) Order in Council, P.C. No. 2948, dated 29th November, 1916, authorizing that hydraulic mining location lease No. 47 be brought under the provisions of the Yukon Placer Mining Act.

(6) Order in Council, P.C. No. 3044, dated 14th December, 1916, authorizing the granting of 50 mineral claims on the Coronation Gulf in the Arctic region, provided that the individual or company applying therefor expends, during the calendar year, not less than $25,000 in improving the means of access to such claims.

(7) Order in Council, P.C. No. 33, dated 12th January, 1916, providing for the protection of proxy homestead entries made by men who are on active service overseas.

(8) Order in Council, P.C. No. 2614, dated 14th December, 1916, limiting the right to make homestead entry to such persons who were, at the commencement of the war and have since continued to be British subject or subjects of allied or neutral countries.

(9) Order in Council, P.C. No. 678, dated 25th March, 1916, amending the timber regulations so as to provide that settlers and persons living in cities, towns and villages may obtain permits to cut up to 100 cords of wood on payment of dues at the rate of 25 cents per cord.

(10) Order in Council, P.C. No. 1419, dated 15th June, 1916, amending the grazing regulations so as to provide for the grazing of sheep in the Kamloops division of the railway belt.

(11) Order in Council, P.C. No. 3068, dated 14th December, 1916, guarding against timber operations contaminating streams from which a domestic or municipal water supply is being or may be obtained.

(12) Order in Council, P.C. No. 3167, dated 20th December, 1916, amending the timber regulations so as to provide for dues chargeable on pulp wood cut on a timber berth and also under permit.

Copies of each of which Orders in Council were laid before this House on the 5th February, 1917, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, and the same are now so approved.

He said: This is a formal motion necessitated by a provision in the Act, to which the motion refers, requiring the approval of both Houses of Parliament to the different Orders in Council enumerated in the motion.

Hon. Mr. LANDRY: The resolution asks our approval of all these Orders in Council.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. LANDRY: I suppose we are bound to approve them.

Hon. Sir JAMES LOUGHEED: My honourable friend will be quite safe in taking them on faith, or on sight. Honourable gentlemen will recall that in many Acts of Parliament we provide that returns of this kind shall be placed on the table of the Senate and on the table of the House of Commons and approved by both Houses.

The motion was agreed to.

FOREST RESERVES AND PARKS ACT.

APPROVAL OF ORDERS IN COUNCIL.

Hon. Sir JAMES LOUGHEED moved:

Resolved, that the following Orders in Council, made by His Royal Highness and His Excellency, the Governors General in Council, in accordance with the provisions of Chapter 10, 1-2 George V, "Dominion Forest Reserves and Parks Act," that is to say:—

(1) Order in Council, P.C. No. 935, dated 20th April, 1916, amending the regulations for Dominion Forest Reserves making better provision for dealing with fire, timber permits, timber sales, grazing and fishing within Forest Reserves.

(2) Order in Council, P.C. No. 97, dated 22nd January, 1916, providing for an extension of time within which a homesteader in the northern districts might be granted a free permit for timber under the forestry regulations.

(3) Order in Council, P.C. No. 3122, dated 19th December, 1916, amending the forestry regulations in the Province of British Columbia for the purpose of making available for use a number of hay meadows located in Forest Reserves.

(4) Order in Council, P.C. No. 676, dated 28th March, 1916, providing for a number of small reservations in Southern Alberta and Saskatchewan for the protection of the pronghorned antelope.

(5) Order in Council, P.C. No. 677, dated 28th March, 1916, providing for authority to exchange land with settlers in the antelope reserve near Foremost.

(6) Order in Council, P.C. No. 809, dated 7th April, 1916, authorizing a few minor changes in the motor regulations applicable to all Dominion Parks.

(7) Order in Council, P.C. No. 1536, dated 29th June, 1916, authorizing regulations governing the removal of ice within Dominion Parks and for issuing permits and a royalty of 2 cents per ton on ice cut for sale.

(8) Order in Council, P.C. No. 1737, dated 20th July, 1916, authorizing certain changes in the regulations governing the taking or using of stone, sand, gravel or other material from or in any of the Dominion Parks.

(9) Order in Council, P.C. No. 1885, dated 15th August, 1916, providing for the withdrawal of parks areas from the operation of Quartz and Placer Mining Regulations.

(10) Order in Council, P.C. No. 1929, dated 15th August, 1916, providing for the reduction of the license fee for a guide in the parks from $5 to $2.50.

(11) Order in Council, P.C. No. 2606, dated 24th October, 1916, amending Order in Council,

P.C. No. 1536, by omitting the royalty of 2 cents per ton on ice removed from the parks.

Copies of each of which Orders in Council were laid before this House on the 5th day of February, 1917, for the approval of this House under the provisions of Section 77, Chapter 20, 7-8 Edward VII, and the same are now so approved.

He said: This motion is of the same class as the previous one, but it refers to different Orders in Council.

The motion was agreed to.

RAILWAY BELT WATER ACT.

APPROVAL OF ORDERS IN COUNCIL.

Hon. Sir JAMES LOUGHEED moved:

Resolved, That the following Order in Council, made by His Royal Highness the Governor General in Council, in accordance with the provisions of Section 6, 2, Chapter 45, 3-4 George V, 1913, "Railway Belt Water Act," on the date hereinafter mentioned, that is to say:—

(1) Order in Council, P.C. No. 674, dated 28th day of March, 1916, authorizing the vesting of the title to certain School Lands in the Dominion, and the absolute reservation from disposal of such lands, with the exception of where they might be needed under the Dominion Water Power Regulations.

A copy of which Order in Council was laid before this House on the 5th day of February, 1917, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, and the same is now so approved.

The motion was agreed to.

DOMINION LANDS IN BRITISH COLUMBIA.

APPROVAL OF ORDERS IN COUNCIL.

Hon. Sir JAMES LOUGHEED moved:

Resolved, That the following Orders in Council, made by His Royal Highness the Governor General in Council, in accordance with the regulations for the survey, administration, disposal and management of Dominion Lands within the Railway Belt in the Province of British Columbia, approved by Order in Council of the 17th of September, 1889, that is to say:—

(1) Order in Council, P.C. No. 3093, dated the 6th day of January, 1916, amending the Dominion Lands Regulations, providing for the protection of the entries of persons who made homestead entry within the British Columbia Railway Belt subsequent to enlistment, and who proceeded overseas on Active Service.

(2) Order in Council, P.C. No. 217, dated the 4th day of February, 1916, amending the Dominion Lands Regulations by making provision for the granting of entry by proxy, and the protection of the proxy entries of any persons who are serving with the forces of Great Britain, or any of her Allies, during the present European War.

Copies of each of which Orders in Council were laid before this House on the 5th day of February, 1917, for the approval of this House, under the provisions of Section 77, Chapter 20, 7-8 Edward VII, and the same are now so approved.

The motion was agreed to.

PRIVATE BILL.

THIRD READING.

Bill P, an Act to incorporate The Army and Navy Veterans in Canada.—Hon. Mr. Boyer.

COMPANIES ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. THOMPSON moved that the amendments made by the Standing Committee on Banking and Commerce to Bill Q2, an Act to amend the Companies Act, be concurred in.

He said: Honourable gentlemen, if you refer to the Minutes of Proceedings you will have some idea of the work done by the Committee on Banking and Commerce with respect to this Bill. In moving concurrence in the amendments made by the committee, I should like to suggest that, if this resolution be adopted, the Bill be given a third reading so that it may be sent to the other branch of Parliament. We are being asked to-day, as has been stated by the honourable leader of the House, to consider an Insurance Bill of over 180 sections; and surely, if the committee is disposed to meet to-night to consider that Bill, we ought to receive similar treatment from the other branch of Parliament with respect to legislation which we send to them.

The amendments were concurred in, and, by leave of the House, the Bill was read the third time and passed.

INCOME WAR TAX BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into committee on Bill 117, an Act to authorize the levying of a War Tax upon certain incomes.—Hon. Sir James Lougheed. Hon. Mr. Sproule in the Chair.

Hon. Sir JAMES LOUGHEED: When the committee rose last night we had gone through the Bill and reserved certain sections for further consideration. The first section reserved was section 3, in which my honourable friend from De Lorimier (Hon. Mr. Dandurand) moved to insert the word "net" between the words "annual" and "profit" in the second line.

Hon. Mr. BEIQUE: In the absence of the honourable gentleman from De Lorimier, I will move that the word "net" be inserted after the word "annual" in the second line of section 3.

Hon. Sir JAMES LOUGHEED: As I pointed out yesterday, it is a very nice question whether the insertion of the word "net" before the word "profit" would in any way change the meaning. True, it was introduced in another section—in subsection 3 of section 3; but the question to be considered is whether it would not be better to strike it out there and wherever else it occurs in the Bill.

Hon. Mr. EDWARDS: Is it not the intention that the tax shall be on the net profit or net income?

Hon. Sir JAMES LOUGHEED: That is the intention.

Hon. Mr. EDWARDS: Then, if it is the intention, can there be any harm in stating "net income"?

Hon. Sir JAMES LOUGHEED: The only difficulty about it is that "net income" is a very general term. We may think that it is possessed of an exactitude which will, without any difficulty, allow the determination or the ascertainment of what "income" means.

Hon. Mr. McSWEENEY: The income must be sworn to, must it not?

Hon. Sir JAMES LOUGHEED: But it will be seen from a reading of the Bill that, after all, it is really not the net income. Yesterday we made provision to except personal and household expenses; consequently we are not dealing with net income. Nor are we dealing with gross income. We are dealing with what, in the conventional phrase, constitutes a man's income—not with what the meaning of "net" may be nor what the meaning of "gross" may be.

Hon. Mr. BEIQUE: But I think it was shown yesterday that if the word "net" is not used the wording is liable to be interpreted differently. As it was admitted by the Finance Minister that the Bill was intended to bear on the net income, I think we should say so. Does not the honourable gentleman think that it would be inadvisable to strike out the word "net" in subsection 3 of section 3? If it were struck out, the tax would be payable on the profit, or the gross income. When dealing with a business it is surely necessary to say whether it is the net profit or the gross profit which is referred to; if neither the one nor the other is mentioned, there is confusion. I think it very important that the word "net" be inserted. Of course, I appreciate the necessity, as a consequence of inserting the word "net," of declaring that the personal and household expenses shall not be taken into consideration, and I am prepared to move a second amendment in that direction.

Hon. Mr. BEIQUE.

Hon. Mr. BOSTOCK: My honourable friend (Hon. Sir James Lougheed), in referring to this matter, spoke rather as if he were putting the word "net" before the word "income," but the question we are dealing with is as to the annual net profit or gain of a company, and I certainly think it is desirable to put the word in there, because I think it is well understood amongst accountants that there is a gross profit and the net profit, and the danger is that if the word "profit" is left by itself, it may be taken to mean the gross profit. I notice also that in subsection f of this same section the word "net" is used; so I think it would be very much better to retain the word "net" in the third subsection and insert it in the second line of the third clause than to strike out the word "net" from the third subsection of this clause. I think everybody will understand what a net profit means, and it would tend to make the definition very much clearer.

Hon. W. B. ROSS: I do not think the insertion of this word "net" is going to make any improvement in the Act. If the annual profit or gain means what is made over and above expenses, of course that is the net profit. But I suggest that we insert the word "net" after the word "annual" in the second line of section 3, and make whatever corresponding changes are necessary throughout the Bill. It will then go back to the other House. and if it is found that a fundamental change has been made which spoils the whole Bill, of course the other House will not agree to the change, and we can have a conference or we need not insist upon our amendment.

Hon. Mr. DOMVILLE: As the honourable leader of the Government states, a man has an income or he does not have an income, and by inserting the word "net" there would be an opportunity given to a man to say, "I am paying municipal taxes and other taxes of various kinds, and have no income." There is where I think the objection raised by the honourable leader of the Government is correct. But when you come to deal with companies, it is another question. A man may take in a large stock of raw material and it may appear that he is going to have a profit, but he may find later that there will be no profit.

The amendment, to insert the word "net" after the word "annual," in the second line of section 3, was agreed to.

Hon. Sir JAMES LOUGHEED: Next there is an amendment proposed in line 8, page 2, in section 3.

Hon. W. B. ROSS: That was, I think, a motion made by myself, that we take exemption a out of the list of exemptions and insert it in the body of subsection 1, so as to make the subsection read this way, after the word "source":

Including the income from but not the value of property acquired by gift, bequest, devise or descent.

Then the other paragraphs will change their letters, b becoming a, c becoming b, and so on.

Hon. Mr. POWER: It seems to me that inserting those words, after which come the words "with the following exemptions and deductions," will tend to cloud the meaning of that subsection. I would suggest that in paragraph a we should leave the words, "the value of property acquired by gift, bequest, devise or descent," and add the words, "but not including the income therefrom."

Hon. W. B. ROSS: But we want to include the income from a bequest, though we do not want to include the corpus. I pointed out that this section in the American Act read thus:

From any other source, including the income from but not the value of property acquired by gift, bequest, devise or descent.

Making it perfectly clear that if one gets a bequest this year of $10,000, and it earns five per cent, the $500 of interest counts as a part of his income, but the $10,000 goes to capital account and is not part of his income.

The amendment was agreed to.

On paragraph b of section 3, subsection 1—exemption of proceeds of life insurance policies:

Hon. Mr. BEIQUE: Yesterday I suggested an amendment, and although I have no doubt as to the advisibility of amending the first part of this paragraph, I have some hesitation in dealing with the last part of it, the portion relating to annuity contracts, because I am not quite satisfied as to its meaning. My suggestion was that paragraph b be made to read as follows:

The proceeds of life insurance policies paid upon the death of the person insured, but not the interest or income therefrom.

I have no hesitation in saying that those words should be inserted there, but possibly they should also be inserted as qualifying the other part of the paragraph also. As to that I am not quite clear. I would suggest that the honourable leader of the Government defer this paragraph.

Hon. Sir JAMES LOUGHEED: Yes, I think that is desirable. I have just been pointing out to my honourable friend from Middleton (Hon. W. B. Ross) that paragraphs a and b are in the same category, and if the amendment which has just been adopted be made applicable to a as it appears in the Bill, it should likewise be made applicable to b, as nothing warrants a distinction being drawn between the two. I am quite willing that this paragraph should stand so that we can give it further consideration.

Hon. W. B. ROSS: I do not think you need give further consideration to this. I think b ought to go with a.

Hon. Sir JAMES LOUGHEED: Then, if a and b go together, it seems to me the amendment might be expressed in this way that the earning power of the value of property acquired by gift, bequest, devise or descent, and likewise the proceeds of life insurance as outlined here, should be subject to the tax. And that is the meaning. When we come to paragraph c, we deal with an entirely different class of property, with allowances being made for depreciation, and so on.

Hon. Mr. BELCOURT: There is this difference, however, between paragraphs a and b, that you would have the amount payable yearly by way of dividends on insurance policies applied at the discretion of the taxpayer, either in reduction pro tanto of the premium, by which he would evade the tax, or in capitalizing the amount.

Hon. Sir JAMES LOUGHEED: If it has earning power, its earnings should become liable to the tax.

Hon. Mr. BELCOURT: To me paragraphs a and b are not on the same footing, because under b you leave it to the taxpayer's discretion whether he will pay the tax on that or not: For instance, instead of having the amount capitalized, he has it deducted from the premium and he escapes so much of the tax.

Hon. Sir JAMES LOUGHEED: The amendment simply proposes that if there be an income from or an earning power in

that species of property it should become liable to taxation.

Hon. W. B. ROSS: If a man gets a fund by way of income he has to pay the tax on it, no matter what he does with it; he may put it into the fire, or it may go to pay his insurance.

Hon. Mr. DOMVILLE: Paragraph c provides for an allowance being made for the exhaustion of mines and wells, that is, oil and gas. There are gas and oil wells giving out every day, and you cannot determine or make any allowance for their exhaustion.

Hon. Mr. BOYER: In the province of Quebec it is the custom, when a man marries, if he has no capital, to insure his life in favour of his wife, so that in case of his death she is left with some kind of an income; but as a rule the insurance is substituted, as we call it, in favour of the children, so that the wife has only the revenue from that insurance. How does that come up in the Bill?

Hon. Sir JAMES LOUGHEED: Whatever the earning power of that insurance is would be the wife's income.

Hon. Mr. BOYER: But the principal of the insurance would not be taxed under this Bill?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. ROCHE: Under paragraph d, suppose a party is taxed upon his business profits, could he be taxed again on his income from that business? Would an individual doing business on his own account have to pay two taxes—first on the profits of the business, and, second, on the income he derived from it?

Hon. Sir JAMES LOUGHEED: He would not be twice taxed by the Government. A private individual is taxed only on his income, no matter from what source it may come.

Hon. Mr. ROCHE: But would the profits of the business which he does be taxed?

Hon. Sir JAMES LOUGHEED: That would be his income, which can only be ascertained from the profits of the business. We determine what his income is from that particular business and that income is taxed according to the provisions of the Bill.

Hon. W. B. ROSS: I move that paragraph b be amended on the same lines as the amendment to paragraph a, beginning b with the words, "including income from but not"— and then going on, leaving the whole of paragraph b.

Hon. Sir JAMES LOUGHEED: Then I understand my honourable friend from De Salaberry (Hon. Mr. Beique) withdraws the amendment which he proposed yesterday?

Hon. Mr. BEIQUE: Yes, this amendment will carry out my idea; but I would suggest that in the first line of b, instead of the words "upon the death" it should read, "during the life or upon the death.' I do not see any necessity of differentiating between the two.

Hon. Sir JAMES LOUGHEED: Would not the latter part of paragraph b be included in that? It seems to me that that language fairly well covers all payments that would be made to the living.

Hon. Mr. McSWEENEY: This would cover the whole thing.

Hon. Mr. DOMVILLE: How would it work when a policy was under hypothecation?

Hon. Sir JAMES LOUGHEED: It would not affect the hypothecation. It only affects the proceeds of the policy when they come into the hands of the beneficiary.

The amendment of the Hon. Mr. Beique was withdrawn, and subsection 1 of section 3 was amended to read, after the word "source," as follows:

Including income from but not the value of property acquired by gift, bequest, devise or descent, and including the income from but not the proceeds of life insurance policies paid upon the death of the person insured, or payment made or credited to the insured on life insurance endowment or annuity contracts upon the maturity of the term mentioned in the contract or upon the surrender of the contract, with the following exemptions and deductions.

On paragraph c (new paragraph a)—allowance for depreciation, etc.:

Hon. Mr. DOMVILLE: Suppose there is some big work under construction which will take two or three years before there is any real income from it, but which may have some receipts—

Hon. Sir JAMES LOUGHEED: If the construction is being carried on out of capital it is not taken into consideration.

Hon. Mr. DOMVILLE: Would you not put that in?

Hon. Sir JAMES LOUGHEED: I think not; that would only confuse matters. If

the business of the corporation shows earnings greater than its outgoings—I am not dealing with capital now—then it has income which is liable to be taxed. This is a matter for investigation afterwards by means of the machinery that will be put into motion by the Department of Finance.

Hon. Mr. GORDON: It seems to me that the amendment to paragraphs a and b is an error, for this reason. The beneficiary under an insurance policy has very often two options, to accept either an income or the whole principal. If the beneficiary accepts the whole principal, no matter what it is, he or she may invest that and lose it; and then, of course, there will be no income from it. On the other hand, if it is decided to take the income from the policy there will be a tax upon that income. Would it not be as well to leave the provision as it is?

The CHAIRMAN: These amendments have been disposed of.

Hon. Mr. GORDON: Supposing the beneficiary takes the $20,000, or whatever the principal is, and loses it, there is no income whatever to pay upon; but if he decides to take an income of say $1,000, rather than the principal, he is taxed on that $1,000.

Paragraph a was agreed to.

Paragraph f (new paragraph d) was amended by the addition, after the word "Act," in line 34, of the following words:

Provided, however, that in determining the income, personal and living expenses shall not be taken into consideration.

On paragraph a of section 4—over $1,500 in certain cases and over $3,000, 4 per cent.

The CHAIRMAN: It is proposed that the following be inserted in line 22 of page 3 after the word "person":

Provided, however, that when they have children dependent on them, an amount not exceeding three hundred dollars for each child so dependent on them may be deducted from the amount by which their income exceeds three thousand dollars and on which no tax shall be assessed, levied and paid.

Hon. Sir JAMES LOUGHEED: As I said to my honourable friend yesterday, that amendment is so directly against the principle of the Bill and encroaches to such an extent on the rights of the Commons, because it proposes to reduce the volume of the taxation, that while it may be possessed of every merit, yet I regret to say that I cannot accede to it.

Hon. Mr. BOSTOCK: Would my honourable friend see any difficulty if the amount were reduced. Is it not that he thinks that $300 is too high? This is a matter that will probably have to be considered, if not this year, in future years, if this measure is continued. I think it is very proper that allowance should be made. Of course, if my honourable friend thinks that we are going outside of our prerogative in making an amendment of this kind, probably it is better not to press it; but I thought it was a matter that should be brought to the attention of honourable members, so that they could consider it.

Hon. Sir JAMES LOUGHEED: I understand that the question was brought up in the House of Commons, and manifestly it did not receive the approval of that House. To insert a radical change of that kind in the Bill would result only in bringing this House into conflict with the Commons. As I say, it is an encroachment on the principle which we have laid down heretofore, that we cannot interfere seriously with a money Bill.

Hon. Mr. LANDRY: If we want to better the Bill, I do not see why we cannot bring in an amendment to that effect. Take the case of two families. One consists of a man and his wife, who have an income of $3,000 that will not be taxed. Their neighbour has the same income and five, six or seven children. He will be at a great disadvantage. I think the clause is immoral. I ask the Government to give us a good Bill, a moral Bill.

Hon. Mr. BEIQUE: I do not like to be too insistent; but I would not feel that I was properly discharging my duty if I did not call the attention of this honourable House to the injustice which will be done if some consideration is not given to the suggestion made by the honourable the leader of the Opposition. It is true that the question was raised in the House of Commons, but the persons who raised it did not insist strongly enough. The Finance Minister did not see his way clear at the moment and the matter was dropped. I think that the matter was not properly drawn to the attention of the honourable minister, and it is our duty to draw his attention to it now. I desire to call attention to a very important consideration. First, a tax of this kind should be based on the principle of equity. I think that will not be denied. The community should feel that they are being treated on the basis of equality and that the tax is equally

distributed. The people are surely not being treated equally, or in equity, if a married person having five, six, or ten children has no more exemption than a married person having only his wife. If the exemption for each is limited to $3,000, surely the living expenses of the one will double, or almost double, those of the other. Therefore it is not treating the taxpayers equally. There is, in connection with this question, the fact that both in England and in France that principle of equality has been recognized and has been incorporated in the law, and I think it is our duty, at least in all matters of this kind, to follow the example of England and not to adopt an arbitrary clause such as the one which is to be found in this Bill. I would suggest to the honourable leader of the Government to reduce the amount of the allowance. It may be considered too high. I do not think that it really is too high; but in order to conciliate the House of Commons, or rather the Finance Minister, as much as possible, I would for my part be prepared to reduce the amount considerably, possibly to cut it in two, making it $150 instead of $300 for each child. But surely we should insist upon inserting that principle in the Bill.

Hon. Mr. BOYER: Should we not profit by the experience of nations that have had income taxes for forty or fifty years? Authors actually claim that the decrease in the birth-rate in certain countries of Europe was primarily caused by the fact that no differences were made in the taxation as to the number of children. My attention has been drawn to this clause by a young married man who is the happy father of nine girls. He asked me: "Should not some differences be made, in view of the present high cost of living?" He said: "I have to pay double wages to servants because no servant will come into such a large family without higher wages; I estimate the cost of each child to be $40 a month, including clothing, food, schooling and servants." In the province of Quebec an Act of the Legislature was passed some years ago to encourage the growth of population. A grant of 100 acres of the best land that could be chosen in the province was made as a gift to the father of 12 children. Is this Bill not reversing a policy which, though at that time it was called child's play, if you please, has had its good effects? It promoted the settlement of a large portion of the northern part of the province of Quebec, and it was an encouragement to large families. Of course, we know they are the gift of God. We should not tax them, or, if we do tax them, an allowance should be made for each child. As I said before, we should profit by the experience of European nations. The best writers have actually attributed the decrease in the birth-rate to the enormous income tax that was imposed without any regard to the number of children in the family.

Hon. Mr. BEIQUE.

Hon. Mr. BELCOURT: I do not want to add anything to what has already been said except perhaps to give an illustration which will bring forcibly to my honourable friend, as it will to most of us, the strength of the amendment proposed by the honourable leader of the Opposition. For instance, in Ottawa, there are a number of families in which there are one, two, three or four children who have finished their schooling and are employed in the Civil Service at a salary of $700, $800 or $1,000 and who would be exempt from taxation under this Bill. Next door to them there may be a family of six or seven children, all of school age and attending school, and dependent upon the head of the family. You will see how inequitably the tax will work out, and surely some provision ought to be made to discriminate in cases of that sort. It strikes me that there is a great deal of strength in the amendment moved by the honourable leader of the Opposition.

Hon. Sir JAMES LOUGHEED: May I point out, in the first place, that the proposal involves this House practically exempting from the Bill a very large class of persons. I think that no honourable gentleman will seriously lay down the principle that the Senate, in dealing with a Bill of this character, should proceed to modify it or change it so as to exempt a class which would represent a very large proportion of the people of Canada from the operation of the Bill.

Hon. Mr. WATSON: The more the better.

Hon. Sir JAMES LOUGHEED: It must be borne in mind that this is a taxing measure, and if we proceeded by one fell stroke to exempt families to the extent mentioned, we should have to consider further the increase of the rate of taxation; because if we exempt that class of persons from the operation of the Bill, we must increase the tax for the purpose of raising the revenue necessitated by the requirements of the Government.

Hon. Mr. WATSON: Increase it in paragraph g.

Hon. Sir JAMES LOUGHEED: To adopt the amendment proposed would at once bring us into conflict with the House of Commons, because they have already disapproved of the principles laid down in the amendment moved by my honourable friend.

Hon. Mr. BELCOURT: Was that amendment proposed in the House of Commons?

Hon. Sir JAMES LOUGHEED: It was discussed there.

Hon. Mr. BELCOURT: But was an amendment proposed similar to the amendment moved by my honourable friend (Hon. Mr. Bostock)?

Hon. Sir JAMES LOUGHEED: I do not know, but the question was discussed and the proposal was not entertained.

Hon. Mr. BELCOURT: The honourable gentleman said it was defeated.

Hon. Sir JAMES LOUGHEED: I was under the impression that a motion had been made; I may not be justified in saying that, but I know the question was discussed. Now, in the second place, all taxing measures are more or less inequitable. It is utterly impossible to pass a taxing measure in which the incidence of taxation will rest equitably upon all classes of the community. Honourable gentlemen can very well conceive difficulties that would be involved in our considering every family in the Dominion and adjusting this tax to the burden of family life, so to speak, as represented by that family. It would not be practicable. It may be said that it is so in England—

Hon. Mr. BOYER: It could easily be done.

Hon. Sir JAMES LOUGHEED: But I venture to say that in a sparsely-settled country like Canada it would be extremely difficult to carry out. In the next place, let me point out that parents with large families do enjoy more or less exemption from incidence of taxation which falls upon, say, persons without families. Take for instance, the school tax. The school tax in every municipality is paid equally by the man who has no family and by the man with a large family.

Hon. Mr. BELCOURT: That is quite fair.

Hon. Sir JAMES LOUGHEED: That is to say, the bachelor or the man without any family, who enjoys no advantage from the maintenance of our educational institutions, is contributing the same proportion of tax as the man with a large family who uses the schools.

Hon. Mr. BELCOURT: That is not a good argument.

Hon. Sir JAMES LOUGHEED: I am simply pointing out as an illustration that we cannot possibly pass a taxing measure which will distribute equal justice to all. We must pass a general measure, more or less by rule of thumb, which will result in the raising of a certain amount of revenue. Under the circumstances, while the proposal has very much merit, and a similar plan has been followed in some countries of Europe, I do not think that it can be applied in Canada.

Hon. Mr. GILLMOR: Why not put a tax on land values, which would be fair to everybody and nobody would suffer?

Hon. Sir JAMES LOUGHEED: The owner of the land would.

Hon. Mr. WATSON: I think we ought to do everything possible by legislation to encourage the natural increase in Canada. Nearly all countries in the world have been devoting their attention to devising ways and means to increase the population. The contention of the honourable leader of the House, that a man ought to be thankful because he is not penalized for having his children allowed to go to school, is, it seems to me, the limit in framing an argument. If the honourable gentleman wants to increase the taxation, why not make an allowance for large families, and increase the tax under paragraph g, whereby a man with an income exceeding $100,000 has to pay a tax of only 25 per cent? He does not require $75,000 to live on. There are in Ottawa families by the hundreds with half a dozen children and living on an income of perhaps $1,000 a year. It seems to me that the proposition made by the honourable leader of the Opposition is a fair one. It ought to be seriously considered, and the amendment proposed should be inserted in the Act. And, if the Government wish to have a change made so as to obtain an amount of money equal to that which would be taken away by this amendment, let them double the tax on the man with an income exceeding $100,000.

Hon. Mr. DOMVILLE: I would suggest that at the end of paragraph a of subsection

1 of section 4 the following words should be added: "subject to a discount of the tax of five per cent for every child." That would be encouraging the raising of children. I do not see that there would be any difficulty about that. To me it appears very simple. My honourable friend (Hon. Mr. Gillmor) has very fairly stated that the land should be made to bear the tax. Perhaps that cannot be done, but this proposal which I make could be very easily put into effect.

Hon. Mr. BEIQUE: I think it very likely that the amendment moved by the honourable gentleman (Hon. Mr. Bostock) would be accepted by the House of Commons if the amount were reduced to $150. And possibly they might suggest that the exemption for married people be reduced from $3,000 to $2,500, which would make up for the exemption in favour of children. For my part I would readily assent to that, and I hope the honourable the leader of the Government will acquiesce.

Hon. Mr. DOMVILLE: Perhaps my honourable friend (Hon. Mr. Bostock) would allow his motion to follow mine.

Hon. Mr. BOSTOCK: Is that an amendment to the amendment which is now before the committee?

Hon. Mr. DOMVILLE: I do not want to move an amendment to my honourable friend's motion, but could not the two motions be patched together? Or perhaps the honourable gentleman would allow me to put my motion first, and, if it is not carried, then his can be put.

Hon. Mr. BOSTOCK: I think we had better dispose of this one first. I would like to ask the leave of the committee to reduce the amount mentioned in my motion from $300 to $150. I think that might meet the wishes of the committee.

Hon. Mr. POWER: I rise simply to call attention to the fact that by the English Act, as I understand it, the exemption is limited to twenty-five pounds for each child. That is practically $100. Further, the exemption is limited to children under the age of 16 years. Those are two very important qualifications.

Hon. Mr. THOMPSON: I think that the reduction from $3,000 to $2,500 suggested by the honourable gentleman from De Salaberry (Hon. Mr. Béique) is not quite as large a reduction as we ought to make if we amend this section as proposed. I cannot imagine why the man with only his wife dependent upon him should be allowed an exemption of $1,000 more than the widower or unmarried person without dependents. Again, I think that an exemption allowance of $1,000 in the case of married persons, together with a reduction of $300, or $150, for each child, is more than may be necessary. I think the income exempt from taxation in the case of married persons ought to be reduced to $2,000; but perhaps it is the judgment of the House that the present arrangement ought to be tried for one year to see how it works out.

Hon. Mr. LANDRY: I am very sorry that the Government, through the honourable leader of this House declare that it is impossible to do justice. Every measure, the honourable gentleman says, must be fraught with injustice, and when we ask that the Government do justice, he says that it is not possible. Why not? Why cannot the Government give to families with three, four, five or six children an advantage similar to that which married people with no children have over them? That is what we ask—nothing more. If the Government wishes to be approved by the people, it must do something for the people. That measure will not be very popular, I know.

Hon. Mr. TESSIER: That is friendly advice.

Hon. Sir JAMES LOUGHEED: No taxes are popular.

Hon. Mr. LANDRY: If a just tax is imposed it will be accepted. If the tax is not just, it will not be accepted in the same spirit.

Some Hon. SENATORS: Lost.

Hon. Mr. LANDRY: No; let us have a division on the question. I ask for the yeas and nays.

The CHAIRMAN: The question is on the proposed amendment.

Hon. Sir JAMES LOUGHEED: Although I do so very reluctantly, I must raise a question of order in connection with this motion. This would be so manifestly the exercise of power co-ordinate with that of the House of Commons in the imposing of a tax, that it seems to me we would be going beyond the limit of what we in this House are entitled to do. The House of Commons could do nothing more than that. The House of Commons, of course, could not originate the Bill; it must be brought down upon the recommendation of His Excellency the Governor General; then it is within the power of the House of Commons to reduce the amount involved in the

Bill. The House of Commons could not increase the tax, but could reduce it. Now, in passing an amendment of this kind we would—I do not like to use the phrase, but it is nothing more nor less than this—we arrogate to ourselves the right to exercise a power co-ordinate with that of the House of Commons in reducing a tax which has originated in that House upon the recommendation of the Governor General. There would be no distinction between the exercise of the authority of the House of Commons and the action of this Chamber in thus dealing with a taxing measure. So I raise that point of order, Mr. Chairman, and would ask you to rule upon it.

Hon. Mr LANDRY: Yesterday we had a very interesting discussion on this point. The Crown fixes the sum to be levied, the Government submits to the House of Commons a resolution for the amount and a Bill is founded upon that resolution. The House of Commons has the right to reduce the amount, and often that is done. When the Bill comes here we can reduce the amount, but not increase it. That was the proposition laid down yesterday, and I thought my honourable friend, the leader of the Government, acquiesced.

Hon. Sir JAMES LOUGHEED: No, I demurred.

Hon. Mr. LANDRY: As a member of this House, if not as leader of the Government, he saw the justice of the contention of my honourable friend from Middleton (Hon. W. B. Ross); and when I asked whether we could amend a subsidy Bill my honourable friend said, "Why not?" The principle is there, and we must accept all the conclusions that flow from it; and if we have the right to lessen the burdens put upon the people, I do not see why we have not the right to ask that certain taxes should not be levied on families that have numerous children. I know that you may cite May, but May has nothing to do with this case; for he explains the British constitution, which is unwritten, while we are bound by the British North America Act. I see some honourable gentlemen are going to cite a decision I gave.

Hon. Sir JAMES LOUGHEED: That is what I was going to suggest—that we cite Landry.

Hon. Mr. LANDRY: When I see my error I admit it and change my view. I am open to conviction.

Hon. Mr. DENNIS: You will not see it.

Hon. Mr LANDRY: Yes, I do; but that has nothing to do with this case. My decision was overruled by the Senate, which gave another decision, and I am standing by the Senate in that decision. May has no more anything to do with this question, because, as my honorable friend the leader of the Government said yesterday, we must find within the four corners of the British North America Act all the powers that we have, and we found there that we had the power to amend money Bills.

Hon. Mr. BEIQUE: When the honourable member from Middleton (Hon. W. B. Ross) yesterday referred to the wording of sections 53 and 54 of the British North America Act the attention of this honourable House was drawn for the first time to the very important distinction which should be made between the House of Lords and the House of Commons in England, and the Senate and the House of Commons in this country, because in England there is no written constitution, while we act under a statute. I am disappointed that the honourable leader of the Government does not acquiesce in the view expressed by the honourable member from Middleton yesterday, which seems to me so clear. Admittedly it is incontestable that, when the constitution says no private member of the House of Commons can originate a money Bill or a Bill of taxation, that privilege is reserved to the members of the Government; but when the Bill has been originated by the Government the members of the House of Commons are at full liberty to deal with it, to adopt, reject or amend it, provided they do not increase the tax or the amount of expenditure authorized by the Governor in Council. Is it not clear to every honourable member of this House that we occupy exactly the same position? The constitution says that money Bills must originate in the House of Commons, but the moment such a Bill comes here, is it not perfectly clear that we are in the same position as members of the House of Commons in the other case, and are at liberty to deal with the money Bill as we wish provided we do not increase the amount of the appropriation, or the amount of the tax, that we are at liberty to reduce it. I hope the chairman of this committee will bear in mind the distinction to be made between the doctrines prevailing in England, based upon the usages and customs which have been adopted by the House of Lords and the House of Commons there, which are not guided or gov-

erned by a written constitution or statute, but are under common law, and the conditions here, where we are under a statute which does not in any way abridge the privileges of this House except by stating that a money Bill must originate in the House of Commons and that this House cannot increase the expenditure or tax, but it may decrease either.

Hon. Mr. POIRIER: According to the theory just propounded, an appropriation Bill for say, two million dollars might come here from the other House, and we could reduce it to one million dollars. That procedure is new to me, and one that we have never exercised here; and if we attempted to exercise it the other House would not countenance it, neither, possibly, would the country. A distinction must be made between Bills. Most of the Bills involve a certain amount of expenditure for putting them in force, and such Bills may be amended, even if some money consideration may creep in; but we cannot amend a money Bill, such as this one, for raising revenue or an appropriation Bill. That has been the usage in this House. I take exactly the same view on this matter as my honourable leader.

The CHAIRMAN: With regard to the point of order, I think it is clearly laid down in Bourinot's Parliamentary Practice, quoting from English authorities as well, what the Senate may do or may not do with regard to a money Bill, or a taxation Bill, which this is. Bourinot reads as follows:

Appropriation and Taxation Bills.—As a general rule, public Bills may originate in either House; but whenever they grant supplies of any kind, or involve directly or indirectly the levying or appropriation of any tax upon the people, they must be initiated in the popular branch, in accordance with law and English constitutional practice. Section 53 of the British North America Act, 1867, expressly provides:

"Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons."

And a rule of the House of Commons declares explicitly:

"78. All aids and supplies granted to His Majesty by the Parliament of Canada are the sole gift of the House of Commons, and all Bills for granting such aids and supplies ought to begin with the House, as it is the undoubted right of the House to direct, limit, and appoint in all such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such grants which are not alterable by the Senate."

Then there is this note below:

Hon. Mr. BEIQUE.

This standing order is literally taken from the English resolution of 3rd of July, 1878 (9 English Commons Journals, 235, 509). It was amended by the English Commons in 1860 when the Lords rejected the Paper Duties Repeal Bill, so as to assert more emphatically the constitutional right of the Commons in this particular. 159 Eng. Hansard (3) 1383. May, 583. Todd, Parl. Gvt. in England, 1, 810.

That, in addition to my knowledge of the number of times this question has been brought up both in the House of Commons and in the Senate, and the final rulings on it, induces me to rule that the point is well taken, and that the Senate could not alter the Bill in the direction proposed by this amendment.

Hon. Mr. BOSTOCK: I appeal from that decision of the Chair.

The Hon. the Speaker having resumed the Chair, the Chairman of the Committee reported as follows:

The point of order was raised by the leader of the House that as the Bill under consideration by the committee was a money Bill, it was not competent for the Senate to adopt the amendment, as it would be an amendment to a money Bill, which it is not within the province of the Senate to amend.

The Senate divided on the question, Shall the ruling of the Chairman be confirmed? and the same was confirmed on the following division:

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Daniel,	Girroir,
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The Committee resumed, Hon. Mr. Sproule in the Chair.

Hon. Mr. DOMVILLE: Mr. Chairman, what I have to offer is not an amendment to a money Bill; it is merely adding the words:

subject to a discount of 5 per cent off the tax for every child.

Hon. Sir JAMES LOUGHEED: Harmless as it looks, I am very sorry that I cannot accept it. I point out to my honourable friend and also to the Chair that it is practically the same question as that which has already been decided. It is in another form, but the same principle is involved, and I would ask the Chair to hold that it is out of order.

The CHAIRMAN: The question has already been decided by the Chair, and afterwards by the House. In my judgment this amendment involves exactly the same principle and therefore would be out of order.

On subsection 3 of section 3—non-residents:

Hon. Sir JAMES LOUGHEED: This was allowed to stand last evening. I assume that this will remain as it is owing to the word "net" having been inserted in another line.

Subsection 3 of section 3 was agreed to.

On section 6—payment of tax at source:

Hon. Sir JAMES LOUGHEED: I propose that the word "normal" be inserted before the word "tax," in the 26th line, so that the amount deducted by corporations and others should only be the normal tax and not the surtax. It is obvious that corporations or employers not knowing what the surtax would be, could not intelligently withhold amounts to cover the exact tax.

Hon. Mr. EDWARDS: Eight months of 1917 have passed. Payments have been made every month. How can the 4 per cent be made to apply?

Hon. Sir JAMES LOUGHEED: If a sufficient amount is held back to cover the tax—

Hon. Mr. EDWARDS: Too much time has already elapsed.

Hon. Mr. DOMVILLE: I thought that we could not amend a money Bill, and now we are going to amend it.

Hon. Mr. LANDRY: And it is amended by the Government.

Hon. Mr. DOMVILLE: I think we ought to have a ruling on this. We are good natured, but this must not be one-sided, and I would like a ruling as to whether or not a money Bill can be amended in this House —and on the motion of a member of the Government.

The CHAIRMAN: If the honourable member raises a point of order and asks my ruling, it would be that this is not amending a money clause; it is only explaining what the money clause means.

Hon. Mr. LANDRY: Are we called upon to adopt such a ruling?

Hon. Mr. DOMVILLE: Oh, no.

The amendment was agreed to.

Hon. Mr. BEIQUE: Mr. Chairman, I move that the first subsection of section 6 be further amended by adding at the end thereof the following words:

The provisions of this subsection shall come into effect only at the expiration of the current year.

Hon. Mr. EDWARDS: I think that is right.

Hon. Mr. BEIQUE: I think honourable gentlemen will realize that it cannot take effect during the current year, for the reason which I gave yesterday.

Hon. Sir JAMES LOUGHEED: Has my honourable friend read the earlier language of the section? It will be seen that if the persons in the capacity mentioned have not the control, receipt, disposal or payment of the amount, they do not pay it. The saving language of that is quite sufficient.

Hon. Mr. BEIQUE: But no reserve is made. This covers the case of an employee, does it not?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: Suppose nothing has been reserved; the wages have been paid for six or nine months, or until this Bill comes into operation. The employer will be prevented from paying any more money to his employee until he has made provision for paying the whole amount of the tax. Therefore, the employee may not receive any more wages for the balance of the year, which would be a very serious hardship. I do not object to the clause taking effect for future years, but this Bill would become effective from the first of January last, and I do not think that is proper.

Hon. Sir JAMES LOUGHEED: May I point out to my honourable friend that there

is a third of the year, four months, yet to run. The sum to be paid over would be infinitesimal. It would be the percentage on the amount of income exceeding $1,500 or $3,000, according to the class of the employee. Hence, assuming that an employee was receiving $6,000 a year there would be only three thousand dollars of that liable to the tax. The tax would be $120, and that would not be an excessive amount for the employer to hold between now and the end of the year. The super-tax does not come into play until the income exceeds $6,000; so the tax would be only 4 per cent of the amount in excess of $3,000. The number of employees who would be drawing a salary of $6,000 would be but a small proportion of all the employees throughout Canada.

Hon. Mr. BEIQUE: But the section does not cover employers only; it covers also persons occupying positions of trust, such as administrators, and the amount they would have to retain might be large and might inconvenience the taxpayer very much. The Government is not deprived of its recourse. The Government would still have recourse against the taxpayer.

Hon. Mr. BOSTOCK: Before this question is decided, I should like to have some further information. If I understand this Bill rightly, the annual return to be made to the minister under section 7 is the return of the income from the first of January, 1917, to the 31st of December, 1917, but the tax is paid after the 28th of February, 1918. And there is a clause which provides that the minister shall, on or before the 30th day of April in each year, or such other date as he may prescribe, determine the several amounts payable for the tax. But that tax will be paid in 1918.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: Is it to be paid on the income which the person derives in 1917?

Hon. Sir JAMES LOUGHEED: Yes, for the year 1917. But it may be pointed out that employers—I use that term in the broadest sense, including corporations and others who may have control of the moneys in question—can easily determine what is the amount to be held back, because they know the salary of the employee, and all they have to do is to deduct four per cent of the amount in excess of the exemption. This does not deal with the supertax. Therefore it seems to me it is but a reasonable provision to make. Furthermore, it will assure to the Government the collection of the tax, whereas if the Act did not come into operation until after the 1st of January next, as proposed in the amendment of my honourable friend, the person liable to pay the tax might have nothing with which to pay it, or might not be here. We should have absolved the employer from holding back the tax, and consequently the Government, I venture to say, would in a fair percentage of cases be deprived of the tax which should have been held.

Hon. Mr. BOSTOCK: What would happen in the case of an employee, who, we will say, left the company in the first week in January of 1918? The tax is collected on his salary for 1917?

Hon. Sir JAMES LOUGHEED: They hold it out of his salary—out of the salary he will be earning between now and the end of the year. All they have to do is pay four per cent upon the amount for which he is liable.

Hon. Mr. BOSTOCK: But, technically speaking, until the notice is sent out by the minister, the employer would not have any legal notice of the law.

Hon. Sir JAMES LOUGHEED: Yes, he could hold back the amount of the tax, because immediately the Act receives the Royal Assent it comes into operation, and the wages or moneys held under the control of the employer become impressed with liability for the tax.

Hon. Mr. BEIQUE: I think the honourable leader of the Government is losing sight of this fact that the Act would be retroactive to the 1st of January, 1917. Suppose that the normal tax on the wages of the employee amounts to $300. At the end of the first month after this Act comes into operation it would be the duty of the employer to keep back that $300—

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: —from the wages of the employee, and therefore the employee would be in danger of having nothing to live upon.

Hon. Sir JAMES LOUGHEED: My honourable friend will see that such an employee would be drawing practically $1,000 a month, if his tax amounts to $300. That is to say the normal tax, in order to reach $300, would have to be on an income

of practically $8,000 in excess of the $3,000 which is exempted.

Hon. Mr. CLORAN: Mr. Chairman, I am sorry that I was not here for the vote, but I want a little information with regard to this Bill. I want to know what power or right this Parliament has to impose upon a citizen of Canada duties for which that citizen is not paid. Has this Parliament the right and the power to compel a citizen to do work for which he is not paid? An employer has 700, or 800, or 2,000 men under his control. He pays them large salaries. Is that man obliged to do the work of this Government for nothing, in keeping a new set of books and keeping tab on his employees in regard to this tax? I hold that if the employer applied to the court this law would be declared ultra vires—completely ultra vires. This Parliament has no right to force any citizen in this country to do work for which he is not paid. The Government is running amuck with these Bills. If they want to get the taxes, let them collect them. I have no power and no right to force my neighbour to do work for me without pay.

Hon. W. B. ROSS: I do not share in the fears entertained by the honourable gentleman who has moved this amendment. No hardship or difficulty of the kind which he contemplates can possibly arise under section 6. If you look at the first four lines you will see that it applies only to incomes that are fixed or determined. If the income is not determined or fixed, it is not touched. But suppose a man is getting $200 a quarter, or $100 a month. The person having the control or disposal of the salary deducts the four per cent.

Hon. Mr. BEIQUE For the eight months.

Hon. W. B. ROSS: No; he cannot bulk it he has to deduct on each payment as it is made. Take this year, for instance. More than half the year is gone and certain fixed or determined sums are paid over. There is no way by which anything can be deducted from those sums that are already paid over.

Hon. Mr. BOSTOCK: That is the point.

Hon. Mr. BEIQUE: It is on that point we cannot agree.

Hon. W. B. ROSS: Let us see what the Act says.

Hon. Mr. BEIQUE: Let the amendment be put and rejected.

Hon. Mr. ROSS: I do nct see the slightest need of it.

The amendment was negatived.

Hon. Mr. BOSTOCK: There is just one point I wanted to raise, and I may as well raise it now. I think we discussed last night the question of the income of an alien. It was pointed out that under this Act we do not touch the income, for instance, of a person drawing dividends from the Canadian Pacific Railway and living outside of Canada. But the other side of the question suggests itself to me. What happens in the case of a man who has securities invested, we will say, in England? He is paying at the present time on the income which he receives on those securities a tax of at least 25 per cent—the normal tax imposed in England at the present time—and he may be paying more. Will that income received from England be taxed again in this country under this Bill? Or will that be an exemption to be allowed by the minister?

Hon. Sir JAMES LOUGHEED: Does the honourable gentleman refer to a case where the money is sent from England?

Hon. Mr. BOSTOCK: Yes, the case where the income is really paid in England, but is drawn in this country. It has already been taxed in England to the extent, I understand, of 25 per cent. Will that income be taxed again in this country?

Hon. Sir JAMES LOUGHEED: I do not see anything to exempt such a person.

Hon. Mr. BOSTOCK: I do not know whether it would be possible for the minister to grant the exemption. There is only one paragraph under which it might, perhaps, be done; that is, paragraph c of section 3.

Hon. Sir JAMES LOUGHEED: I do not think the minister has any discretion in the matter.

Hon. Mr. BOSTOCK: It seems rather a hardship that such a man should be taxed.

Hon. W. B. ROSS: It is a hardship, as the honourable gentleman says, and that very thing is happening to me. I am paying two income taxes on one dividend; I pay the tax in a foreign country, and when the dividend comes here I have to pay another tax. I know one colony where exemp-

tion is granted on an income which has paid income tax in England, but, strange to say, there is no exemption for an income that is paying a tax in Canada.

Hon. Mr. BOSTOCK: They do it for England?

Hon. W. B. ROSS: They do it for England, but they do not do it for the colonies, and yet they are getting probably more favours from Canada than from the Mother Country. That opens up a very big question, which I think must be settled after the war, the question of what the provinces of Canada and the colonies of Great Britain, among themselves and with the Mother Country, are going to do with regard to the question of a double and in some cases a triple taxation, and what they are going to do with foreign countries. I am inclined to think it is a wise policy on the part of the Government to omit from this Bill non-resident aliens. If that class is left out, it may be easier to borrow money. There is at present a fight between Nova Scotia and Quebec—in fact, there is a regular war going on amongst our provinces as to who shall have certain taxes. This whole question must some day or other be settled. However, as the Bill stands now, I have no doubt at all that if a tax is paid on an income received from abroad, the income will be taxed again in Canada.

Hon. Mr. BOSTOCK: Unless we put an exemption in the Act. It is quite possible to put among the exemption clauses an exemption dealing with that class of cases. I do not know whether the honourable leader of the Government would be ready to consider that.

Hon. Sir JAMES LOUGHEED: I think the Government would object to it. The taxpayer will be subject to a municipal income tax, and he may be subject to a provincial income tax, but he will have to pay this tax. There is no substantial distinction between the man who may be drawing an income from a foreign country or from Great Britain and other citizens. They may have to pay an income tax two or three times over.

Section 6 was agreed to.

The Bill, as amended, was reported.

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

Hon. W. B. ROSS.

THE SENATE.

Wednesday, September 5, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

CAPTAIN J. W. CARTER.

INQUIRY.

Hon. Mr. BOSTOCK inquired of the Government:

1. Has Captain J. W. Carter, late 172nd Battalion, been appointed to recruiting depot on Portland, Oregon, under British Recruiting Mission?
2. Did Captain Carter refuse to revert in rank when in England?
3. Was he brought back to Canada in consequence?
4. Why was this position not given to an officer returned from the western front?

Hon. Sir JAMES LOUGHEED:

1. Yes.
2. No. He was not allowed permission to revert by reason of medical report concerning his eyesight.
3. No.
4. Because the Officer Commanding Military District No. 11 reported no suitable returned officer available for this duty.

OTTAWA SEPARATE SCHOOLS CASE.

DISCUSSION AND INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the Government to the following facts:

1. In the course of the year 1915, the Legislature of the province of Ontario, by Chapter 45 of the Statute 5 George V, authorized the Minister of Public Education of the province to appoint a commission, and to confer upon it the rights, privileges and powers, heretofore vested in the Roman Catholic Separate School Commissioners for the city of Ottawa, regularly elected by the popular vote of the ratepayers of the said city.
2. On or about the 26th July, 1915, the Minister of Public Education of the province of Ontario appointed such a commission which, under the name of "The Ottawa Separate School Commission" took possession by force, of the properties and moneys belonging to the regular commission which it purposes to replace.
3. On the 6th November, 1916, in appeal before His Most Excellent Majesty the King, the Judicial Committee of the Privy Council declared the said Chapter 45 of the Statute 5 George V ultra vires of the Legislature of Ontario and condemned "The Ottawa Separate School Commission," created under the provisions of the said Ontario legislation, to disappear completely and to pay to the regular Commission elected by the popular vote, all judicial expenses incurred therefor.

4. Notwithstanding the judgment of the Judicial Committee of the Privy Council and in defiance of the same, the Legislature of the province of Ontario, during its last session enacted the two following laws, viz.:—Chapter 59, "An Act respecting the appointment of a commission for the Ottawa Separate Schools," and Chapter 60: "An Act respecting the Roman Catholic Separate Schools of the city of Ottawa." The first Act mentioned has for object to authorize the appointment, by the Lieutenant Governor in Council, of a special commission with power to fulfil the duties and exercise the rights and privileges of the present commissioners elected by the people, and to take and assume the control and direction of the Roman Catholic Separate Schools, entrusted by law to the present commissioners, as well as the administration of the properties and moneys belonging to the said schools. The second Act mentioned (Chap. 60) has for object, to validate and legalize the acts of administration of the said "Ottawa Separate School Commission" and the payments made and the indebtedness incurred by the members of the said commission in the conduct and administration (illegal) of the Roman Catholic Separate Schools of the city of Ottawa, from the date of the appointment of the said commission, until after the date of the said judgment of the Judicial Committee of the Privy Council, and, at the same time, to compel the present commissioners to pay all said debts, defray all said expenses, incur all obligations, and indemnify the members of the said commission of all debts incurred during their (illegal) administration of the said schools.

5. Prior to the assent, on the 12th April last, by the Lietenant-Governor of Ontario, of the two said laws, an application was made in due time to reserve these two Bills for the assent of the Governor General, under the provisions contained in sections 56 and 90 of the British North America Act, 1867, but this application was rejected.

6. In the course of the discussion of these Bills in committee, and at the time of their coming up for third reading, an amendment was proposed, asking that these Bills be referred to the Supreme Court of Canada, in order to obtain from that tribunal its opinion on the constitutional validity of a legislation re-enacting principles already formally condemned by the Judicial Committee of the Privy Council. The amendment was defeated.

7. Immediately after the assent to these laws by the Lieutenant Governor, an application for disallowance was addressed to His Excellency the Governor General, and duly received, as it appears by the reply given, on the 17th July last, to an inquiry made in this House by the Honourable Mr. Landry.

8. Quite recently, in order to meet these obligations, the Roman Catholic Separate School Board Commissioners, in the free exercise of their administrative functions, signed, in favour of a creditor, a cheque for a few thousand dollars, to be paid by a bank where the said Board had a special sinking fund now amounting to $39,000. The bank refuses to honour this cheque and bases its refusal on the privilege granted to it by Chapter 60 of the Statutes of the last Ontario provincial session, to retain the moneys received in deposit for the benefit of a commission abolished by the judgment, without appeal, of the highest tribunal of the Empire. This privilege is worded as follows:

"5. This Act may be invoked as a means of defence in any proceeding now before the Courts or which may hereafter be instituted by the Board of Commissioners against any person or corporation in connection with any sum of money received or expended by the above mentioned commission."

9. The situation created by the refusal of the bank to honour the cheques issued by the School Board Commissioners, is put to light by the following declaration from Mr. Sam. Genest, chairman of the said board.

The Montreal Gazette reproduces the following despatch:

Faces receivership—Bank refuses Ottawa Separate School Board Cheque.

"Ottawa, August 22.—The Ottawa Separate School Board faces a receivership, according to a statement by chairman Genest to-day. The Bank of Ottawa, which holds $39,000 of the Board's sinking funds, has refused to honour a cheque for $3,459, drawn in favour of the Union St. Joseph Society, in payment of a maturing debenture. The bank's refusal to hand over the money is based on provincial legislation empowering it to retain the sinking funds to liquidate debts incurred when the government commission was in control of schools. There are a number of debentures coming due and the sinking fund with which they were to have been met will not be available. Suits instituted by debenture holders for recovery of their moneys may force the Board into liquidation, Genest stated."

After having called the attention of the Government to the above-mentioned facts, Hon. Mr. Landry inquired:

(a) Is the Government aware that under the provisions of the British North America Act, they have the absolute and indisputable power to disallow any Act passed by a Provincial Legislature?

(b) Does the Government intend to accede to the request which was addressed to them to exercise this power, and will they, without further delay, disallow both Chapters 59 and 60 of the Statutes of the last session of the Legislature of Ontario, which are manifestly unjust, iniquitous, and unconstitutional, and the existence of which, if it is prolonged by the non-intervention of the Central Power, constitutes an outrageous defiance of the judgment of the Privy Council, and an immediate and continual menace to the general peace and interests of the country?

(c) In the event of, by their refusal to exercise their right and their duty to intervene, the Federal Power assuming the grave responsibility of contributing to this nearing and inevitable receivership which would close the schools of the Catholic minority, and throw on the streets the ten thousand children who attend the same, what other solution to the embarrassing problem could they offer to preserve to this minority the advantages which it has a right to claim in virtue of the final judgment of the highest tribunal of the British Empire?

He said: I have here the judgment that was rendered on November 2, 1916, by the Judicial Committee of the Privy Council, the Lord Chancellor, Viscount Haldane, Lord Atkinson, Lord Shaw and Lord Paramov. I will not read it all, but will quote these few extracts:

In the present case the appellant board are elected trustees for the management of the Roman Catholic Separate Schools within the city of Ottawa. They represent the supporters of the Roman Catholic Separate Schools within the area of the city, and as such elected trustees enjoy the right of management which was conferred under the Separate Schools Act 1863. Apart, therefore, from any words of limitation or any imputation to be drawn from the context, appellant board represent a section of the class of persons who are within the protection of provision (1). Their Lordships can find neither limiting words nor anything in the context that would imply that they are excluded from the benefit of the provision. They are not the less within the provisions than any other board similarly constituted would have similar rights and privileges. They would be entitled to the protection of the provision, though they were the only Board of trustees in the province constituted under "The Separate Schools Act" of 1863. But if the appellant Board represents people who come within the protection of provision (1), it is difficult to appreciate the argument that no legal right or privilege existing in the province at the union with respect to denominational schools has been prejudicially affected. It is possible that an interference with a legal right or privilege may not in all cases imply that such right or privilege has been prejudicially affected. It is not necessary to consider such a possibility, and this question does not arise for decision in the appeal. The case before their Lordships is not that of a mere interference with a right or privilege but of a provision which enables it to be withdrawn in toto for an indefinite time. Their Lordships have no doubt the power so given would be exercised with wisdom and moderation, but it is the creation of the power and not its exercise that is subject to objection, and the objection would not be removed even though the powers conferred were never exercised at all. To give authority to withdraw a right or privilege under these conditions necessarily operates to the prejudice of the class of persons affected by the withdrawal. Whether or not a different policy might have been preferable, either in the opinion of the provincial legislature or in that of the courts is not a relevant consideration. It was argued that no evidence on behalf of the appellant Board had been called to prove that the withdrawal of their rights, powers and privileges, operated to their prejudice. In the opinion of their Lordships no such evidence was necessary.

These notes were transmitted to the King's Most Excellent Majesty sitting at Buckingham Palace, and the judgment rendered by the Judical Committee of the Privy Council was:

The Lords of the Committee, in obedience to His late Majesty's said Order in Council, have taken the said humble Petitions and Appeals into consideration and having heard Counsel on behalf of the Appellants the Respondents, the Ottawa Separate School Commission and the Attorney-General of Ontario, their Lordships do this day agree humbly to report to Your Majesty as their opinion (1) that these Appeals ought to be allowed (2) that the judgments of the Appellate Division of the Supreme Court of Ontario both dated the 3rd day of April, 1916, and the Judgments of the Supreme Court of Ontario both dated the 18th day of November, 1915, ought to be set aside (3) that it ought to be declared that the Act of the Legislature of Ontario, 5 George V, Chap. 45 as framed is ultra vires of such Legislature (4) that liberty ought to be reserved to the Appellants to apply to the said Supreme Court for relief in accordance with this declaration; and (5)—

Which applies especially to the case now before this House—

—that the respondents, the Ottawa Separate School Commission ought to pay the costs of the Appellants and the Respondents, the Corporation of the City of Ottawa and the Quebec Bank, incurred in the Courts below.

So this judgment, besides setting aside the Act of the legislature of the province of Ontario, declared by the same judgment to be ultra vires, condemned the Ottawa Separate Schools Commission to pay the costs of appeal to the Ottawa Board of Separate Schools and to the banks which had taken issue before the Privy Council.

I shall read the second Act that was passed by the Ontario legislature so as to put this House in perfect cognizance of what it states. It was presented as Bill No. 154, and became chapter 60. It was sanctioned, I think, on the 12th day of April, 1917. It is now, by reason of a demand of its disallowance, under the ban, if I may so express myself, of the Federal Government. It is entitled, "An Act respecting the Roman Catholic Schools of the City of Ottawa." I will read the preamble. I will not discuss it any further than to say that the preamble contains more than one error of fact:

Whereas pursuant to an Act respecting the Board of Trustees of the Roman Catholic Separate Schools of the City of Ottawa passed in the fifth year of the reign of His Majesty King George the Fifth, chaptered 45, the Minister of Education with the approval of the Lieutenant-Governor in Council, on the 20th day of July, 1915, appointed a Commission consisting of Denis Murphy, now deceased, Thomas D'Arcy McGee and Arthur Charbonneau, herein referred to as "the Commissioners," to conduct and manage the Roman Catholic Separate Schools of the City of Ottawa, which said Act has been declared to be ultra vires; and whereas the Board of Trustees of the said Separate Schools prior to the appointment of the said Commission, had neglected and failed to open, keep open, maintain and conduct the said schools according to law and to provide qualified teachers therefor, had threatened at various times to close the said schools and had neglected and refused to discharge and perform the duties imposed upon it by law to the loss and damage of the supporters of the said schools and to the serious prejudice of the children entitled to attend the same; and whereas by reason of the neglect and default of the Board as aforesaid it was necessary to provide special means for the education of the children entitled to attend the said schools until the

Board should be willing to perform its lawful duties in respect to said schools and the Commissioners were appointed for that purpose; and whereas the Commissioners entered into possession of the school premises and property on the 26th day of July, 1915, and thereafter maintained and conducted the said schools continuously until the said Act was declared to be ultra vires, during the whole of which time the said Board was unwilling to conduct the said schools according to law; and whereas the Commissioners in carrying on said schools and meeting obligations of the Board disbursed $68,873.43, which at the date of their appointment stood to the credit of the Board at the Quebec Bank at Ottawa, the further sum of $84,156.04 received out of Court pursuant to an order of the Appellate Division of the Supreme Court of Ontario, dated the 3rd day of April, 1916, and the further sum of $71,944.08 received from other sources, all of which sums of money were by law applicable to the maintenance and conduct of the said schools; and the Commissioners in the maintenance, conduct and management of the said schools, also incurred a liability to the Bank of Ottawa for $71,891.16 and interest thereon which still remains unpaid; and whereas the Board has commenced actions against the Quebec Bank, the Bank of Ottawa and the Commissioners to recover the moneys so disbursed as aforesaid and has refused to assume the said liability to the Bank of Ottawa and it is desirable to declare the rights of the parties.

This law pretends to settle the rights of the parties while the whole matter was in the courts.

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. It is declared that the Commissioners disbursed the moneys and incurred the liability herein recited for payments and expenditures which were necessary to maintain and carry on the said schools and which should have been made by the Board in the proper conduct and management of the said schools but for its wrongful neglect and default as aforesaid.

2. It is further declared that the said payments and expenditures shall be deemed for all purposes to have been made by the Commissioners for and on behalf and at the request of the Board and that the Commissioners are entitled to indemnity from the Board in respect thereof.

3. It is further declared that the said liability of $71,891.16 and interest thereon to the Bank of Ottawa subject to the rights of third parties, if any, is a debt of the Board to the said Bank and that the Bank is entitled to set off the same against any other moneys of the Board in its hands.

4. In default of payment of the said liability by the Board the same may be paid to the bank out of the Consolidated Revenue Fund of the Province and thereafter the said sum with proper interest thereon shall be a debt to His Majesty and may be recovered from the Board in any action brought for that purpose.

5. This Act may be pleaded as a defence to any action now pending or that may hereafter be brought by the Board against any person or Corporation in respect of any of the moneys received and disbursed by the Commission as aforesaid.

That is the law enacted by the Government to meet the expenses incurred by the commission named by the Government at the time when, according to the law, and according to the decision of the Judicial Committee of the Privy Council, the commissioners elected by the people had the sole right to administer the money of the separate schools of the city of Ottawa. In addition to that, the Judicial Committee of the Privy Council condemned that Commission to pay to the real commission the money that they had, and to pay the costs of the suit which had gone through different courts up to the Privy Council. But now it is the money of those who won the case before the Privy Council that has to be disposed of, and the nominees of that commission named by the Government are to be indemnified. Those who have won the suit are obliged to pay their costs, and the costs of the Government Commission, although the Privy Council has declared to the contrary. But we have appealed to the Governor General in Council, and our petition asks for the disallowance of these obnoxious and unconstitutional acts.

The power of disallowance is clearly expressed in section 90 of the British North America Act, which is as follows:

90. The following provisions of this Act respecting the Parliament of Canada, namely—the provisions relating to appropriation and tax Bills, the recommendation of money votes, the assent to Bills, the disallowance of Acts, and the signification of pleasure on Bills reserved—shall extend and apply to the Legislature of the several provinces as if those provisions were here-re-enacted and made applicable in terms to the respective provinces and the Legislatures thereof, with the substitution of the Lieutenant Governor of the province for the Governor General, of the Governor General for the Queen, and for a secretary of state, of one year for two years, and of the province for Canada.

This section provides that during the term of one year, which has been substituted for two years, any provincial Act may be disallowed. Last year we tried, through a petition, to obtain the disallowance of the Act passed by the Ontario Legislature in that year constituting the first government commission. The Federal Government, in a memorandum prepared by the Minister of Justice, said that the power of disallowance could not very well be disputed, and there is no dispute that the power is given by the British North America Act. Such powers, he added, must of course be exercised upon sound principles of statesmanship. I agree in that opinion; but where I disagree with the Minister of Justice is when he pretends that the exercise of the power of disallowance

must not conflict with the powers of a legislature. We must admit that if the right of the Federal Government to intervene and disallow a provincial Act is not disputed, it cannot be exercised without conflicting with a provincial legislative power. It is the essence of an act of disallowance to create a conflict between two jurisdictions, one superior to the other; and the superior one is bound to carry its point. Now, if we consult Lefroy in his volume, "Canada's Federal System," we find this:

It is right to notice the veto power which the Federal Government possesses over provincial legislation, which is a special feature of the Constitution of Canada distinguishing it from that of the United States. In words of the Privy Council: "Under the constitution of the United States each state may make laws for itself, uncontrolled by the Federal power, and subject only to the limits placed by law on the range of subjects within its jurisdiction." But in the case of Canada, the British North America Act "makes an elaborate distribution of the whole field of legislative authority between two legislative bodies, and at the same time provides for the federated provinces a carefully balanced constitution, under which no one of the parts can pass laws for itself, except under the control of the whole, acting through the Governor General." This Federal veto power is that principle of central control of which the late Mr. Cardwell, as Secretary of State for the colonies, says, in a despatch to the Governor General of December 3rd, 1864, acknowledging the receipt of Quebec Resolutions: "The importance of this principle cannot be overrated. Its maintenance is essential to the practical efficiency of the system, and to its harmonious operation, both in the general government and in the government of the several provinces."

Another very well-known authority on the Canadian Constitution, Clement, says at page 156 of his book. "The Law of the Canadian Constitution":

A very sharp line of distinction was drawn between the exercise by the Dominion Government, as a matter of political expediency, of the power of disallowance of provincial Acts, and the exercise by the courts of the judicial function of declaring an Act ultra vires. As expressed by the Chancellor of Ontario, the supervision touching provincial legislation entrusted to the Dominion Government works in the plane of political expediency as well as that of jural capacity, while the question for the courts is as to the latter merely. The framing of the Quebec Resolutions, upon which the British North America Act is founded, was the work of the most eminent legal minds of that day in Canada; and a glance at the debates upon these Resolutions will show that they thoroughly appreciated the distinction pointed out in these later days by the Chancellor. Throughout the debates it was clearly recognized that the exercise by the Dominion Government of the power of disallowance was to be exercised in support of federal unity,—e.g., to preserve the minorities in different parts of the confederated provinces from oppression at the hands of the majorities.

I think that is very conclusive; but I have still more; I have the opinion of the present Minister of Justice, quoted by Lefroy in his book, "Canada's Federal System," page 43, as follows:

Mr. Doherty, in his report as Minister of Justice, dated January 20, 1912, and duly approved by Order in Council, advised against disallowance, but at the same time he distinctly asserts that the veto power may constitutionally be exercised on the ground of hardship and injustice to the rights affected. He says: "There was considerable discussion at the hearing as to the practice and precedents in respect of disallowance of legislation by reason of unjust provisions, or because of its interference with vested rights or the obligations of contract, and a recent report of the predecessor in office of the undersigned was quoted as showing that the Governor General should in no case be advised to disallow for such reasons. It is true, as has been frequently pointed out, that it is very difficult for the Government of the Dominion, acting through the Governor General, to review local legislation or consider its qualities upon questions of hardship or injustice to the rights affected, and this is manifest not only by expressions in reports of the ministers, but also by the fact that but a single instance is cited in which the Governor General has exercised the power upon these grounds alone. The undersigned entertains no doubt, however, that the power is constitutionally capable of exercise, and may on occasion be properly invoked for the purpose of preventing, not inconsistently with the public interest, irreparable injustice or undue interference with private rights or property through the operation of local statutes intra vires of the legislatures.

That proves that it is not the fact that a law is unconstitutional that should guide the Federal Government in the exercise of its right of disallowance; but it is the public interest that should lead the Government to exercise that right. I think in the present instance disallowance by the Federal Parliament would be in the public interest, when the legislature of Ontario has decided, in the face of the condemnation given to its special laws by the Judicial Committee of the Privy Council, to pass the legislation complained of.

I may add, to the second and third question to which I call the attention of the Government, that if in the face of so flagrant an abuse of the power of the legislature of Ontario the Government of the day refuses to intervene, then as a consequence it accepts all that flows from that refusal.

This is not a question of race; it is a question of the Catholic minority and the Protestant majority; and if 10,000 children not only of French schools or bilingual schools, but of English separate schools,

will be shut out of those schools and thrown on the streets of the capital, this is surely a case where the rights of disallowance should be invoked in the public interest. I hope the Government, through its leader in this House, will be able to give us the assurance that this is one of those cases in which the Government must intervene, and that we shall have justice from the Federal authorities under the powers given them by the constitution. If this power is not exercised now, when will the power of disallowance ever be exercised? I leave that question to the Government. I know that in the present instance we shall receive from the leader of the Government the assurance that justice will be meted to us.

Hon. N. A. BELCOURT: Honourable gentlemen, I had not anticipated that this matter would come up for discussion this afternoon, but I feel that the case is one which I cannot allow to pass without adding something to what has been said by the honourable member from Stadacona (Hon. Mr. Landry). I shall endeavour to confine myself to matters upon which he has not touched, and to make my remarks as brief as possible.

As the honourable gentleman has already explained, the matter is one with regard to which the Roman Catholic Separate School ratepayers of Ottawa have applied to the Government of Canada for the disallowance of the legislation passed by the Government of the province of Ontario during the session of 1917. The application for disallowance is based, as honourable gentlemen may surmise, upon sections 56 and 90 of the British North America Act. Section 56 reads as follows:

Where the Governor General assents to a Bil in the Queen's name, he shall by the first convenient opportunity send an authentic copy of the Act to one of Her Majesty's principal secretaries of state, and if the Queen in Council within two years after receipt thereof by the Secretary of State thinks fit to disallow the Act, such disallowance (with a certificate of the Secretary of State of the day on which the Act was received by him) being signified by the Governor General, by speech or message to each of the Houses of the Parliament, or by proclamation, shall annul the Act from and after the day of such signification.

Honourable gentlemen will notice that a delay of two years is fixed by section 56 for the disallowance by the Imperial Government of Dominion legislation. Now, if we refer to section 90, we find that a similar provision is made applicable as between the Federal Government and the governments of the various provinces. Section 90 reads:

The following provisions of this Act respecting the Parliament of Canada, namely,—the provisions relating to appropriation and tax Bills, the recommendation of money votes, the assent to Bills, the disallowance of Acts, and the signification of pleasure on Bills reserved, —shall extend and apply to the Legislatures of the several provinces as if those provisions were here re-enacted and made applicable in terms to the respective provinces and the Legislatures thereof, with the substitution of the Lieutenant Governor of the province for the Governor General, of the Governor General for the Queen, and for a Secretary of State, of one year for two years, and of the province for Canada.

The period, therefore, within which the Government of Canada may use the power of disallowance of these Acts will expire one year from the time these Acts were sanctioned by the Lieutenant Governor of the province of Ontario, which was sometime in the month of April or March last.

The two Acts, the disallowance of which is asked for, are embodied in the statutes of this year, 1917; one is chapter 59 and the other is chapter 60. My honourable friend from Stadacona (Hon. Mr. Landry) has dealt in his notice more particularly with chapter 60, which is the statute imposing upon the School Commission the obligation of paying debts and liabilities incurred by the School Commission declared ultra vires by the Privy Council. In order not to repeat what has been said by the honourable gentleman from Stadacona, I am going to deal more particularly with chapter 59, the Act under which the Government of Ontario has the power by Order in Council to appoint a commission similar to the commission which was declared by the Privy Council to be ultra vires. May I be pardoned if I read some sections of this Act, which was assented to on April 12:

1. Whenever the said Board shall neglect or refuse to conduct the schools under its control according to law the minister, with the approval of the Lieutenant Governor in Council, may appoint a commission of not less than three nor more than seven persons to act in place of the Board.

2. The Commission may take possession of and administer the property and assets of or under the control of the Board and may levy and collect any rates and taxes which the Board might otherwise be entitled to levy and collect and shall exercise and perform the rights, powers, privileges and duties of the Board in place of the Board.

3. The conduct and management of the schols shall be restored to the Board by the Minister of Education whenever it shall appear that the schools will be conducted by the Board according to law.

4. If any question arises as to whether the circumstances justify the appointment or the continuance of a commission it shall be determined on summary application to the Supreme Court at Toronto.

5. The Supreme Court may on summary application make any order that may be necessary to secure to the Commission appointed under this Act possession of the property and assets to which it is entitled.

6. The Commissioner shall be a Corporation and the Minister of Education with the approval aforesaid may appoint commissioners in addition to or in substitution for commissioners theretofore appointed, provided the number of persons forming a commission shall not at any time exceed seven.

7. The Commission shall conduct the said schools in accordance with the Separate School Act.

In 1915 a statute containing similar provisions was enacted by the legislature of the province of Ontario. It is chapter 45 of the statutes of 1915. Among other things it provides:

3. If, in the opinion of the Minister of Education, the said Board fails to comply with any of the provisions of this Act,—

And I invite honourable gentlemen to compare the language of the two Acts, which is almost identical—

—he shall have power, with the approval of the Lieutenant Governor in Council—

(a) To appoint a commission of not less than three nor more than seven persons;

(b) To vest in and confer upon any commission so appointed, all or any of the powers possessed by the Board under statute or otherwise, including the right to deal with and administer the rights, properties and assets of the Board and all such other powers as he may think proper and expedient to carry out the object and intent of this Act;

(c) To suspend or withdraw all or any part of the rights, powers and privileges of the Board, and whenever he may think desirable to restore the whole or any part of the same and to revest the same in the Board;

(d) To make such use or disposition of any legislative grant that would be payable to the said Board on the warrant of any inspector for the use of the said schools or any of them as the minister may in writing direct.

I will not trouble the House by reading any more of the Act. I am reading the sections in order to point out that the legislation of 1915 and the legislation of 1917, which is complained of, are couched in exactly the same language. Exactly the same powers are conferred by the statute of 1917 as were conferred by the 1915 Act.

Hon. Mr. POWER: Would the honourable gentleman mind telling us what is the difference between the two Acts?

Hon. Mr. BELCOURT: I see no substantial difference at all. The only difference is as to the manner of carrying out the provisions; but as to the provisions themselves, they are the same. Honourable gentlemen will notice that both Acts have for their principal object the taking away of the powers of the School Board elected by the people, and the conferring of them upon a commission appointed by the provincial government. The statute of 1915 gave the minister the discretionary power to restore to the Separate School Board the whole or any part of its powers if he thought fit. The Act of 1917 has a similar provision, but it is not worded in exactly the same way. Section 3 says:

The conduct and management of the schools shall be restored to the Board by the Minister of Education whenever it shall appear that the schools will be conducted by the Board according to law.

The 1915 Act says:

(c) To suspend or withdraw all or any part of the rights, powers and privileges of the Board, and whenever he may think desirable to restore the whole or any part of the same and to revest the same in the Board;

I think honourable gentlemen will agree that while the wording is not the same there is no difference in the substance of the power conferred.

In 1915 the Separate School Board for the city of Ottawa naturally objected to this commission. They took legal proceedings to have it declared that the statute appointing the commission was ultra vires of the legislature and consequently void. At the same time steps were taken to contest the constitutionality of regulation 17, of which we have heard a great deal. The two proceedings were carried on almost simultaneously, and when they came before the Privy Council the appeals were dealt with one immediately after the other. I am not going to deal with that part of the proceedings which concerned regulation 17; that is not before the House. The only question before the House is, as pointed out by my honourable friend, the right to appoint the commission with such powers as have been conferred upon it by the legislature. The courts of Ontario—the Supreme Court and the Court of Appeal—both held that the statute of 1915, which I have analysed, was within the power of the legislature—that the legislature had the power to appoint the commission and clothe it with the powers which it subsequently exercised.

I should have stated that the ground upon which the Separate School Board for the city of Ottawa relied in making out their case that this legislation was ultra vires was the statute of 1863, chapter 5 of 26 Victoria, the statute under which the Roman Catholic Separate Schools of Ontario derive their powers with regard to education in the

province. It is an Act entitled, "An Act to restore to Roman Catholics in Upper Canada certain rights in respect to Separate Schools." I am going to read only those sections of the Act which are necessary in order that honourable gentlemen may have an understanding of this matter:

2. Any number of persons, not less than five, being heads of families. and freeholders or householders, resident within any school section of any Township, Incorporated Village or Town, or within any ward of any City or Town, and being Roman Catholics, may convene a public meeting of persons desiring to establish a Separate School for Roman Catholics, in such school section or ward, for the election of Trustees for the management of the same.

3. A majority of the persons present, being freeholders or householders, and being Roman Catholics, and not candidates for election as Trustees, may, at any such meeting, elect three persons resident within such section or an adjoining section to Act as Trustees for the management of such Separate School; and any person, being a British subject, not less than twenty-one years of age, may be elected as a Trustee, whether he be a freeholder or householder, or not.

7. The Trustees of Separate Schools forming a body corporate under this Act, shall have the power to impose, levy and collect School rates or subscriptions, upon and from persons sending children to, or subscribing towards the support of such schools, and shall have all the powers in respect of Separate Schools, that the Trustees of Common Schools have and possess under the provisions of the Act relating to Common Schools.

Then follow various provisions with regard to teachers, regulations, etc. The main contention of the school trustees of Ottawa was that the Act of 1915 constituted a violation of the provisions of sections 2, 3 and 7, which I have read, involving the right to conduct and manage the schools, the right to elect school trustees, the right to levy taxes and have those taxes applied by the trustees for the maintenance and conduct of the schools. By this Act the trustees were created bodies corporate for the purpose of exercising those rights.

Now, if we look at section 93 of the British North America Act, we find that those are the very rights and privileges which the British North America Act made perpetual and which no provincial legislature can in any way prejudice:

In and for each Province the Legislature may exclusively make laws in relation to Education, subject and according to the following provisions:

1. Nothing in any such Law shall prejudicially affect the right or privilege with respect to denominational schools which any class of persons have by Law in the Province at the Union.

The Act of 1915 clearly, definitely, and permanently took away all those rights from the school trustees elected under the Act of 1863, which was in force in Upper Canada at the time of the Union, and is still in force.

The Privy Council held that while the province of Ontario had unrestricted power with regard to regulating the schools, they had not the power to take away the rights guaranteed by the British North America Act, and which are to be found in the statute of 1863, which I have read; they could not pass any legislation which would in any way prejudicially affect the right to elect trustees and the right of those trustees to collect taxes and conduct and manage the schools. It was upon that ground that the Privy Council held by their judgment of November, 1916, that the legislation of 1915 was ultra vires.

Now, we find that in 1917, in defiance of the judment of the Privy Council—

Hon. Mr. BLAIN: May I ask my honourable friend—what reasons were given by the Ontario Legislature for the passing of such an Act?

Hon. M. BELCOURT: Because the schools were not conducted in the manner the department thought proper; because regulation 17 of the department was not being obeyed in these schools.

Hon. Mr. BLAIN: In other words, are we to understand that the Act was passed because the Ottawa Separate School Board refused to carry out the law of the province in respect to education?

Hon. Mr. BELCOURT: I do not think I could be more definite. I want to be very plain to my honourable friend. The Ontario Government passed the law of 1915 because the Ottawa Separate School Board refused to obey Regulation 17 of the Department of Education. That was the ground, and I cannot make it any plainer or more definite.

The Privy Council, I repeat, maintained that regulation 17 was within the power of the legislature, or for that matter any kind of regulation; because the Privy Council thought, and so decided, that under section 93 of the British North America Act the province is subject to no restriction whatever with regard to regulations concerning the language to be used in the schools. They can impose any sort of regulation in that regard. They might regulate to-morrow that in the schools of Ontario no language should be used but Chinese, or Hindostanee, and the

Dominion Government or the courts could have nothing to say about it. They may do anything that is absurd, they may go to the limit of absurdity, and yet be within their rights. But when it came to taking away powers which were granted to the Roman Catholics prior to Confederation, and which by section 93 of the British North America Act were guaranteed to them, the Privy Council held definitely that the province of Ontario, or any other province, had no right to pass any legislation which would prejudice those rights.

Hon. Mr. BEIQUE: It has been asked whether the reason the new law was passed by the legislature of Ontario was that the School Board had disregarded Rule 17, and the honourable gentleman (Hon. Mr. Belcourt) answered yes.

Hon. Mr. BELCOURT: That is the reason they gave.

Hon. Mr. BEIQUE: Was there evidence before the Privy Council that the School Board had disregarded Regulation 17?

Hon. Mr. BELCOURT: There was some evidence adduced at the hearing that the Board had declared its intention not to obey Regulation 17. There was some evidence before the Privy Council.

Hon. Mr. BEIQUE: So the matter was before the Privy Council?

Hon. Mr. BELCOURT: It was before the Privy Council in the other case. The judgment was against the Board in one case, because the Privy Council held that the Ontario Government had the right to pass any regulation; but, with regard to powers to conduct schools, to levy taxes, and to administer the money and property of the schools, they held that it was a right, a power, or a privilege which had been granted in 1863 and enforced in 1867, and made permanent by section 93 of the British North America Act, and could not be affected by any legislation. In order that there may be no doubt as to what the powers are, let me again repeat that by the statute of 1917, which is identical with the Act of 1915, the rights which I have described to levy and collect taxes and to administer the schools are conferred upon a Commission which may be appointed by the Lieutenant Governor. Section 2 says:

The commission may take possession of and administer the property and assets of or under the control of the Board and may levy and collect any rates and taxes which the Board might otherwise be entitled to levy and collect and shall exercise and perform the rights, powers, privileges and duties of the Board in place of the Board.

Power is taken to wipe out the Board completely, to wholly and permanently destroy the rights, powers and privileges of the School Commissioners under the law of 1863, and confer the same on Commissioners to be named by the Executive of Ontario. Anybody who will take the trouble to read the Act of 1915 and the judgment of the Privy Council, and the Act of 1917, can come to no other conclusion than that this legislation is manifestly ultra vires.

My honourable friend has explained that the Separate School Trustees of the city of Ottawa have applied to the Federal Government for disallowance of that statute. The legislation of 1917 was passed by the Ontario Government for no other purpose than to defeat the judgment of the Privy Council. As explained by my honourable friend, not only have the same powers been taken by the legislation of 1917 that were conferred by the legislation of 1915, but all the acts which have been done by the Commissioners appointed under the Act of 1915 in the meantime are validated. The Ontario legislature steps in and says: "Yes, the Privy Council may have declared certain acts to be illegal, but we say they are valid." And it is provided that the statute may be pleaded as a defence to any action taken or which may be taken against the illegal Commission for the forcible taking possession of the money and property of the Trustees.

It is clearly in the public interest that this legislation should be disallowed. It is the duty of the Federal Government to maintain and uphold the British North America Act. That Act is a partnership agreement entered into between the various provinces at Confederation. Each of the provinces owes a duty to its partners. It is the duty of each to see that the provisions of the Act are observed, and it seems to me that the responsibility rests principally upon the Dominion Government. The Privy Council has declared that the action of the Ontario legislature is not in accordance with the provisions of the British North America Act, and manifestly it is the duty of the Federal Government to see that no legislation is passed in defiance of that judgment. I ask honourable gentlemen, what did their lordships of the Privy Council think when they saw that their decision was

ignored, and that the legislature of Ontario went to the length of passing legislation in defiance of that judgment, and for the purpose of defeating its decrees and orders? So long as we choose to maintain the right of appeal to the Privy Council it is incumbent upon us, and especially upon the Dominion Government, to see that the judgments of the Privy Council are respected.

I can conceive of no laws in our country that are of greater importance than the laws concerning the schools. The gentlemen in Ontario who have had charge of this legislation of 1915 have been telling the Roman Catholic ratepayers of Ottawa to obey the law. I think the ratepayers can very well say to those gentlemen in return, "Obey the law." The judgment of the Privy Council is beyond repeal. There is no doubt about the law, and we ask the Dominion Government to see that the law is obeyed with regard to this legislation. Regulation 17 is not in question now. There is no question as to whether French shall be taught in the schools or whether the language of instruction shall be English. The sole and only question now involved is the right granted to the Roman Catholics of Ontario to have schools of their own and to maintain them and control the money levied for that purpose. Ontario is not the only province with a minority; there is just as large, in fact, a larger minority in Quebec, which is just as much interested in having section 93 of the British North America Act respected.

Just think what would happen if such legislation as we have here were proposed in Quebec. Suppose it were proposed to take away from the English section the right to control and administer their schools. There would be a rebellion in Quebec in 24 hours. If the Dominion Government does see that the law is respected in Ontario, what guarantee is there that the law is going to be respected with regard to the minorities in the other provinces?

Now, one word only as to Regulation 17. If honourable gentlemen, just for the sake of enlightening themselves on this question, will take Regulation 17, and substitute the word "English" for the word "French," and the word "French" for the word "English," I promise that they will get the biggest shock that they ever had. Possibly when this matter is brought home to them in that way they will realize the grave injustice that is being done to the minority in Ontario. To my mind there is a solemn duty, especially on the part of the Federal Government, to take this matter in hand. There has been too much delay, too much avoiding of the question. The question has to be settled to-day, to-morrow, or ten years from now, and the sooner it is settled, the sooner the rights of the minority of Ontario are respected, the better it will be for Canada and the national unity of Canada.

Hon. Mr. CHOQUETTE: I would have expected that some honourable gentleman from Ontario would have endeavored to answer the statements made by the honourable gentleman who has spoken. I am still prepared to resume my seat if some one on the other side of the House, especially from Ontario, intends to refute the arguments which have been advanced. My mind is open on this question, and I should be glad to hear some one from Ontario argue that these facts are not correct.

Hon. Sir MACKENZIE BOWELL: I think this question may, with a view to the better understanding of the question, be discussed further. There are other views taken of it than those which have been enunciated by my honourable friend to my left (Hon. Mr. Landry) and by the honourable gentleman from Ottawa (Hon. Mr. Belcourt). I would gladly therefore move the adjournment of the debate until Monday next.

Hon. Mr. CLORAN: Parliament will be prorogued by that time.

Hon. Sir MACKENZIE BOWELL: That would be a happy thing if it were so. However, I assure the House that I am setting Monday, not in anticipation of the House being prorogued, because if I thought that would be the case I would make it an earlier day.

Hon. Mr. CHOQUETTE: It is understood that I shall have the right to speak on this question.

The debate was adjourned.

GENERAL FEDERAL ELECTION.

INQUIRY.

Hon. Mr. CLORAN inquired:

1. Is there any truth in, or any foundation for, the statement made in the public press friendly to the Government, that after the expiration of the life of the present House of Commons, which will take place five weeks hence, on the 7th of October, 1917, the General Federal Election will not be held before the 18th of March, 1918?

2. If such statement be well founded, does the Prime Minister propose to retain the reins of office and to administer the affairs of Canada without a mandate from the Electorate of Canada sanctioning, approving and authorizing such action on his part?

3. If not, does the Prime Minister consider such intended or proposed action on his part to be in line with the forms of responsible government and with the principles of democratic representation in the councils and Parliament of the nation?

4. Will the Prime Minister follow and adopt the constitutional practice and Parliamentary precedents of all previous governments of Canada since Confederation, in the case of dissolution or of expiration of the life of the House of Commons, by calling for an immediate General Election and appeal to the Electorate for authority to carry on the business of the country?

5. If not, what does the Prime Minister propose to do in case of an Imperial or Allied crisis during the war, or a national emergency at home, requiring the consultation and approval of the House of Commons, in view of the non-existence of duly elected and authorized representatives of the people in the House of Commons?

6. Under what provisions of The British North American Act does the Prime Minister intend or propose to hold the reigns of office, with himself and his colleagues defunct as representatives of the people, with the exception of the Honourable Sir James Lougheed, Minister without portfolio, in the Senate?

Hon. Sir JAMES LOUGHEED:

1. No.
2. Answered by No. 1.
3. Answered by No. 1.
4. Whatever is done will be done according to constitutional practice.
5. Answered by No. 4.
6. Answered by No. 4.

SHIPBUILDING IN THE MARITIME PROVINCES.

INQUIRY.

Hon. Mr. FARRELL inquired of the Government:

1. Is it the intention of the Government to construct ships for commercial use or Government purposes in the Provinces of New Brunswick, Nova Scotia and Prince Edward Island, or any of said Provinces?

2. If so, have any contracts for building ships been concluded, and with whom?

3. What is the contract price per ton to be paid for building said ships?

Hon. Sir JAMES LOUGHEED:

1. The subject is under consideration.
2. No contracts have been concluded.
3. Answered by No. 2.

CANADIAN NORTHERN RAILWAY.

INQUIRY FOR RETURNS.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I want to refer the honourable the leader of the Government to two motions that I moved to which I have not yet received any reply. The first was on the 30th of August for an order of the Senate:

For a copy of all resolutions passed by the Canadian Northern Railway Company in connection with the creation, issue, or allotment of shares and of all original entries made in the books of the company for the carrying out of such resolutions.

I moved the second motion yesterday which was as follows:

That an Order of the Senate do issue for a Statement showing the amount of each loan made by the Canadian Northern Company or subsidiary companies, the net proceeds of such loan, giving separately the amount of commission and other expenses incurred in connection with it, also showing the cost of the money to the company when the aforementioned items are paid for building said ships?

I am aware that these two motions probably call for a considerable amount of information, and that it may not have been possible for the leader of the Government to obtain the information at present. In view of that fact, and in view of the fact that I have asked for further information, to which I think this House is, entitled, it is my intention to ask the leader of the Government if, when we come to the consideration of Bill 125, respecting the Canadian Northern Railway Company, if he would be prepared, after the second reading of the Bill, to move that the Bill be referred to the Railway Committee for the purpose of getting this information and other information that the members of this House may consider necessary. This matter is an important one, one in which the country is taking a great interest, one that involves a very large amount of money and is committing the country to a very large liability; so I think this House is entitled to the fullest information before it is asked to adopt the provisions contained in the Bill.

Hon. Sir JAMES LOUGHEED: I may say to my honourable friend that I will leave nothing undone to obtain for him, before we get into the committee stage, all the information for which he has asked, if it is at all available. As to sending this Bill to the Committee on Railways, Telegraphs and Harbours, such a proposal is not to be entertained. This is a public Bill, and to say that a very small proportion of this House should undertake to deal with it would be manifestly unfair to the whole House.

Hon. Mr. BOSTOCK: May I point out to the leader of the Government that we have here, for instance, a report that has

been issued and brought down to the members of the House, which gives a statement of the assets and liabilities of the companies but any honourable gentlemen who have looked at that report must be very confused as to what the position of the company is, and it would not appear to me to be very difficult thing to bring officials of the company before the committee of the Senate itself for the purpose of finding out the real meaning of this report. It would be very much more satisfactory if we were in a position to examine certain officials, or even the accountants who are responsible for issuing this report, and find out from them the meaning of the figures presented to us; because I do not think any honourable gentlemen who has had time to study this report can come to a conclusion as to the position of the company. During this session of Parliament the Senate has adjourned on several occasions because they had not enough work to do; but at the present time they are anxious to give the very best service they can to the country in the consideration of this matter, and I think they are quite prepared to give the time necessary to thoroughly inquire into this matter, so that the country may not be committed to a liability amounting to over half a billion dollars.

INCOME WAR TAX BILL.

THIRD READING.

Bill 117, An Act to authorize the levying of a War Tax upon certain incomes—Hon. Sir James Lougheed.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 125, An Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway Company.

He said: In moving the second reading of this Bill it is almost unnecessary for me to make any detailed explanation as to what it is proposed to do, because I doubt if any subject has received so much consideration not only from honourable gentlemen who constitute the Parliament of Canada, but also on the part of the public generally.

The growth of Canada within the last thirty-five years cannot be better illustrated than by the progress which has been made, not only in our transportation systems but in the railway legislation which is to be found upon the statute books of the Parliament of Canada during that period. In 1882 the Canadian Pacific railway, as we now know it, came into existence. Legislation was placed upon the statute book making provision for a cash subsidy of twenty-five million dollars and a land subsidy of twenty-five million acres of land to aid in the construction of that road. At that time the undertaking was looked upon as a work of very great magnitude, and the assistance which was proffered by the Government of Canada in aid of that enterprise was considered to possess equally great magnitude. Disaster was predicted for the undertaking when it was entered upon. Those predictions continued for a very considerable time thereafter, until finally that great undertaking was brought to a sucessful conclusion, and to-day Canada boasts of having in it probably the greatest transportation system in the world.

Notwithstanding the responsibilities we assumed in the construction of the Canadian Pacific Railway, and the disaster which was predicted for it, we, being apparently possessed of short memories, entered upon an equally great undertaking in 1903. Without any hesitation, as a bolt from the blue, Canada entered upon the construction of a second transcontinental system without the public anticipating that such an undertaking was about to be assumed. That enterprise has cost the people of Canada something in excess of two hundred millions of money—an amount which at the time of the building of the Canadian Pacific railway would not have been thought of for a moment. Notwithstanding the expenditures which we entered upon in 1903 for the construction of the National Transcontinental and the Grand Trunk Pacific railways, and notwithstanding the unsuccessful conclusion which up to the present time has been the fate of that great undertaking, the Government of Canada in 1911, in the face of its experience of the 1903 legislation, merrily entered on the building of a third transcontinental system; and the Ex-Prime Minister, the Right Honourable Sir Wilfrid Laurier, notwithstanding the unfortunate financial condition of those two undertakings, for which his Government was primarily responsible, informed the Parliament of Canada the other day that he is still of opinion that the country was not only justified in carrying them through, but really required the third transcontinental system to meet its transportation necessities.

I mention these things to show not only the progress that Canada made in railway building, but the confidence which the country feels in itself to-day in assuming enormous financial responsibilities or undertakings of this character. To-day we are confronted with the problem of the third transcontinental system of which I have spoken, namely, the Canadian Northern Railway system, which is in practically an insolvent condition. The Government of Canada is called upon to solve that problem; and as the Parliament of Canada we are now asked to discuss the Government's proposals for dealing with this great railway system under the unfortunate financial conditions in which it is involved. In order to appreciate properly the problem we have to solve, and to deal with it effectively, it is necessary to familiarize ourselves with the facts. If the Canadian Northern Railway Company were wholly a federal enterprise, in no way complicated or entangled with the different provinces of Canada in its financial arrangements, the problem would be comparatively easy; but we are called upon to deal with a financial problem affecting a railway corporation of various entities. The main line of the system is composed of no less than six different companies, many of them provincial organizations. We find that not only the Dominion Government but five of the provinces of Canada are interested in the problem which faces us; so that the question arises, what can best be done in view of all the facts with which we are confronted?

In the first place, the Government of Canada is committed to guarantees of this railway system to the extent of $104,613,247. Those guarantees affect the Canadian Northern railway proper, the Canadian Northern Alberta railway, and the Canadian Northern Ontario railway. The difficulty faces us, however, that the guarantees of the Federal Government just mentioned, are postponed to the provincial securities or guaranties which have been issued against the roads which I shall mention in the different provinces. One of these is a guarantee by the Province of Ontario of $7,859,997, issued upon those portions of the main line in that province, called, the Canadian Northern Ontario railway. We find that the Manitoba Government has issued guarantees to the amount of $25,662,545 upon different sections of the road—one upon the Canadian Northern railway, another upon the Canadian Northern Manitoba, another upon branch line bonds, another upon the Manitoba and South-Eastern railway. The Saskatchewan government has issued guarantees amounting to $14,884,213, covering the Canadian Northern railway and the Canadian Northern Saskatchewan railway. The government of the province of Alberta has issued guarantees amounting to $18,950,361, covering the Canadian Northern railway and the Canadian Northwestern railway. Then we find that the province of British Columbia has issued guarantees amounting to $40,157,523, covering the Canadian Northern Pacific railway. That makes a total, in all, of $107,514,642 of guarantees issued by the provincial governments.

Hon. Mr. CLORAN: What about the province of Quebec, that dark and unwise province? How much has it guaranteed?

Hon. Sir JAMES LOUGHEED: We are not dealing with it yet.

Hon. Mr. DANDURAND: Do I understand the honourable gentleman to say that all those provincial guarantees come ahead of our federal guarantee?

Hon. Sir JAMES LOUGHEED: Yes. This being the case, it devolves upon the Parliament of Canada to decide what shall be done under those peculiar circumstances. I might say that there are in addition unguaranteed securities amounting to $126,917,672.

Hon. Mr. BELCOURT: What about the federal guarantee?

Hon. Sir JAMES LOUGHEED: That amounts to $104,613,247. Now let us first consider the road in its entirety. Let us assume for the moment that we are individually interested, that we have given guarantees to the extent mentioned, that we have given cash subsidies, of which there has been paid by the Dominion Government $31,286,720, by the different provinces of Canada $6,821,724, and by the municipalities of Canada $675,704, or in round numbers thirty-eight or thirty-nine millions.

Hon. Mr. CLORAN: What about land grants?

Hon. Sir JAMES LOUGHEED: Land grants have been made to the company to the extent of 6,555,708 acres. Nova Scotia gave 150,000 acres, Quebec 402,860 acres, Ontario 2,000,000 acres, Manitoba, Saskatchewan and Alberta 4,002,848.

Hon. Mr. BELCOURT: Is there anything to show how much land they have sold and

how much they have realized from those sales?

Hon. Sir JAMES LOUGHEED: I will come to that later.

Hon. Mr. WATSON: Manitoba and Saskatchewan had no lands to give; the lands mentioned in those provinces are dominion lands.

Hon. Sir JAMES LOUGHEED: That is the Dominion land grant in those provinces. The Government of Canada, therefore, finds itself in this position: it has guaranteed the bonds to the amount mentioned; it has given cash subsidies and made land grants to the amounts mentioned. The cash subsidies and the land grants have of course disappeared except as they are represented in the construction of the road, but Canada has no claim for any reimbursement on account of those cash subsidies and land grants.

Hon. Mr. DANDURAND: Do the cash subsidies include the fifteen millions voted last year?

Hon. Sir JAMES LOUGHEED: No, they do not include the loan. The guarantees, of course, are outstanding, and Canada is liable upon them. As I have said, the road is in an insolvent condition; it cannot meet its obligations. What will be the consequence of the present situation if there is not intervention either by the Government of Canada or by the different provinces of Canada which are committed on their guarantees to the payment of the obligations involved?

There are two considerations which must present themselves to our minds in dealing with this question. The first is the public policy involved in the construction of this road and in its being carried to a successful conclusion so as to become a going concern, thus contributing to the transportation facilities built up in Canada. When the National Transcontinental railway undertaking was entered upon by Canada there was, as we all very well know, an agitation not only throughout the whole of the West, but throughout the whole of Canada, that a transportation system should be built up to provide competition with the Canadian Pacific railway, assuring to the people of Canada not only additional transportation facilities, but that regulation of rates and of facilities which it was contended was absolutely necessary for the growth and development of the country. There is no question that the Canadian Northern system, even when it was merely a colonization system throughout the West, was one of the most valuable factors in the transportation facilities of our western country. That system contributed to the development of the resources of the western provinces quite as much as any other transportation system that had been constructed, and, apart from its transcontinental character, it is to-day one of the most valuable colonization systems, if not the most valuable, that we have west of the Great Lakes. The development of those western provinces, through transportation facilities being given them, is absolutely essential to the development of Canada. What is for the development of those provinces must necessarily be for the benefit of the provinces east of the Great Lakes. Therefore there is closely associated with this road the great national problem of the development of our resources through the transportation facilities which it affords, not only in being a competitor of other roads, but in the work it is calculated to do as a separate transportation system. Therefore this road has entered into our national growth and national development to such an extent that we must regard it not merely as a railway undertaking but as one of the great national problems of Canada. Consequently the question of public policy cannot be overlooked in considering the attitude which Canada as a whole should assume towards this enterprise.

As I have said, we find the road in a condition of insolvency. Will the Dominion Government intervene, or will it leave the provincial governments to intervene? If the provincial governments intervene, they are in a position to intervene only with regard to such portions of the road as are covered by their guarantees, and as are in their respective provinces. If the Dominion Government should not take any action by way of relieving the situation as it confronts us at the present time, the duty would be cast upon each province of Canada—that is, each province that has guaranteed the bonds of the company—to save itself.

Hon. Mr. BELCOURT: Or the creditors.

Hon. Sir JAMES LOUGHEED: Well, the creditors, of course, will look to the provinces. Immediately the creditors take proceedings to realize upon their bonds, the province at once becomes involved as guarantor. It undoubtedly has to intervene at once and meet the obligations within its own boundaries and under its own guarantees. Now, assuming for the moment that

we would not be called upon to make good any of our financial obligations, can we conceive that it would be in the interest of Canada to permit this transportation system to be broken up into six different entities, each entity to be under the control of the particular government that has guaranteed its bonds, and to be operated as a separate system, as undoubtedly would be the case? It is therefore manifest that the Dominion Government cannot stand idly by and allow the creditors of the different sections of the road to take proceedings upon their securities, and thus divide the road into the various entities into which it must become resolved.

Hon. Mr. DANDURAND: Can the honourable gentleman tell me if the fact of insolvency is recognized and accepted by the company? What act of default can the honourable gentleman point to which would indicate insolvency, or support and establish that statement as to insolvency?

Hon. Sir JAMES LOUGHEED: They have not been able to protect the interest upon their bonds. The net earnings of the road are not sufficient in themselves to meet the interest of the bonds, let alone to make betterment, provide rolling stock, etc.

Hon. Mr. DANDURAND: Has the company approached the Government with a written statement to the effect that they are unable to meet their obligations?

Hon. Sir JAMES LOUGHEED: The evidence is incontrovertible that assistance must be given. Now, that view of the matter presents to us another consideration, namely, the question as between the plan which is embodied in the Bill and that which has been urged in certain quarters, namely, that the Government should permit a receiver to be appointed and the road to be thrown into liquidation. The same difficulty would present itself with reference to the receivership. I need scarcely point out to honourable gentlemen that it would result in a multiplicity of receiverships a receiver being appointed for each province.

Hon. Mr. BELCOURT: Oh, no. The Exchequer Court could deal with it.

Hon. Sir JAMES LOUGHEED: Let me just inform honourable gentlemen as to what the situation is in that respect. The Exchequer Court Act gives to the Exchequer Court authority amongst other things, to appoint the receiver of any railway, or section of railway, not wholly within any one province or otherwise subject to the legislative authority of a province. When any such railway is wholly within a province, the superior courts of the province have concurrent jurisdiction with the Exchequer Court in all matters within the purview of the Act. That is to say, the superior court of each province, where the road is wholly within the province, has concurrent jurisdiction.

Hon. Mr. BEIQUE: If the honourable gentleman will allow me, I would point out that the Canadian Northern is a railway extending all over the country; therefore it is not within one province only.

Hon. Sir JAMES LOUGHEED: No; it is a series of roads. I speak advisedly on that matter. There are six different roads that make up the Canadian Northern.

Hon. Mr. CLORAN: Where is the missing link?

Hon. Mr. CROSBY: Over there.

Hon. Sir JAMES LOUGHEED: Yes, I think I hear the voice. The superior courts of the provinces have concurrent jurisdiction with the Exchequer Court in all matters within the purview of the Act. The purpose of the Act was simply to get over a difficulty previously experienced in attempting to proceed in a court of one province to wind up, foreclose, or otherwise deal with properties of a railway which extends into two or more provinces. In the case of the Canadian Northern system the railway lines of the Quebec and Lake St. John railway, the Canadian Northern Quebec railway, the Canadian Northwestern railway, the Canadian Northern Alberta railway, the Canadian Northern Saskatchewan railway, the Canadian Northern Pacific railway, the Halifax and Southwestern railway, and certain other small railways lie wholly within the limits of one province or another; and in respect of all those roads the superior court of each province would have jurisdiction to appoint receivers.

Hon. Mr. BELCOURT: Concurrently with the Exchequer Court.

Hon. Sir JAMES LOUGHEED: Yes; but you cannot oust the jurisdiction of the superior court of a province, and if the creditors of a particular road should invoke the courts of that province, that fact might oust the jurisdiction of the Exchequer Court because it is only concurrent.

Hon. Mr. CLORAN: Will the honourable gentleman permit me just one question?

Some Hon. SENATORS: No.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. CLORAN: The honourable leader is more considerate than his followers. The question I want to put to the honourable leader of the Government is: Were not all these roads declared by statute to be for the general advantage of Canada? Would not that, therefore, bring them under Federal jurisdiction?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. CLORAN: Were they not all declared to be for the general advantage of Canada? I have not read the statutes, but I believe they were.

Hon. Sir JAMES LOUGHEED: They are all separate roads.

Hon. Mr. CLORAN: I know, but they were declared to be for the general advantage of Canada.

Hon. Sir JAMES LOUGHEED: Only the lines of the Canadian Northern and the Canadian Northern Ontario extend into two or more provinces. It is therefore possible in each of these cases for the bondholders, or the creditors of the company, to appeal to the superior courts of the respective provinces for their protection. Since the interest of the bondholders in many cases conflict, it is not impossible that the concurrent local jurisdiction would be appealed to. The Canadian Northern system is not a single system. It is rather a single company, and the properties of the constituent companies included in the system are not sections of a railway within the meaning of the Act. If the Exchequer Court's jurisdiction were solely invoked, application would require to be made on behalf of each company involved. Moreover, the Duluth, Winnipeg and Pacific railway and the Duluth, Rainy Lake and Winnipeg Railway companies are not within the jurisdiction of the Exchequer Court, because these lines lie outside of Canada, in the United States. Therefore, we have facing us three conditions, namely: the roads lying outside of Canada, the roads lying within the different provinces, and those which extend beyond any one province, which enter at least two provinces.

Hon. Mr. BELCOURT: The honourable gentleman told us that the Dominion Government guarantees are $104,000,000. Can my honourable friend tell us upon what roads those guarantees bear?

Hon. Sir JAMES LOUGHEED: I do not know that I have the information by me; it covers the whole system; but the issue of bonds which would have to be issued in pursuance of those guarantees would be subsequent to the provincial issues.

Hon. Mr. BELCOURT: What is to prevent the Dominion Government from applying to the Exchequer Court for a Dominion receiver? That would cover the whole system.

Hon. Sir JAMES LOUGHEED: The Exchequer Court would not have exclusive jurisdiction over these roads. In the first place it would not have any jurisdiction as to the roads in the United States. It would not have exclusive jurisdiction as to the roads within each province, because its jurisdiction is concurrent with the jurisdiction of the Superior Court, and the Superior Court of each province could be invoked at the instance of the creditors or of the bondholders upon those sections of the road. If honourable gentlemen will take into consideration for a moment what would be involved in the very serious step of appointing a receiver, they will see that it would not appeal to the best interests of Canada, nor to the intelligence and commonsense of those who take an interest in this question. It must be remembered that the main line of the system, from Quebec to Vancouver, is owned by six different companies, apart from other companies owning branch lines in subsidiary enterprises. I will enumerate the different companies which this legislation will cover. Each of these companies has been financed separately, with separate mortgages, and in some cases separate trust deeds. Owing to the conflicting interests of the various bondholders, it would be impossible to appoint a single receiver for the whole system. Each set of bondholders would probably require a separate receiver to protect their interests. When my honourable friend (Hon. Mr. Belcourt) speaks of the Exchequer Court appointing one receiver for the whole system, he presupposes that those separate sets of creditors, whose interests may be in conflict, would quietly submit to the appointment of one receiver to wind up interests thus in conflict, that are entirely separate from each other. Consequently I say that under the circumstances, while it would not be impossible to have one receiver appointed, yet it would be improbable that those conflicting interests would agree upon the appointment of

one receiver to occupy the very anomalous position of deciding, at his own discretion, so to speak, interests of a very conflicting nature. We have to assume that each set of creditors would place in motion the machinery which they would consider best calculated to realize their indebtedness. They are not concerned in the maintenance of the entire system. They are not concerned in the public policy which may be involved in this enormous enterprise. They are concerned only in one question, and that is, how they can best realize the money which they have placed in that section of the road. Therefore, assuming that that view would be taken of it, each receiver would require a large staff, and the expenses of trustees, receivers, attorneys, accountants, and other employees would be something enormous, entirely apart from the breaking up of the system.

Then the appointment of different receiverships would involve abandonment of the present system of uniform operation and accounting, and the substitution of separate operation and separate accounting in respect of the various lines and enterprises. Furthermore, I would point out that immediately that step is taken, the question of the rolling stock in relation to the whole system comes into consideration. The rolling stock is owned by the parent company, the Canadian Northern Railway Company and the receiver of the Canadian Northern Railway Company would control the situation, and I think give preference to the interests which they represent rather than to those represented by constituent and subsidiary companies. The trustees who control the receivers are not in every case identical, and a conflict in this respect might be anticipated. The result would be the paralysis of the entire system. It would result in the dislocation of the enormous system which is at present being harmoniously operated as one complete and entire system. What would be the position of holders of government guaranteed securities? They are not compelled to realize upon their securities. They would reasonably demand, and very properly so, from the Government guaranteeing those securities, the immediate payment of both principal and interest; and we would therefore set in motion the Government of the different provinces of Canada in the winding-up of this company. Would the different provinces sit idly by and permit the Dominion Government to wind up this road? I submit not.

Hon Sir JAMES LOUGHEED.

Then there is the further consideration which is not to be overlooked—the financial situation as we find it to-day. Most of the bonds of this company have been floated; they represent 3½ or 4 per cent securities; and the trust deeds under which those bonds have been issued, I think, all provide that in the case of insolvency or receivership the principal at once becomes due. To go into the money markets of the world to-day to float this enterprise would probably cost the Government of Canada at least 7 per cent. I venture to say that the securities of such a company, if they could be placed, could not be placed upon the market at less than 7 per cent.

Now, I might, in a word, summarize what a receivership would mean. In the first place, it would mean unnecessary expense, duplication of receivers; consequent disintegration of the system; confusion in operation and accounting; enforcement by bondholders of government guarantees; the forced sale of certain lines; the forced intervention of the Dominion Government to save assets; the enormous cost of refinancing at the present rates, if refinancing be at all possible.

May I now point out to the House the constituent and subsidiary companies comprising the Canadian Northern railway, which constituent and subsidiary companies will pass over to the Government of Canada in the carrying out of the scheme which we have in view, namely, the acquisition of the stock.

Hon. Mr. BEIQUE: Before coming to that point, may I ask this question, which is important, as to whether it is true that all these railways have been declared to be railways for the general advantage of Canada?

Hon. Sir JAMES LOUGHEED: I cannot at the moment say; but I would say to my honourable friend that the legal position which I have pointed out is borne out by legal authority which I think cannot be controverted, namely, that those sections of the railway in each province, and being separate sections of the railway, would come within the jurisdiction of the respective superior courts of those provinces, which would exercise concurrent jurisdiction with the Exchequer Court in the matter of a receivership.

The companies that are known as constituent companies are as follow:

The Bay of Quinte railway company; the Canadian Northern Pacific railway company; the Canadian Northern Alberta rail-

way company; Canadian Northern Western railway company; Canadian Northern Saskatchewan railway company; Canadian Northern Manitoba railway company; Canadian Northern Ontario railway company; Canadian Northern Quebec railway company; Canadian Northern system terminals, limited; the Central Ontario railway company; Duluth, Winnipeg and Pacific railway company; the Halifax and South Western railway company; the Irondale, Bancroft and Ottawa railway company; the Lake Superior Terminals company, limited; the Minnesota and Ontario Bridge railway; the Minnesota and Manitoba Railway company; the Marmora railway and Mining company; the Mount Royal and Terminal company, limited; the Niagara, St. Catharines and Toronto railway company; the Quebec and Lake St. John railway; the Qu'Appelle, Long Lake and Saskatchewan railroad and steamboat company.

The subsidiary companies are: the Canadian Northern Railway Express company, Limited; the Canadian Northern Transfer company, Limited; the Canadian Northern Telegraph company, including the Great Northwestern Telegraph company in Canada; the Canadian Northern Steamships, Limited; the St. Boniface Western Land company, the Winnipeg Land company, Limited; the Niagara, St. Catharines and Toronto Railway company.

I may now say to my honourable friend from De Salaberry (Hon. Mr. Béique) that all these railways have not been declared to be for the general advantage of Canada.

Hon. Mr. CLORAN: How many have?

Hon. Sir JAMES LOUGHEED: I cannot say. If honourable gentleman will turn to page 1½ of the Financial Statement, the assets and liabilities of the companies will be seen. It is unnecessary for me to go over these in detail.

Hon. Mr. BELCOURT: What is meant by "current liabilities pay rolls, $1,832,708?" Are these arrears of salary?

Hon. Sir JAMES LOUGHEED: Those would be the liabilities on the pay-roll at that date.

Hon. Mr BELCOURT: They would be paid off since.

Hon. Sir JAMES LOUGHEED: Of course, these are changing all the time. This is the balance sheet of the 30th of June, 1916.

Hon. Mr. BOSTOCK: My honourable friend is going to read from this statement of the 30th of June, 1916. I understand that a much later statement was brought down in the other House. I think it was of the 30th of April, 1917.

Hon. Mr. CASGRAIN: The 15th of June, 1917.

Hon. Mr. BOSTOCK: My honourable friend has not got a copy of that statement?

Hon. Sir JAMES LOUGHEED: If there is such a statement it will be forthcoming when we go into Committee.

It is almost unnecessary to point out the advantage which the acquisition of this system will be to the Intercolonial railway, which is already owned by the Government. It will undoubtedly give the people of Canada a complete transcontinental system from the Atlantic to the Pacific; it will permit of the Intercolonial railway coming into Montreal over the tracks and into the terminals of the Canadian Northern railway system, which admittedly are of a superior character; it will save to the Government of Canada a very substantial amount which is now being paid to the Grand Trunk Railway company for the use of their terminals and tracks as an entrance to the city of Montreal.

Hon. Mr. BELCOURT: We have not got the terminals.

Hon. Sir JAMES LOUGHEED: The money is there for the completion of the terminals. It is true that as time progresses additional expenditures will have to be made to meet the requirements from time to time. Furthermore, the acquisition of this road will be of decided advantage to the operation of the National Transcontinental system. I have asked one of the railway officials to place in the corridor a map showing how the two roads may be linked up together, and honourable gentlemen will see the advantage which it will be, not only to both systems, but to the people of Canada, to have two additional systems competing with the Canadian Pacific to the head of the lakes. By the construction of a small branch of about 17 miles in length, to a place called, I think, Long Lake, the two roads can be connected so that there can be direct communication over the Transcontinental railway via the Canadian Northern into Port Arthur and Fort William. This will overcome the difficulty in reaching those points over the Lake Superior branch of the Grand Trunk Pacific railway. If honourable gentlemen will look at the map, they will see that so far as westbound traffic is concerned,

the people of Canada are at present practically precluded from reaching the head of the lakes. Those are advantages which will represent millions of dollars to be gained by the acquisition of this road.

If Canada should not acquire this road, are we willing to allow it to be absorbed, say by the Canadian Pacific railway, or by any private aggregation of capital? If this road should be acquired by the Canadian Pacific railway, it would add 9,500 miles of track to that enormous and magnificent system; but, at the same time, it would destroy the idea that the people of Canada had when this road was converted into a transcontinental system and was made a competitor of existing transportation systems across the continent. That is a matter to be considered. It is for the Parliament of Canada to decide whether it is in the interests of the public of Canada that an enormous railway system of this character should be under the control of one particular system.

There are perhaps two alternatives. One is to allow the present Canadian Pacific Railway system to absorb the Canadian Northern. Another is to have the Government of Canada stand to one side and permit the provinces of Canada to take the necessary proceedings to save their guarantees with reference to the different sections of the road within those provinces. It seems to me that public opinion will not hesitate a moment in approving of the scheme embodied in this Bill, and I venture to say that in the future, when normal conditions return after the war is over, and Canada proceeds upon its course of development as in the past, the public of Canada will wonder why we considered for one moment the adoption of any other scheme than that embodied in this Bill.

It is needless for me to say that this scheme was supported in the past by the political party which is now so vigorously opposing it. In 1914 this policy was supported in the House of Commons by the Liberal party—at least, the principle involved in this Bill, namely, that the stock should be acquired by the Government of Canada, and that the value of that stock should be determined by arbitration. Our friends in the Liberal party were so hopeful at that time that they were willing to fix a maximum of $30,000,000 for the acquisition of this stock. I will venture to say that under the present proposal nothing approaching that enormous sum will have to be paid for the acquisition of the stock.

Hon. Sir JAMES LOUGHEED.

Hon. Mr. DANDURAND: Is not the honourable gentleman overlooking the fact that since then we have advanced $45,000,000 and $15,000,000?

Hon. Sir JAMES LOUGHEED: That has been spent on the road.

Hon. Mr. BELCOURT: Is there anything to show what disposition has been made of those amounts?

Hon. Sir JAMES LOUGHEED: Yes. Returns have been made to the Government regularly.

Hon. Mr. BELCOURT: Will my honourable friend bring down those particulars?

Hon. Sir JAMES LOUGHEED: Yes. I think there has been something like nearly 2,000 miles added to this road since that time. My recollection is that the mileage of the road at that time was 7,000 odd miles. Yet my honourable friends were willing that the maximum of $30,000,000 should be fixed for the stock. In pointing out the obligations that the Government of Canada has assumed, I omitted to state that we are already the owners of $40,000,000 of the stock. That of course would go with the $60,000,000. The entire stock is $100,000,000.

Hon. Mr. DOMVILLE: What number of railways have we to look to for the $45,000,000?

Hon. Sir JAMES LOUGHEED: It would be necessary to go through the legislation already on the statute book to establish that.

Hon. Mr. CASGRAIN: Every railway in Canada connected with the Northern system—7,161 miles.

Hon. Sir JAMES LOUGHEED: Another consideration, of which it seems to me honourable gentleman must necessarily approve, is the plan that is being adopted of having this road operated by a company that will be entirely independent of the Government. Although the directorate will be appointed by the Government, they will be left entirely free of all control by the Government, and will be as independent in the administration and operation of the road as if the Government had practically no interest in it.

Hon. Mr. BELCOURT: Has the Government come to conclusion as to who is to operate and manage the railway?

Hon. Sir JAMES LOUGHEED: No, the personnel has not been considered yet, as far as I am aware.

Hon. Mr. BELCOURT: Are the present managers to be retained?

Hon. Sir JAMES LOUGHEED: Which managers do you mean?

Hon. Mr. BELCOURT: Mackenzie and Mann.

Hon. Sir JAMES LOUGHEED: Oh, no.

Hon. Mr. BELCOURT: Is that determined?

Hon. Sir JAMES LOUGHEED: Oh, yes.

Hon. Mr. BELCOURT: They are not to have any voice in the management ?

Hon. Sir JAMES LOUGHEED: They will withdraw from the directorate.

Hon. Mr. DOMVILLE: What is the consideration for which they will withdraw?

Hon. Sir JAMES LOUGHEED: If the Dominion of Canada becomes the owner of the stock, I fancy that will be sufficient assurance that we can name our own directorate.

Hon. Mr. BELCOURT: I notice that in the other House the view was advanced several times that it would be a very decided advantage to keep the present management; that is why I put the question.

Hon. Sir JAMES LOUGHEED: If my honourable friend had pursued the matter further, he would have found that the reference was to the operating management, and the names were mentioned. Sir William Mackenzie and Sir Donald Mann distinctly understand that their association with the road ends immediately this Bill goes through.

Hon. Mr. DOMVILLE: They might get a further title, say a peerage.

Hon. Mr. CLORAN: No, they remain the powers behind the throne.

Hon. Mr. BELCOURT: I notice that the value of the road is to be determined as of the date of signing the agreement. Does my honourable friend see how very vague that is? Has anything been determined as to the time when it is to be signed?

Hon. Sir JAMES LOUGHEED: It will be signed immediately this legislation is passed.

Hon. Mr. BELCOURT: It does not say so.

Hon. Sir JAMES LOUGHEED: But my honourable friend must see that we cannot enter into the agreement until we have the authority of Parliament, as embodied in this Act, to negotiate such an agreement. Nothing could be more satisfactory, it seems to me, than to provide that the value of the assets is to be decided as of the date of the agreement. No other date could very well be fixed.

Hon. Mr. BELCOURT: I am not so sure of that.

Hon. Sir JAMES LOUGHEED: What would my honourable friend suggest?

Hon. Mr. DANDURAND: Cannot we easily agree upon a second fact, since one important one has been admitted, that we are facing a bankrupt concern—that the common stock is valueless?

Hon. Sir JAMES LOUGHEED: That is necessarily an element to be taken into consideration in the arbitration. I have not time to dwell at any length on the scheme of arbitration, but it seems to me that no other scheme can be worked out than that which is to be found in the Bill. But my honourable friend is quite wrong in saying that it is established that there is no value in the stock. A concern may be insolvent, and yet the equities it holds may have a very substantial value; at least, that is shewn according to the statements made by valuators appointed by the royal commission.

Hon. Mr. DANDURAND: The Drayton-Acworth report says it is valueless.

Hon. Sir JAMES LOUGHEED: Of course, the commission stated that the value of the stock was non-existent, yet it was shown there conclusively that there was a very substantial omission of assets. There was cash omitted to the amount of $25,000,000, made up of the proceeds of certain securities yet in the hands of the provinces and in trust companies, while the bond issue of which the $25,000,000 forms part of the proceeds was charged up as a liability in its entirety; there were accounts receiveable omitted, amounting to $8,890,000; then there was a list of operating materials and other supplies, amounting to $916,000, and for earnings, freight in transit, $558,000; also there were land assets omitted—and I shall mention in a moment how it happened that those were omitted. Lands amount to 3,245,987 acres. Then, deferred payments and accrued interest amount to $6,662,000. On the liability side there is a shortage of $25,000,000, representing convertible income bonds.

Hon. Mr. CASGRAIN: How did they miss those things in the report?

Hon. Sir JAMES LOUGHEED: When Prof. Swain was called upon to give a valu-

ation of the road he made a physical valuation, and did not consider these matters as necessarily coming within the duty which he was asked to perform; he thought they did not form part of the physical assets of the road, and consequently they were omitted. I am not discussing whether there is a value in the assets; that is for the arbitration to decide.

Hon. Mr. CASGRAIN: Even adding that, it does not make enough.

Hon. Sir JAMES LOUGHEED: That shows $40,000,000 of a surplus.

Hon. Mr. DOMVILLE: I would like to ask who Prof. Swain is?

Hon. Sir JAMES LOUGHEED: Prof. Swain is considered to be the leading expert in the United States on physical valuations of railways. He is attached, I understand, to the professoriate of Harvard University, and is employed by the United States Government in valuations of this character.

Hon. Mr. BELCOURT: My honourable friend will notice that the Drayton-Acworth report is not dated, and there is nothing to indicate the date; it should be at the foot of page viii.

Hon. Sir JAMES LOUGHEED: So far as I can recollect, the report was made last spring. I will get the date. With these explanations, and the desire to further facilitate the inquiry of the Senate when we go into Committee, I move the second reading of the Bill.

Hon. Mr. POWER: I have listened with unusual care and attention to the instructive and able address of the leader of the House, but I failed to get any information on one point, which I assume he omitted through inadvertency. The honourable gentleman did not give the House the reasons why the Government did not proceed under the Act of 1914.

Hon. Sir JAMES LOUGHEED: Because they consider the way they are proceeding to-day is very much better.

Hon. Mr. CASGRAIN: The honourable leader said that those current liabilities were constantly changing. If he will look at page 1, he will see that they were $12,944,152, and if he looks at the year afterwards he will find that they are exactly the same; so they are not changing very much.

Hon. Sir JAMES LOUGHEED: That is a coincidence, probably.

Hon. Mr. CASGRAIN: Yes, but there are twelve million chances that it should not be.

Hon. Sir JAMES LOUGHEED: In the arbitration that is to take place all those matters are to be taken into consideration. We do not for a moment accept as conclusive the balance sheets which have been handed us to-day, or the different items that have been included in the balance sheets. Of course, a very full inquiry will have to be made into the exact figures.

Hon. Mr. DANDURAND: My honourable friend will understand that we look to him for information, and since he has decided, speaking for himself and the friends who stand around him, that this Bill will not go to the Railway Committee and we will not have a chance to examine the officials of the Canadian Northern—

Hon. Sir JAMES LOUGHEED: Does my honourable friend think that we should call the officials of the Canadian Northern and put them through a cross-examination before the standing committee? Is my honourable friend serious about that?

Hon. Mr. DANDURAND: I may tell my honourable friend that if he were retained for a syndicate to value the assets and examine into the liabilities of a concern in order to put in a bid, he would avail himself of all the information he could obtain, and he would engage the best accountants if he did not do it himself, so as to get an exact account of the real situation.

Hon. Sir JAMES LOUGHEED: But these will be the functions of the arbitrators. Surely my honourable friend does not think that we are going to sit here as a Senate and examine documents and determine the company's assets and liabilities.

Hon. Mr. DANDURAND: But we are passing legislation which implies that this bankrupt concern, as my honourable friend has called it—

Hon. Sir JAMES LOUGHEED: No, I did not say that; I said it was insolvent; I did not use the word bankrupt at all.

Hon. M. DANDURAND: Then I will withdraw the expression—that this insolvent concern has an equity in its common stock. When we pass this legislation there is an implication that there is something that should be arbitrated, that we recognize the possibility that there may be a value—I should perhaps go further and say the probability of a value —attached to that common stock. This being so, it seems to

me that it is most important that we should have information on these points: Has that $100,000,000 of common stock, of which we now own $40,000,000 been issued for value? Has the treasury of the company received any cash value for that stock, or has it been distributed for one cause or another? I find on page xliii of the Drayton-Acworth report this statement:

> We find, then, $370,000,000 to be the maximum possible cost of the Canadian Northern system as at present existing. In other words, as indeed is frankly admitted by Canadian Northern witnesses—

And, of course, we have not those witnesses and cannot ask them—

> —the Canadian Northern shares represent no cash investment.

Does my honourable friend accept this statement, and recognize that that stock has been distributed, and when distributed represented nothing but future hopes, or water, to use the common word?

Hon. Sir JAMES LOUGHEED: I might answer my honourable friend in this way: Is he not aware of any stock on which cash was never paid, that has yet come into value?

Hon. Mr. DANDURAND: I know that stock that has been distributed has appreciated, but the question I put is simply this, has this stock been distributed without a cent falling into the treasury of the company?

Hon. Sir JAMES LOUGHEED: As my honourable friend puts it emphatically in that way, I would ask him to consider this statement which has been made, and which I think appears in the report, that the land grants to which I have referred were all handed over by Mackenzie and Mann in consideration of this stock being given them.

Hon. Mr. DANDURAND: But to whom had the land been granted?

Hon. Sir JAMES LOUGHEED: To the different roads that finally went into making the Canadian Northern system; but the grants were controlled by the promoters, Mackenzie and Mann, and when the roads were constructed and the land grants earned those land grants went to the promoters. The Government handed them over; the promoters were entitled to them. Then, I would point out to my honourable friend that from the beginning of construction down to the present time, extending over fifteen or twenty years, the services of those men as contractors have been given gratuitously. My honourable friend will find from the report of the Commission that the ability and economy exercised by Mackenzie and Mann in the construction of that road have enured not only to its financial but its engineering advantage. My honourable friend is placing reliance upon the report of the Royal Commission. I would refer him to page lxi, in which this statement is made:

> The result of our inquiries leads us to the conviction that both Sir William Mackenzie and Sir Donald Mann had a firm belief in the ultimate success of their undertaking, and in their own ability to carry it to a successful conclusion.
>
> It was therefore obviously in their interest, as owners of all the common stock, that the road should be as well located and as economically constructed as possible. And they did their utmost to attain this end. The success of their endeavours may be judged from the fact that Canadian Northern construction from Tollerton (120 miles west of Edmonton) to Vancouver cost $88,629 per mile, while the construction of the Grand Trunk Pacific from Wolf Creek (on the opposite side of the Athabaska river from Tollerton) to Prince Rupert cost $112,000 per mile. It is true that the Canadian Northern had the benefit of the "tote" roads built by the Grand Trunk Pacific between Pembina river and Resplendent, as the Grand Trunk Pacific was first in the field; but as against that it had to face higher costs of labour and material. We believe that, speaking generally, one consideration may be set off against the other. Again, the cost of construction of the Canadian Northern from Port Arthur east to Montreal can be compared fairly to the cost of the construction of the National Transcontinental from Winnipeg to Quebec. The cost of the Canadian Northern was $52,602 per mile, including in this amount interest at 5 per cent during the construction period, but excluding the Montreal passenger terminal. The cost of the National Transcontinental was $93,735 per mile, including interest at 3 per cent down to December 31, 1914, but excluding the cost of the Quebec bridge.

That is, $93,735 per mile as against $52,602 per mile, and on the mountain section $88,629 per mile as against $112,000.

Hon. Mr. DANDURAND: This road was built by Mackenzie and Mann as contractors for the road, was it not?

Hon. Sir JAMES LOUGHEED: Yes, but they made no charge for their services, and my honourable friend can easily figure out what their services would be on a construction cost of practically $400,000,000 if they exercised the right as they could have done, of charging a percentage on force account in addition to the land grant which I have mentioned.

At six o'clock, the Senate took recess.

The Senate resumed at eight o'clock.

Hon. HEWITT BOSTOCK: I should like first to congratulate my honourable friend (Hon. Sir James Lougheed) on his speech and the free and easy way in which he handled this question. It is a question which, it seems to me, affects all the interests of the country so seriously and has such an enormous amount of detail in it that it is very difficult to know what points to touch upon and what points to leave out.

My honourable friend dealt with the question of the responsibility for the railway construction in the country—a question which has been discussed before in this House, but which I do not think I can allow to pass without making a few remarks upon it. The honourable gentleman left on the House the impression that the late Government was practically responsible not only for the Grand Trunk Pacific, but also for the whole of the Canadian Northern construction. If my honourable friend will carry his mind back to the year after the present Government came in, he will remember that a vote was put through Parliament granting to the Canadian Northern Pacific a cash subsidy of $12,000 a mile, which I for one opposed very strongly in this House; and he will realize, I think, that the late Government had no responsibility for the granting to the Canadian Northern Pacific of that cash subsidy or the assistance that was given to that section of the Canadian Northern Railway. The Conservative party in the province and the Conservative party in the Dominion must bear the full responsibility for the position in which the province of British Columbia finds itself with regard to the liabilities of this railway.

My honourable friend, I am glad to say, did not try to get away from the point that this company is practically insolvent today. He realizes the position in which the company is placed, but he did not go into the matter to show us clearly in what way this act of insolvency had been committed, and did not deal with the question as in my opinion it should have been dealt with. I would like to refer the honourable gentleman to remarks which he made in 1914, when the question of the granting to this company of a guarantee of $45,000,000 was before this House. Very great interest was taken in the question throughout the country, and it was thoroughly discussed here. The honourable gentleman on that occasion assured the House and the country that the Government was fully aware of the position they were then taking. I think it will be of interest to read to the House a statement that was made by the honourable leader of the Government at that time, in 1914, with reference to the legislation which was being put through Parliament. The honourable gentleman said on June 5, 1914:

> The agreement makes further provision, and of the most satisfactory character, in the interests of the public in the event of default arising by the company in the carrying out of its obligations, permitting the Government to enter upon and take possession of the road, and subject to Parliament to take over the entire system as the property of the Government of Canada. It may not be out of place in this connection to say that in the agreement which has been worked out in this measure looking to the Government obtaining every possible security to protect its guarantee, in addition to every precaution being taken to see to the application of all moneys being made upon actual construction and thus furnishing every assurance for the completion of the road. In the provisions as to the right of foreclosure, of possession and of assuming not only entire control but entire ownership, the Government combines the advantage of having the system completed without assuming public ownership and of owning two-fifths of the entire capital stock which in the event of the undertaking becoming a successful and prosperous enterprise will be a national asset upon which the people of Canada will have every reason to congratulate themselves. On the other hand, should default arise and should the Government of Canada be called upon to invoke their rights under the agreement to take possession of the road, we have the advantage of the present contractors completing the undertaking at a cost substantially less than it would be at all possible for the Government of Canada at present to enter upon and complete the undertaking themselves. It will probably be readily admitted that Mackenzie and Mann, Limited, are in a position to complete this undertaking at probably fifty per cent less than the Government of Canada could enter upon such a responsibility and carry on the work to a completion.

The honourable gentleman went on to say:

> We have the further advantage that if default is made we shall have had the aid which we are now voting applied in the completion of the undertaking without disturbing the financial conditions of Canada at this very critical period in our financial history. We shall escape precipitating a panic in Canada at a time when it was never more necessary to maintain the public credit and to meet the financial exigencies of the hour. This measure gives assurance of a satisfactory completion of this great undertaking and if default should arise, then under the provisions of the agreement the Government of Canada will be able automatically to enter into possession of the property and to assume control and public ownership without at the present moment producing a financial convulsion within our own boundaries, not to speak of the impairment to our national credit abroad.

That was what the honourable gentleman stated to the House when the Bill was introduced to grant this company a guarantee of $45,000,000. That statement went out to the country, and it was only fair for the country to assume that when default

was completed, action would be taken according to that statute. Perhaps I had better read for the information of honourable gentlemen the clauses of the statute which dealt with that question. Section 21 says:

The following shall be events of default within the meaning of this Act, viz,

I do not know that it is necessary to read that, because the honourable gentleman (Hon. Sir James Lougheed) has admitted that the company is insolvent. Section 22 says:

1. Upon the happening of any event of default and at any time or times while the same shall continue, it shall be lawful for the Governor in Council after such notice to the Canadian Northern as the Governor in Council may direct, to declare to be vacant the offices of the directors of the Canadian Northern and of any of the Constituent or Subsidiary Companies which may be subject to the legislative authority of the Parliament of Canada, and to appoint a board or boards of directors in lieu thereof respectively (any former director being eligible for appointment).

2. The power of appointment herein conferred upon the Governor in Council shall be a continuous power and shall be exercisable from time to time and so often as any event of default may exist and be continuing.

There is a clause dealing with the term of offices, and vacancies, and directors. Then, section 24 says:

If authorized by the Parliament of Canada, the Governor in Council may on such terms and conditions (if any) as Parliament may prescribe, at any time while any event of default shall exist and be continuing, by order declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed, and thereupon the equity of redemption of the Canadian Northern (and of such other persons) in the mortgaged premises and every part thereof shall be and become absolutely barred and foreclosed, and the same shall thereupon be vested in His Majesty in right of the Dominion of Canada, any statutory enactment or any rule of law or equity to the contrary notwithstanding.

Honourable gentlemen will notice that in that particular clause it is provided that "at any time while any event of default shall exist and be continuing," the Governor may "by order declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed, and thereupon the equity of redemption of the Canadian Northern (and of such other persons) in the mortgaged premises and every part thereof shall be and become absolutely barred and foreclosed." I do not think that any stronger language than that could have been used. That was put on the statute book and held out to the country as the action that the Government would take if the event of default did happen in the management of this railway.

I could go on quoting statements made at that time by other ministers of the Crown, holding up to the country this same policy as the way in which this question would be dealt with in the event of default occuring; but I do not think it is necessary to take up the time of the House in doing so.

The Government last year, after agreeing to advance the sum of $15,000,000 in order that this railway might be carried on, brought down an estimate providing for the appointment of a Royal Commission to deal with the railway question and to report to the country what they found to be the condition of this railway. I find on turning to the report of the Commissioners, Drayton and Acworth, page 84, the following words;

We feel that the appointment of receivers is not in the interest of the country's credit. It certainly is not in the interest of the companies, as the evidence of this report shows that the property of the Grand Trunk Company, if it were put into a receiver's hands, would leave little or nothing for the shareholders. The result of court proceedings would probably be to divest the shareholders of all interest, and to place the Government in the position to take, to the fullest extent, the advantages of their legal position as holders of defaulting securities. But, though we hope receiverships will not be necessary, we think the Government must face the possibility of being compelled to take the course we have indicated.

In the case of the Canadian Northern Railway Company no proceedings in court are requisite. Under the provisions of section 24 of the Canadian Northern Railway Guarantee Act, 1914 (4-5 Geo. V, chap. 20)—

That is the section which I have just read—

—the Governor General in Council has power, when authorized by Parliament, to declare by Order, if default is made by the company in payment of interest on the $45,000,000 guaranteed securities (the interest on which is at present being found by the Government) that the equity of redemption of the company is absolutely barred and foreclosed; and thereupon the whole property becomes vested in His Majesty in right of the Dominion of Canada.

That is the statement made by Drayton and Acworth in their report to the Government. It is true that the Government have tried to find fault with the report. Some time after it was issued the statement was made in the House that certain items had been left out; but there is a clear statement by the commissioners appointed by the Government of the way that this whole question could be handled, and I think it is the way that it should be handled, because it is the way the Government told

Parliament and the country that they would handle it if any case of default occurred in the dealings of this railway company.

The honourable gentleman (Hon. Sir James Lougheed) has told us to-day that he is anxious to give us all the information possible with regard to this company in order that we may be in a position to vote intelligently on the question. I am very sorry that the honourable gentleman could not see his way to granting the request that I made to him, that this matter be referred to the Railway Committee, because I think that the information which it is necessary for this House to have before dealing with the question could have been obtained very much better in that way than by discussing the question in this Chamber.

Various statements have been issued to the public, and any honourable gentleman who takes up these statements, reads them and compares them, will find that he is in a very difficult position in trying to arrive at the truth respecting the condition of this railway company. In talking to honourable gentlemen and others about this matter I have found that there is a great deal of misapprehension in the public mind as to what is included and what is not included in the Canadian Northern Railway system. When you talk about subsidiary companies and all that class of security, some persons seem to consider that they include all the investments which Mackenzie and Mann had outside of their railways; but I asked a question of the honourable leader of the Government in regard to this matter the other day and I learned then that the Canadian Town Properties, Limited, has nothing to do with the Canadian Northern Railway Company; and there are a large number of other companies which a great many people think are included in this whole system; such as lumber companies, fishing companies, smelting companies, mining companies, street railway companies, and concerns of that kind. But if they study the Act of 1914 I think they will see that they are absolutely tied down to the companies named in that Act, although I think that my honourable friend this afternoon referred to a telegraph company and an express company which I did not think were included in the list of 1914. I mention these matters to show the misapprehension that exists in the public mind, and even in the minds of honourable gentlemen in this Chamber, as to what is really included in the Canadian Northern system, and as to what is not included.

Hon. Mr. BOSTOCK.

When we come to deal with the question of what the Canadian Northern system really represents, it is very difficult to agree as to what is meant, and as to what is the real value of the system.

The honourable gentleman to-day made the point that in the Drayton-Acworth report no account was taken of the land grants, that is, land given by the country at various times to some of the railway companies which are now included in the Canadian Northern Railway system. The honourable gentleman spoke of these land grants as if the lands belonged to Messrs. Mackenzie and Mann when the roads were building, and as if those gentlemen were most philanthropic when they presented what was left of these land grants, together with the mortgages upon them, to the country as part of the Canadian Northern Railway system. The honourable gentleman referred to the report of Professor Swain on this matter; but after looking at what is said by Messrs. Drayton and Acworth with regard to this report, I cannot see that the contention of my honourable friend is right. On page 43 of the Drayton-Acworth report I find this statement:

> Professor Swain's method of arriving at his results are fully explained in his report, which is printed as an appendix hereto.

Honourable gentlemen will see that this all refers to the physical basis of the road.

> He makes the total cost of reproduction new, $397,441,567. From this he deducts for depreciation, $40,031,889, making the cost of reproduction of the property in its present condition $357,409,678. This, however, does not include equipment. Equipment was inspected by Mr. Buchanan and, on the basis of his report as to quantities and condition, a valuation has been made by W. H. Chadbourn, C. E., chief engineer of our valuation staff.

I presume that he is a member of the Railway Commission.

> He finds the cost of reproduction new at pre-war prices to be $56,590,418, and the depreciation to be $11,250,433, making the present value $45,339,985. Putting the two valuations together, we have $402,749,663 as the fair cost of reproducing the entire physical Canadian Northern system in its present condition.

Honourable gentlemen will see that in considering this question Professor Swain did not need to take into account the lands which the Government of Canada had given to the railways.

Hon. Sir JAMES LOUGHEED: I did not contend that. I said that there were in round figures 850,000 acres of land yet held by the company, valued at $15 per acre; that in deferred payments there was approximately $7,000,000 due.

Hon. Mr. BOSTOCK: I understood my honourable friend to say that the value of these lands was not taken into account in Professor Swain's report.

Hon. Sir JAMES LOUGHEED: They were not. They were omitted.

Hon. Mr. THOMPSON: Are not all the lands owned by the railways subject to the $20,000,000 land mortgage?

Hon. Sir JAMES LOUGHEED: No. There is land to be sold that will realize in round figures between $12,000,000 and $15,000,000.

Hon. Mr. BOSTOCK: The point which I am trying to make is that Professor Swain was dealing with the physical reproduction of this road, and therefore it is quite understandable that he would not take into account——

Hon. Sir JAMES LOUGHEED: That is what I say.

Hon. Mr. BOSTOCK: But that does not show that the land, and the equity that was left, outside of the mortgage, was not taken into account in this report.

Hon. Sir JAMES LOUGHEED: It was not.

Hon. Mr. BOSTOCK: I think I can show that it was. The statement then goes on to say:

> Now, the outstanding liabilities (bonds, debentures, notes, and bank and other loans) of the company exceed $400,000,000.

The total for the equipment given in this report of Professor Swain amounts to $402,701,663, and the liabilities against it to $400,000,000.

> Reckoning on this basis, it appears that the liabilities are practically equal to the reproduction cost of the physical property. But the physical property does not all belong to the Canadian Northern shareholders. There are minority holdings in several of the subsidiary undertakings. The Canadian Northern interests in these undertakings only corresponds to its percentage proportion of their respective share capitals. This implies a reduction of more than $10,000,000 in the estimate of the assets belonging to the Canadian Northern shareholders. We find, then that, on the physical basis, the value of the property of the Canadian Northern shareholders is distinctly less than the amount of the liabilities against it. On this basis the equity of the shareholders must be regarded as nonexistent.

That is the result of Professor Swain's report, and the summing up of the matter by Messrs. Drayton and Acworth.

I would ask the honourable gentleman to turn to page 19 of the report, where Messrs. Drayton and Acworth give in condensed form the amount of money and guarantees that have been furnished by the Dominion of Canada. Honourable gentlemen will see that the cash subsides granted to the Canadian Northern railway by the Dominion Government, the provincial Governments, and the municipalities, amount to $38,874,148; the proceeds of lands sold amount to $34,379,809; loans outstanding on investments, $25,858,166; guarantees outstanding $199,141,140; making a total of $298,253,263. They deal with this question later on, and they make the statement:

> That the company has not now, and as far as we can see, will not have in the near future, such credit as to enable it to raise the necessary capital. As we have already shown, the public investment, direct and indirect, in the Canadian Northern system amounts to $298,000,000. We do not recommend further public investment in the system, as at present constituted.

Honourable gentlemen will see that in that figure named by Messrs. Drayton and Acworth they take into consideration the question of these lands.

Hon. Sir JAMES LOUGHEED: Will you show me where?

Hon. Mr. BOSTOCK: Where did they get the proceeds of what is sold?

Hon. Sir JAMES LOUGHEED: That is the original land grant. Will my honourable friend pardon me for interrupting?

Hon. Mr. BOSTOCK: Certainly.

Hon. Sir JAMES LOUGHEED: I quote from a letter sent to Sir Thomas White pointing out omissions that were made, and, if the House will permit me, I will read it. It says:

> I may state that it is quite clear that there is an error in that part of the Commissioners' report; the following assets on the asset side are omitted: cash, $25,000,000; accounts receivable, $8,890,000; operating materials and supplies, $916,000; earnings, freight in transit, $558,000; lands unsold, 3,245,987 acres; deferred payments and accrued interest, $6,662,000; on the liability side, there is a shortage of some $25,000,000.

Hon. Mr. BOSTOCK: I do not think the statement which my honourable friend has just given has been given anywhere before. It is a different statement from the one which I have here and to which I propose to refer. I think it emphasizes the point that I am trying to make, namely, the difficulty of arriving at what is the real position of this company, and what liabilities we may have to assume, and what the value of this company is. Of course, some of these questions can be dealt with very much better in committee than at the pre-

sent time, but I want to refer to them because my honourable friend will understand why we want the information and he will also understand the difficulty in arriving at a clear understanding as to the position of the company.

Hon. Sir JAMES LOUGHEED: That has all been included in the liabilities.

Hon. Mr. BOSTOCK: The honourable gentleman then referred to the statement of the assets and liabilities of this company, published in blue-book form. We find there that the funded debt of the Canadian Northern Railway company is given in schedule A as $162,192,440. The funded debt of the affiliated companies, schedule B, $123,223,824, a total of $285,416,264. But when we take the figures given in that same report, on pages 5, 6 and 7, we find the list of securities totals $359,931,635. There is a difference there of $74,000,000. The whole $359,931,635 would, I believe, be liabilities not only of the Canadian Northern, but of the affiliated companies, and I do not understand why there should be such a difference in the balance sheet. It does not show where that mortgage of $21,000,000 is taken into account. Another point on which we should get information is this: There is a statement on page 8 giving a memorandum of the short-term loans and current liabilities as of June 15, 1917, the total being $98,276,883. I do not wish to quote more figures than are necessary; so I would simply say that that amount includes London loans, Canada loans, New York loans, and other obligations. Honourable gentlemen will find, however, by referring to pages 11 and 12, particulars of the first three of those loans; but when they come to other obligations $24,289,609, on page 8, we can get no information at all out of this statement, as there do not seem to be any particulars of that item telling, what those obligations are or represent—whether they are secured in any way to the people who have loaned the money on any of those securities. We ought to know the meaning of that item.

I have a typewritten statement here which was handed to me, headed: "Sessional Paper No. 237B." I do not know whether my honourable friend has a copy of it, and possibly other honourable gentlemen may not have it, as I suppose it has not been printed. This statement gives some information which my honourable friend read out just now, but not all of it in the same way. I find in this statement, first of all, items relating to payments on interest account. Possibly, as my honourable friend has not a copy, it might be well to read the statement in order to get it on Hansard. The statement reads as follows:

Monday, August 13, 1917.
Sessional Papers No. 237B.
Finance Department, Ottawa.
The Canadian Northern Railway Company.
Payments on interest accounts.

The Government have advanced to date to the Canadian Northern Railway company on interest account, under section 29 of the Acts of 1914, the sum of $2,634,500.01, as follows:

May 1, 1916	$250,000.00
June 24, 1916	628,166.67
October 26, 1916	628,166.67
November 1, 1916	250,000.00
February 28, 1917	628,166.67
May 1, 1917	250,000.00

The company have paid to the Government interest in full on above advance to March 1, 1917, the sum of $35,952.04, as follows:

November 24, 1916, in full to September 1, 1916	$ 6,640.38
April 4, 1917, in full to March 1, 1917	29,311.66

The next payment of interest on interest is due September 1, 1917.

Then there is a letter dated August 11, 1917, from A. J. Mitchell, assistant to the Vice-President, addressed to Hon. Sir Thomas White, as follows:

Canadian Northern Railway System.
Office of Assistant to the Vice-President,
Toronto, August 11, 1917.

Hon. Sir Thomas White,
Minister of Finance,
Ottawa, Ont.

Dear Sir:—

I herewith beg to hand you the following statements with respect to the Canadian Northern Railway:

1. Interim Condensed Balance Sheet as at April 30, 1917.

(Inasmuch as the operating returns for June were not complete, and as it would entail considerable delay in having these prepared, we are submitting the condensed balance sheet to April 30. There will be little difference between this statement and the results shown in the June 30 balance sheet.)

2. Statement of estimate of cost to complete lines and terminals under construction and financial provision for same.

3. Statement of contractors' and other construction accounts outstanding, 30th June, 1917.

4. Memorandum re unsold lands.

5. Estimate of amount required for betterments and rolling stock for three years.

Yours truly,
A. J. Mitchell,
Assistant to Vice-President.

Then I come to the balance sheet as of the 30th April, 1917, which is as follows:

CANADIAN NORTHERN RAILWAY SYSTEM.

Interim Condensed General Balance Sheet at April 30, 1917.

ASSETS.

Property Investment—Railway and Equipment at Cost to the System, including discount on Securities of Constituent and Subsidiary Companies and acquired securities (per statement on pages 18 and 19)		$ 502,878,450 29
Other Investments		1,202,627 14
National Trust Company Certificates—re land grant bonds, Issue 1899. These securities held as collateral to loans		1,657,500 00
Terminal and other properties		5,996,510 16
Land Assets—		
Deferred payments and accrued interest on sales	$ 7,249,329 93	
Cash with National Trust Company account of land sales	2,043,683 55	
Lands unsold	19,855,485 00	
		29,148,498 48
Current Assets—		
Cash held on account of—		
Dominion Government	$ 2,449,726 25	
Province of Manitoba	45,243 89	
Province of Saskatchewan	1,202,825 24	
Province of Alberta	2,792,615 12	
Province of Ontario	413,616 49	
Province of British Columbia	4,725,945 51	
National Trust Company	335,576 69	
British Empire Trust Company, Trustees' Account	1,845,416 14	
Central Trust Company of New York	70,761 87	
Sinking Funds	132,133 01	
		14,013,860 21
Value of material and supplies on hand	$ 3,285,688 69	
Due from agents, station balances, etc	1,670,586 48	
Miscellaneous accounts receivable	7,044,174 11	
British Admiralty	664,070 84	
Cash on hand	2,537,611 11	
		15,202,181 23
Insurance paid in advance		452,678 31
Advances by the Canadian Northern Railway Company to affiliated companies		10,371,961 54
Deferred Charges—Unadjusted Debits—Balance		160,411 35
		$ 581,084,678 71

LIABILITIES.

Capital Stock—Commons		$ 100,000,000 00
Capital Stock—Affiliated Companies	$ 75,429,500 00	
Less held by Treasury	69,482,400 00	
		5,947,100 00
Five per cent Income Charge Convertible Debenture Stock		24,139,607 00
Funded Debt—		
Canadian Northern Railway	$ 161,866,037 27	
Affiliated Companies	122,811,444 80	
		284,677,482 07
Equipment Trust obligations		$ 15,144,500 00
Temporary loans against deposit as collateral of inter alia Government Guaranteed Securities, the value of which at current prices exceeds the amount borrowed		$ 66,922,862 19
Due on Construction Account (Secured)		13,219,511 61
Current Liabilities—		
Pay rolls	$ 1,670,258 39	
Audited vouchers and other floating liabilities	12,510,190 05	
		14,180,448 44
Coupon and Dividend Warrants due on 1st May (since paid)	$ 1,585,166 77	
Accrued interest on bonds, loans and equipment securities—		
Operating	$ 2,577,851 99	
Construction	560,896 20	
	3,138,748 19	
		4,723,914 96
Reserves—		
Steamship Replacement Fund	$ 1,941,845 20	
Equipment Replacement Fund	1,494,322 53	
Insurance Account	626,252 06	
Taxes accrued	200,000 00	
		4,262,419 79
Affiliated Companies—Advances Account		10,371,961 54
Surplus		37,494,870 71
		$ 581,084,678 71

Certified Correct,
H. G. Foreman,,
Chief Accountant.

I draw the attention of honourable gentlemen to this fact, that when they compare this statement, which is signed by H. J. Foreman, Chief Accountant, with the statement of the 30th June, 1916, which is signed by the chartered accountants, they will find items in this statement which are not in the other one, and I decidedly think those variations need some explanation; for chartered accountants are supposed to have gone thoroughly into this matter, and they are expected to get all the information that the company has to give. It would take too long to make a comparison of the entire statement, but I think we should have some explanation as to where and why the difference occurs, and how it comes that the statement given by the accountant of the Company does not agree in these matters with that given by the chartered accountants, who, I presume, are a very reputable firm, and who would make every endeavour to see that they got exact figures and made a correct statement of the affairs of the Company.

This sessional paper goes on to make another statement as to cost of completion of lines and terminals under construction, as follows :

Canadian Northern Railway system.

Estimate of cost to complete lines and terminals under construction and financial provision for same June 30th, 1917.

Estimated cost to complete lines already under construction.

Western Lines..	$1,612,005	
Eastern Lines..	110,000	
		$1,722,005

Estimated cost to complete terminals already under construction.

Montreal Terminals..	$ 578,000	
Toronto Terminals	388,094	
Pacific Coast Terminals.. ..	1,500,000	
		$2,466,094
Estimate of Requirements for construction..		$4,188,099

Provision for the Above.

Cash in Trust Accounts applicable to above construction..	$3,683,831
Government Guaranteed Securities...	217,160
Canadian Northern Railway 4% Debenture Stock..	287,108
	$4,188,099

Note:—The above does not represent the complete construction programme of the Company, but only that portion of same which it is desirable should be proceeded with. Arrangements could be made to defer the balance till after the war, when same will be subject to such changes as conditions may necessitate.

Certified correct,
A. J. Mitchell.

In connection with that statement it might be proper to draw attention to a telegram that was sent to the Premier a short time ago by the Minister of Railways of British Columbia, asking what would be the position of British Columbia in regard to contracts existing between that province and the Canadian Northern Pacific railway, amounting to between $20,000,000 and $25,000,000. The figures given here do not seem to bear any relation to $20,000,000 or $25,000,000. I have not been able to see that any reply was made either by Sir Thomas White or Sir Robert Borden that would give any explanation or information to the Minister of Railways in British Columbia as to the position his province would occupy in the matter.

Then, there is a further statement here of accounts outstanding on construction, June 30th, 1917 :

Canadian Northern Railway system.

Accounts outstanding on construction June 30, 1917.

British Columbia—	
Contractors' estimates and material accounts..	$253,665.09
Contractor's drawbacks..	221,936.31
Western Lines—	
Contractors' estimates and material accounts..	78,549.90
Eastern Lines—	
Contractors' estimates and material accounts..	151,938.75
Construction loans..	293,476.90
	$999,566.95

Certified correct,
(Sgd.) C. C. Irving,
Construction Accountant.

The following is a Memorandum of Lands, dated June 30, 1917:

(a) Lands Unsold—	
Provinces of Manitoba and Saskatchewan, 843,127 acres at $15 per acre...	$12,646,905 00
Province of Ontario, 2,000,000 acres at $3 per acre..	6,000,000 00
Province of Quebec, 402,860 acres at $3 per acre..	1,208,580 00
	$19,855,485 00
(b) Deferred Payments—	
Payments receivable, with accrued interest to date..	$ 7,140,996 59
(c) Cash in hand—	
National Trust Co. Ltd., 1899 and 1909 bonds..	$ 2,408,683 57
	$29,405,165 16

(d) Mortgages outstanding—		
4% Land Grant Bonds, 1899	$ 2,000,000 00	
4% Land Grant Bonds, 1909	2,217,740 00	
5% Land Mortgage Debentures, 1913	17,033,333 33	21,251,073 33

Note— e

1913 Selling price Western Lands average..$15.36 per acre.
1914 Selling price Western Lands average..$15.23 per acre.
1915 Selling price Western Lands average..$15.53 per acre.
1916 Selling price Western Lands average..$16.37 per acre.

This is certified correct by the treasurer of the Company, although I notice he does not sign his name to it.

Then there is a further "Estimate of Amount Required for Betterments and Rolling Stock for three years from June 30, 1917, to June 30, 1920:"

	June 30th 1918	June 30th 1919	June 30th 1920
$25,000,000. New Rolling Stock 25% payable in cash, balance financed by equipment trusts spread over 10 years	$ 500,000	$2,025,000	$2,587,500
Amount payable in repayment of equipment notes now outstanding on equipment already owned	3,090,000	2,830,000	2,730,000
	$3,590,000	$4,855,000	$5,317,500
Betterments, Improvement and Traffic Facilities	3,000,000	3,500,000	3,000,000
	$6,590,000	$8,355,000	$8,317,500

Certified Correct.
(Sgd.) H. T. Foreman,
Chief Accountant.

I feel, honourable gentlemen, that I ought to apologize to the House for taking up so much time in reading all these figures, but, inasmuch as this statement had not been issued in the form of a blue book, from which honourable gentlemen could obtain the information, I felt that it was better to put the statement in the official report so that they could refer to it. But it only shows that we are justified in asking for a great deal more information than we have been able to get, and I hope that we shall succeed in obtaining the information we require.

Hon. Mr. WATSON: Before the Bill is passed.

Hon. Mr. BOSTOCK: Honourable gentlemen will notice that under section 3 of the Bill which is now before the House, provision is made for the Government to spend $25,000,000 during the next year, and that sum, of course, will be spent on this road. That is an estimate made by the Government of what is required to operate the road during this next year and to pay the interest on securities and on other liabilities falling due. I think it would be to the advantage of the House to read what was said by Drayton and Acworth in their report, with reference to an estimate submitted by the Canadian Northern:

The Canadian Northern estimate submitted to us further calculated that, in the course of the next five years, the company will need to spend $12,500,000 of new capital for additions and betterments, and $25,000,000 for new equipment. We consider these estimates entirely inadequate, and especially so in relation to the estimate of 90 per cent increase in gross receipts. The company has acknowledged that its equipment is inadequate to take care of its existing business. That equipment stands in the company's books at $59,000,000. If the business were to increase 90 per cent, it would seem to need not $25,000,000, but over $50,000,000 spent on new equipment to handle it.

Then they refer to a comparison between the Canadian Pacific railway equipment and that of the Canadian Northern railway. The Canadian Pacific railway has seven freight cars per mile of line. The Canadian Northern has only three:

We think it will need five; and this implies an addition of 20,000 cars to the existing stock. This alone would imply, even if prices dropped to those current a year ago, an additional expenditure of something like $30,000,000. And the same thing is true in respect of locomotives. Nor can the estimate of $12,500,000 for additions and betterments, spread over a system of 10,000 miles during five years, be sustained, more especially in the case of a system that is only just emerging from the construction stage. It works out at $250 per mile per annum. It is impossible that the needs of a rapidly growing property can be adequately provided for at any such figure.

We think that $40,000,000 for equipment, and perhaps $30,000,000 for additions and betterments, would be a moderate estimate of the system's needs in the next five years, assuming that the Canadian Northern remains separate and independent.

Hon. Mr. BEAUBIEN: At what page is that?

Hon. Mr. BOSTOCK: That it at page 41 of Drayton and Acworth's report. Honourable gentlemen will see there the amount that Drayton and Acworth consid-

ered necessary to be spent within the next five years in connection with equipment, additions and betterments, and they will realize that the amount of $25,000,000 which the Government is this year providing is only like a first instalment of what will have to be spent in order to complete this system and make it capable of properly handling the produce offered to it throughout the Dominion and carrying it to market in the way that should be done.

I have dealt in this matter with the amount of money that has been put into this road and with the physical condition of the road. My honourable friend (Hon. Sir James Lougheed) in speaking to-day referred to the question of the stock of the company; but from the figures that I have presented to the House and the portions of this report which I have read, I think honourable gentlemen will see that the question of the common stock of the company is one that we should not be taking into account. What we want to arrive at is what the country is going to get in return for taking over the liabilities of this road. I have shown already, by the figures which I have quoted that the physical value of the road is less than the liabilities that are standing against it, according to the statement of the Drayton-Acworth report. In addition to the liabilities mentioned there, if I understand anything about this question, I understand that there are a number of liabilities which the Government will have to deal with, when they take over the road. When the Government assume these liabilities they will probably be expected to pay up in full. If those liabilities were due by the Canadian Northern railway as represented by Messrs. Mackenzie and Mann, the probabilities are that they would be treated very differently. So far as I have been able to find, very little account has been given of the undetermined and outstanding liabilities. The persons to whom the money is owed, or who think that money is owed to them, will consider that the Government should deal with them very differently from the way in which the Canadian Northern as represented by Messrs Mackenzie and Mann would deal with them.

The honourable leader of the Government in his speech to-day, referring to the question of securities, acknowledged that those held by the Dominion Government ranked after the securities held by the provinces; but he did not say anything about the amount of $147,000,000 of securities that are entered in the bluebook as unguaranteed securities, and if I understand anything about this matter, the Government must become liable for those securities just the same as for the others. I think I am right in that view of the situation, because I have seen in the financial columns of papers published in England, and other places where the securities are held, that when it was noised abroad that the Government were considering taking over this whole system and that it would possibly become a Government road, these securities immediately jumped up several points in the markets of the world, and were reported to have a value nobody would have placed on them before this event happened. That will show honourable gentlemen the liabilities which the country is assuming in dealing with this road as the Government proposes to do, and that it is a very serious matter to deal with in this way. I have quoted to the House a section of the Act of 1914 to show the powers which the Government took to themselves with reference to the Canadian Northern, and so far we have had no explanation from the honourable leader of the Government in this House why the Government should not deal with the matter in the way indicated at that time.

I would like to give a few more figures, although I fear that I have quoted so many figures to-night that honourable gentlemen will be very tired of them. An estimate was made of the amount of liabilities that would fall upon the country, through this company. The estimate is as follows:

Amount of indebtedness placed on Canada by Government taking over Canadian Northern Railway:

Bonded indebtedness	$359,931,635.64
Equipment bonds	14,846,500.00
Income convertible debenture stock	25,000,000.00
Loans and liabilities	112,723,035.00
Equipment expenditures—	

Those are the expenditures to which I referred just now in quoting from the Drayton-Acworth report—the estimate of expenditures required for the next five years.

Equipment expenditures	$40,000,000.00
Additions and betterments	30,000,000.00
Interest on equipment bonds	645,778.75

Then, assuming that the arbitrators award the par value of the stock, there would be $60,000,000 more to add.

Hon. Sir JAMES LOUGHEED: The honourable gentleman wants to put a premium on that.

Hon. Mr. BOSTOCK: No; I take it that the par value of these shares is the amount

stated in the Bill, $60,000,000; therefore, it is fair to add that amount. Then, cost of arbitrators, $100,000, and payments by the Government to recoup banks, $10,000,000; making a total of $653,246,949.39.

Hon. Sir JAMES LOUGHEED: Is that my honourable friend's own estimate?

Hon. Mr. BOSTOCK: It is the figures which I have made up.

Hon. Sir JAMES LOUGHEED: I should think so.

Hon. Mr. BOSTOCK: That is exclusive of the stock. I think that honourable gentlemen, looking at those figures, will see they are fair; and it may be that the arbitrators will charge more than $100,000 for their services. These are not my figures.

Hon. M. CROSBY: The honourable gentleman denies them now.

Hon. Mr. BOSTOCK: The figures are all taken from the reports issued by the Government. I have simply compiled them and totalled them up, because I wanted to show to honourable gentlemen the liabilities which the Government is placing upon the country, and I wanted to try to impress upon them the seriousness of this whole situation. Before we agree to saddling the country with any such burden as that, we ought to have the very fullest possible information, and we should know exactly what we are doing; and I regret to say that at the present time, from the information we have so far obtained, I do not see that we are able to realize what we are doing and how the whole matter will affect the credit of the country in the future.

In regard to the question of Messrs. Mackenzie and Mann, and their interest in this matter, I do not think that they come into the question to any great extent; but, at the same time, we are placed in this position, giving these gentlemen every credit for what they have done, for the enterprise they have shown and the way that they have carried on the railway building throughout Canada. They have succeeded in building a transcontinental line, or the best part of a transcontinental line; but what they have done has been done with the money and credit supplied by the country, and from the figures which I have given it is very difficult to see that they have placed any of their own money into this enterprise. They have played a very large and important part in the development of this country in the past. Had they played it successfully, had things not gone against them, they would probably have made a great deal of money out of the transaction; but, inasmuch as the money which they have used has been practically put up by the country, and that they have used very largely the credit of the country in carrying on this enterprise and other enterprises, I do not quite see why we should grant any special favours to these gentlemen or treat them differently from other men who have shown quite as much enterprise in business and who have not had quite as much assistance in the past, but who have had to bear the brunt and burden of the non-success of their business if it has proved unsuccessful.

I want again to impress upon the House the fact that I asked the leader of the Government if he could not refer this matter to the Railway Committee in order that we might deal with it. I think we could obtain a great deal of information which we have not got at the present time if we did refer this matter to that committee, and had an opportunity of asking the chief of the Board of Railway Commissioners, Sir Henry Drayton, and any other officers whom it might be necessary to have come before us, to give us information, which would help us to understand the situation very much better than we do now. There are officials of the company whom we might have before us—for instance, Mr. Mitchell, vice-president of the company, who has placed his name to a portion of the report. We might also call the chartered accountants, inasmuch as their report of the 30th of June, 1916, does not entirely agree with the report which is now made by the accountant of the company. We might get a great deal of information in this way; but my honourable friend practically told us that this information the arbitrators themselves will have to get, and that we will have to deal with this matter without getting this information, and put this matter through without having an opportunity of dealing with it as I think we should. For a considerable portion of this session there has not been much to do, and now that an important piece of legislation is brought before us, we on this side of the House, and I think all honourable gentlemen in this House, are quite ready to go into the matter fully in order to obtain the information necessary to decide upon this Bill; but, inasmuch as my honourable friend has not seen his way to accede to the request which I have made, I beg to move in amendment to his motion, for the second reading:

That the word "not" be inserted before the word "now" and the following words be added at the end of the question: "but that further consideration of the said Bill be deferred until the following information has been communicated to the Senate:

The production of the report made to the Government by the directors of the Canadian Northern railway system, including the directors appointed to the board by the Government under section 16, chapter 20, of the statutes of 1914; the names of the stockholders of the stock of the Canadian Northern Railway Company; the names of the pledgees of this stock.

An explanation of how it happens that the funded debt of the Canadian Northern Railway Company shown in balance sheet, 30th June, 1916, is $162,192,440.38, and that of affiliated companies is $123,223,824.19, making a total of $285,416,264.57, whereas the statement of securities outstanding, guaranteed and unguaranteed, shows an amount of $359,931,-635.64, as appears in the financial statement printed by order of Parliament.

The bonded debt, floating debt, and other liabilities, direct and indirect, of each of the affiliated companies of the Canadian Northern Company, whose capital stock is held or partly held by that company.

The amount of bonds, debentures or other securities pledged for loans to the Canadian Northern Railway company.

The amount of loans and the amount of securities on which such loans have been made to Mackenzie and Mann, Limited, or to the Canadian Northern railway.

When these loans are paid to whom will the securities so pledged revert, to the Canadian Northern railway, to Mackenzie and Mann, or to other parties?

The companies to whom the Canadian Northern railway owes $16,666,957 on construction account, and the amounts due each company.

The construction companies to whom the Canadian Northern railway owes the $1,277,323 and the amounts due each company.

The persons or companies to whom the Canadian Northern railway owes the $11,161,443 as floating liabilities, and the amount due to each.

The amount of money advanced by financial institutions to the Canadian Northern railway and the securities pledged therefor.

The names of the persons or financial institutions to whom the capital stock of the Canadian Northern railway belonging to Mackenzie and Mann Limited, or Sir William Mackenzie or Sir Donald Mann, amounting to $51,000,000, has been pledge. The date or dates on which said stock was so pledged and the amount received in each case and what other securities have been given to said pledgees with said stock.

The debts now owing by the Canadian Northern railway other than those referred to in the financial statement submitted to Parliament.

Hon. J. S. McLENNAN: Honourable gentlemen, I shall somewhat change the course of the discussion which has taken place on this important subject by visualizing it from a different angle. I shall not quote any figures. The acuteness of the situation in regard to the transportation problem in this country is evidenced by the fact that at this particular time, when we are within a few days, let us hope, of the end of this Parliament, and within a few weeks or months of an election, that the Government has brought down a Bill of this kind. The complexity of this Bill and the complexity of the conditions on which it is based is shown by the difficulty which has been experienced in dealing with it by honourable gentlemen who have shown so much ability in presenting facts and figures before us.

This Bill proposes a course of action which has occasioned a great deal of comment throughout the country. As I have heard it, that comment has been mostly unfavourable, and apparently is bound to alienate very important elements in the make-up of Canada. Under ordinary circumstances it would be very bad tactics for any Government to introduce such a Bill. At this time, when the result of the coming election, on which will depend the spirit in which Canada will prosecute her part in the war, and her relations both internally and with the other parts of the Empire and our Allies, it is quite evident that the proposed course of action is due to the direst necessity.

This is a matter of vital importance, because it is perfectly evident, whether the remaining $60,000,000 of the Canadian Northern railway stock is worth par, as has just been hinted, or is worth nothing, that the action proposed by this Bill involves the expenditure of a very considerable amount of money. This is a time when the money in the treasury of Canada and the money that can be brought into the treasury of Canada can ill be spared from more necessary and vital projects.

This Bill involves the settlement of a very great principle, on a side issue. It involves the settling of the question of the nationalization of railways upon the question of the present necessities of the Canadian Northern railway. Although it is objectionable, it often happens that a very great principle is not settled upon its merits, but by reason of necessity for action in regard to some concrete case. That, I think, is the case at present. Moreover, the settlement as far as it goes is incomplete. It leaves out of the question the Transcontinental railway and the general railroad situation in Canada. More than that, it throws upon the Government, and upon departments already over-burdened with work, the necessity of working out some scheme by which the evils connected with the action which may be taken may be minimised. Whatever good is in the situation created by the Bill—and I hope and trust that I may be able to show to the House that there is a possibility of very material good in it—it

seems to me that we are in a condition somewhat like that in which some of us find ourselves with regard to our private affairs. We have had an interest in an enterprise, an enterprise which has suffered from the infantile diseases which all enterprises suffer from, and has got into difficulties. Those immediately in charge of the enterprise have proposed some way out of the difficulty. We have thought that the proposed scheme was onerous or unworkable, and have suggested many things which we thought might be done differently. In most cases the result has been, particularly if we have had confidence in the judgment of those persons, that we have finally come to the conclusion that the scheme proposed by them, disagreeable as it may be, onerous as the burdens may be which it will cast upon us, is after all the best that can be done under the circumstances, and we have accepted it. In some cases this has worked well; in others, unfortunately, it has worked ill. That is the situation which confronts us to-day on a national scale, and it must be dealt with.

It may be evident to the House from what I have said that I have rather a distaste for this Bill. However, I have sought all the information I could obtain on this particular phase of the subject, namely, that of transportation as affecting the economic wellbeing of the people—a question which has always interested me. With a great deal of ardour and with a considerable amount of energy, I started within the last few days to read through all the debates in the other House on this subject. There was such a thin vein of gold in proportion to the amount of barren rock that I found my ardour chilled and my energy dissipated long before I got to the end of it.

If I may say a word as to my personal relations to this general question, I have never had any transaction with that bank which is said to be so vitally interested in the affairs of Sir William Mackenzie and Sir Donald Mann; and, although I have known both of those gentlemen for a great many years, I think there is nobody whom I have known so long with whom I have exchanged so few words. Within recent times, although not by the honourable gentleman who just preceded me, one has heard them spoken of as if they were disturbers of the commonweal, and the source of the greater part of our economic woe. That has been the attitude during the last few months. But I think we must all remember the many years during which those gentlemen were hailed as empire builders. If they were over-enthusiastic, so was Canada.

Before we deal too severely with them, or with the Bill for which we are responsible, dealing with the problem as it now presents itself, we should look a little at how this condition of affairs, deplorable as it may be, came about. In the nineties Canada came into her own. It was the time of harvest, the day of high hopes as to great endeavours that had gone on through more barren years. One great Canadian enterprise, a railway one, became highly profitable to investors outside of Canada, with all the consequent results of a generous credit which Canada enjoyed. There were many other great successes in this country. We had a great tide of immigration; our surpluses were very lavish. In relation to the expansion of railways, there was another aspect which had to do with the direction that the railroad situation took. It was this, that the Liberal party, or those high in its councils, wished to become responsible for, and to have the name of that party linked with, a great transcontinental line, as they frankly admitted that their predecessors in charge of that party had been mistaken in so strongly opposing the first transcontinental line that was built. As we all know, there came on a great era of railway expansion. Let me quote from Mr. Smith, who was the third commissioner in investigating our railway situation; he speaks of this matter in the minority report from which I quote:

> It is unfortunate that Canada did not have a policy of regulation in this period which could have prevented needless duplication of lines and facilities. Competing lines have been built where effective regulation could have saved a large part of the investment, while completely satisfying every reasonable and proper need for service. Instead of co-ordination and conservation under government supervision, railways were permitted to duplicate plant in fields not yet productive enough to support the one. The Government, on the other hand, was, in one way or another, aiding both projects, if it had not indeed itself promoted either or both projects. Very naturally, it has not and could not have obtained the benefit which should have followed a correct programme of Government aid. The policy of Government aid makes the need for regulation of railway building more necessary even than where private capital is depended upon, for in the latter case the proposal must at least have promise of commercial success before capital can be induced to come in and give it support. To the absence of such regulation must be charged responsibility for no small part of the railway problem of to-day. (Page xciii.)

That is the view of a stranger; but we who are here know that Parliament was responsible, that Parliament gave every charter and voted every subsidy for railways that were built during this and all other periods since Confederation. I am not dwelling in any partisan sense on the point that another Government happened to be in power, but simply to show that the era of great expansion came about, as it probably would have done, whatever party had been in power. But it will be a crime if future parliaments of Canada forget the evils and difficulties that were created by this course. It seems to me it would be an almost equal crime if some tribunal, thoroughly familiar with the economic and railway aspects of these questions, and independent of party politics, does not give the benefit of its opinions to succeeding parliaments before they take action in the matter of granting charters and giving subsidies and other forms of government aid.

In essence I am perfectly in accord with one phase of the remarks of the honourable senator who has just preceded me, namely, the necessity for information on the great questions that are brought before us. Time after time, since I have known anything of Parliament, and long before I ever hoped to join this august body, I had been struck with the way in which these matters of the greatest importance were brought down in the closing days of the session, when there is actual, common, physiological pressure on us all to get away and hurry things through; and I trust that I have the feeling of the House with me in voicing this protest. This Parliament is dying—it is almost dead—and the only thing that is certain about the next Parliament is that, subject to the changes and chances of this mortal life, we will be here in the Senate. I hope, however, that the new Parliament will discontinue this most deplorable practice of permitting legislation to pass without adequate information, and without allowing full time for the consideration of grave questions. If it does not do so, a mechanic not extraordinarily skilled could devise a machine which could record our votes just as well as we could if we were here. I have no doubt those who have memories of what has occurred in the Senate will recall many protests such as I have just voiced. If we are to make those protests effective we must ask the new Parliament and the Senate—

Hon. Mr. BELCOURT: Why not begin now?

Hon. Mr. McLENNAN: That is a matter of conscience; and in relation to the issues of this Bill, had the acuteness of the situation to which I have just referred been different, I do not know but that it might have been well in the interests of the Senate to consider carefully the suggestion that has just been made.

I had grave doubts as to how I should vote on this Bill until I went into the House of Commons last Wednesday night and heard the speech of the Prime Minister on the third reading of this Bill. In the course of his speech Sir Robert Borden said:

> I said, in speaking of the problem that lies before the people of Canada, then—and I desire to repeat it to-night—that I think it will be necessary for the railway companies and the Government to get together in the immediate future, and deal with the possibility of having a system of co-operative management of all the railways in Canada.

Later on he said:

> If the Canadian Pacific railway, by acquiring the Canadian Northern railway, can save itself $100,000,000 in construction, that, to my mind, seems to indicate that there are facilities upon the lines of the Canadian Northern which are not employed, and which might be employed, and used by the Canadian Pacific railway, under some system of co-operative management, so as to save that expenditure to the people of this country.

Again:

> I have gone into that question, as far as my limited knowledge will permit, with some of the heads of great railway systems in Canada, and I think they are coming to the conclusion that some such system of co-operative management as I have mentioned might well be carried out.

Then again:

> That is what we must aim at; that is what we must attain, if state ownership is to continue in Canada; if the beginning now made is to be carried out to a larger future. Hon. gentlemen who are interested in the welfare of this country and who realize, as I am sure we all do, how greatly the future of Canada depends upon the reasonable and wise solution of this question, will, I am sure, give their minds to the consideration which I have put forward. I put it forward, of course, without any expert knowledge as to railway operation; but what has been accomplished in Great Britain during the past year or two may well give us a lead.

Again:

> Does any hon. gentleman, even though he be no more acquainted than I am with railway operation, doubt that by the system of co-operative management to which I have alluded we can save millions of dollars annually at all times in the future? There is absolutely no doubt about it; it seems plain to me that such was the case. I asked these railway experts about it, and every one of them has told me that it should be practicable to carry out some system of that kind in this country, we would save not only enormous sums in the way of capital expenditure, but enormous sums every year, perhaps $15,000,000 or $20,000,000, in the

operation of these roads. That is one of the great problems of Canada in the immediate future. It is one of the problems to which every member of the House ought to direct his attention; it is one of the problems which must engage the attention of the Parliament that is to be summoned in the near future.

May I crave the indulgence of the House if I lay before it some details that I have gathered as to what has been done in England from the military standpoint along the constructive lines of which the Prime Minister spoke in those passages I have just quoted? When the Prime Minister stated that he thought something could be done along those lines, with which I have some degree of familiarity, it had a very considerable influence in determining me to support this Bill, which will provide an opportunity to work out this plan of co-operation, and I trust, also, that it will show the extremely great advantages to Canada of such a course.

In England, by the Regulations of the Act passed in 1871, the Government was given power, by warrant of the Secretary of State, to take control of all the railways, the whole of their plant, or any part of it, whenever an emergency arose. That Act remained a dead letter for many years. Naturally the experience of England in that connection was peculiarly a military one. The English railways had shown great capacity for the transportation of troops in 1881, on the occasion of two great reviews at Windsor and Edinburgh, and proved that they could assemble at any point 50,000 men in twenty-four hours. During the South African war the same kind of thing went on. The London and Southwestern railway handled 335,000 men in the latter part of 1899 and 1900, as well as 29,500 horses. In one day they were able to despatch from Southampton, which is not a very large harbour, five transports fully loaded with troops. During the South African war this speed was of the very greatest importance, and was due to the Government of the day appointing a transport officer, whose function was to coordinate the military, the admiralty and the technical railroad handling of men. In 1912 on one railway there were over 120,000 men assembled rapidly in the eastern counties without any disturbance, or any serious delay to ordinary passenger trains. In that same year the Act of 1871 was revived, and steps were taken to operate it if the necessity arose, and the English Government worked it out, without being hampered by details. They appointed a committee whose instructions were simply to receive and carry out the orders of the Government. The committee consisted of the managers of the principal trunk lines of England, their chairman being the president of the British Board of Trade. While we hear a great deal about the unpreparedness of England for the war, and we know that the preparation she had in the beginning was very trifling compared with what they are now; on a good many points, of which this is one, she was ready below the surface. This railway committee was able to operate quickly, just in the same way that the great fleet happened to be in the North Sea at the psychological moment. So on the 4th of August, that date which is forever branded in the minds of all of this generation, Mr. Asquith, one of His Majesty's principal Secretaries of State, signed an order placing under Government control all the railways in the United Kingdom, and all their equipment, to be used for the conveyance of His Majesty's troops and all sorts of goods, or for any other purpose which the Government might see fit, and the committee at once set to work—

Hon. Mr. CASGRAIN: How many miles of railway would there be in the railways of England?

Hon. Mr. McLENNAN: I do not know; I have no idea; but it is a great mileage, as you know, and the system of railways is very intricate and complicated—more so than anything we have on this continent. The Government guaranteed them their dividends of 1913. The details of the arrangement between the Government and the companies are few; but I notice from reports that at the annual meetings of the various railway companies' stockholders held last year and the year before, the chairmen were vying with each other in recounting the good work done under this system of Government control. In 1915 one railway, the Great Eastern, averaged 32 special military trains a day; another, the Northwestern, carried over a million extra tons of freight, besides placing many of its manufacturing facilities at the disposal of the Government. All the shareholders seemed satisfied, as they expressed themselves at their annual meetings, with this system. Lord Claude Hamilton, the Chairman of the Great Eastern railway, pointed out to their shareholders with pride, that Captain Fryatt, who was murdered by the Germans, had been one of their old and very valued officers.

The system began with the commendation of the Opposition. Mr. Walter Long, then in opposition, said on November 16, 1914:

The control of the railways has not only worked without a single hitch, but with the most wonderful regard for the convenience of the public at large. It has been, I think, one of the most successful enterprises undertaken in this country.

Most of the references in the British Hansard, which I have followed down to last June, have been along the same lines. At the end of last year Mr. Bonar Law said that he had noticed:

That the House of Commons was anxious to know what had been the effect of the bargain made at the outbreak of war. In regard to that I can only say there has been complete justification for what has been said on previous occasions—that it was a good bargain for the state. It was good not only from the point of view of the convenience, the immense convenience which central control gave us, but it has been good also financially.

In the last number of the Nineteenth Century, in an article on the problems of war control, after three years of experience, it is stated :

Such in broad outline is the claim made upon the railway companies, and it would be hard indeed to find a branch of national service which has worked so well, so smoothly and with so little unnecessary change and disturbance.

I have said that few details of the working were available, but if a well-authenticated report is true, a careful schedule of the time of landing the First Expeditionary Force in France had been worked out; so well was it executed that the last soldier was landed in France half an hour ahead of schedule time.

Again—and this is an instance which comes close home to us—a young Canadian was wounded at three in the morning on the glorious day of Vimy; so perfect were the transport arrangements that before four o'clock in the same afternoon he was in bed in a London hospital.

In the United States the following action was taken at a meeting of railroad presidents on April 11th last:

Resolved, that the railroads of the United States acting through their chief executive officers here and now assembled, and stirred by a high sense of their opportunity to be of the greatest service to their country in the present national crisis, do hereby pledge themselves with the Government of the United States, with the governments of the several states and with one another, that during the present war they will co-ordinate their operations in a continental railway system merging during the period all their merely individual and competitive activities in the effort to produce a maximum of national transportation efficiency. To this end they hereby agree to create an organization which shall have general authority to formulate, in detail, and from time to time, a policy of operation of all or any of the railways which policy, when and as announced by such temporary organization, shall be accepted and earnestly made effective by the several managements of the individual railroad companies here represented.

An executive committee was forthwith formed, the president of which was Mr. Fairfax Harrison, and with him were joined four of the best-known railroad men of the United States. Their official bulletin to August 1 shows that they have done much to give effect in the fullest sense to the spirit of the above resolution. The railroads of that country had voluntarily cancelled train service amounting to sixteen million passenger train miles, saving 1,100,000 tons of coal. They had relinquished in favour of water carriage half of the coal supply of the American Northwest. Thirty-six railways turned over to other roads, the need of which was greater than their own, nearly 69,000 freight cars.

Notwithstanding these remarkable results, I have all but the highest authority for saying that the English system is in the opinion of the gentleman whom I quote preferable to the American. He explained it in this way, that as the American roads each has to safeguard the interests of its shareholders, they are bound to look out for high-class freight, whereas freight of the lower classifications, in many instances, was of greater advantage to the nation.

With regard to Germany, I may point out that a great part of that nation's commercial expansion was due, not so much to government assistance as to the associations of their manufacturers, which divided the costs of obtaining business and produced the goods by that one of their members who could most advantageously do so.

Canada can also contribute instances to the value of co-operation. Last winter grain was hauled to Fort William by the Canadian Northern, and then carried eastwards by the Canadian Pacific, with advantage to the shipper and to both roads. The coal situation was bettered by joint action on the part of the railways. The railways abandoned seventy or eighty trains, making available man-power and motive-power for more important services; but these efforts were sporadic and voluntary. What Canada requires is a reasoned, continuous, and efficient system of securing these benefits.

It is well worth considering whether under the War Measures Act, section 6 of which gives full power, all the railways of this country should not be taken over and worked as a unit, under an executive commitee made up on the general lines of the English arrangement, with a president whose duty it would be to safeguard the

interests of the public, and an executive chairman of the highest skill in railway technique and management, and all the advantages of an English transport officer. Those railways which have earnings should receive dividends. Allowances should be made for renewals and repairs. Incentives should be kept alive, so that high standards where they exist may be maintained.

The question of deficits is a matter which I shall not touch upon. The deficits will have to be paid by the Government or the taxpayers in any case, and I am very sure that if such a system were worked out there would be less deficit than there would be under any other system. There are economies which might be effected in the arrangement of tracks and which are dealt with on page 76 of the Drayton-Acworth report. We would have the advantage of mobile equipment. That is, railway motive power and rolling stock would go where it was most needed. That would give to our railway systems an advantage similar to that we have always claimed for our Canadian banks as compared with those of the United States, namely, that under our system of agencies money goes to that part of the country where it is most needed at a particular time, it flows freely from one place to another; whereas under the American system the route of money from one district of the country to another is circuitous and slow. The adoption of such a system would make the cars and locomotives of the whole railway system available where they were most needed; they would go by the quickest and easiest route, and we would not have, as we have often had in the past, freight being delayed for lack of cars and engines when on an adjacent road there were cars and engines to spare. That is one of the advantages over the existing system. In addition to that, there is at present a large staff of what might be called business-getters, canvassers, freight agents, etc., many of whom could be dispensed with or put to more profitable employment. There are under the present system many expenses in the way of separate staffs of officers, which could be eliminated. There is no question, it seems to me, that a joint engineering staff, a staff for higher auditing, and a staff of efficiency experts would give better results, and for less money, than those obtained under the individualistic system. I believe we have in Canada men who can work out this plan, and it is to be hoped that they will rise to the high level reached in England, where the officials have subordinated their loyalty to their own company or their own system to their loyalty to the State. This is a tendency which would be greatly helpful if this proposal should be carried out. Railway men are accustomed to association. There are traffic associations, passenger associations, master car builders, master mechanics, maintenance-of-way men, motive power men and all the rest. There is not the slightest subdivision, I think I am right in saying, in the whole work of the railways of this continent that has not an association which enables them to get together, to confer, discuss and exchange experiences. It is only human nature, it is only part of the loyalty a man feels to his system, that he is rather inclined to go to such meetings in order to get rather than to give. With the wider outlook which they would have in aiding a national interest, helping to get the best possible results for the people of Canada out of the whole railway system of the country, all those men would, if I know anything of railway men, go there prepared to give for the common benefit rather than to get for their own.

If this scheme be carried out, we shall certainly gain a vast amount of knowledge as to what the possibilities of the future might be in the way of nationalization and in the way of joint operation.

I have no desire that this experiment should lead to nationalization of the railways. On the contrary, my experience of government operation is against it. But, wherever it leads, this experience is indispensible to the best results. We cannot devise a sound scheme at present, because experience shows that any scheme now devised would not be permanent; but out of the experience of such a commandeered and common operation of the railways, I think we might well develop a knowledge of tendencies, a knowledge of what has been proved to be possible, a knowledge of what has been tried and found to be disadvantageous, and some permanent system might be devised which would be of the utmost benefit to the country and possibly make the action we are now taking prove to be wiser than it appears to some of those who have spoken and will speak on this subject.

Hon. J. P. B. CASGRAIN: Honourable gentlemen, this is certainly the most important matter that has come before this House. The members of the Senate are about to assume a responsibility greater

than any that has ever been assumed by them during the existence of this honourable House. I must at the outset express my surprise at the levity with which the honourable leader of the Government (Hon. Sir James Lougheed) has approached the subject this afternoon. He is generally very much in earnest about all Government measures which he presents to this House, but this afternoon he seemed as if his heart were not in this transaction, and, knowing him as I have had the advantage of knowing him for more than seventeen years, as a good business man, I knew very well that it was hard for him to keep a straight face when telling us that we were doing good business in taking over the Canadian Northern.

The honourable leader of the House has given us very little information, notwithstanding the great desire of my leader (Hon. Mr. Bostock) to obtain information. The honourable leader of the House read—and, I must say, not in his usual style, but in a very indifferent way, for evidently he had not opened the book before—some statements that are contained in this blue-book. Honourable gentlemen will remember that when we were called upon to vote the guarantee of $45,000,000 we had a much bigger book than this, and it contained not only the statement made by the company, but also a statement by the Government, so that we might compare both statements. This book evidently—and I am glad the honourable leader of the Government has admitted it—has been prepared simply by the company, and, as I understand, the Government takes no responsibility whatever for the document. Later on, in dealing with this document, I will show that we cannot be expected to have very much confidence in it.

With regard to the honourable gentleman from Sydney (Hon. Mr. McLennan), I was at first uncertain as to how he felt. He said this Bill was distasteful to him, and I was almost in hopes that he would disapprove of it; but he had gone to the other Chamber, he said, and heard some one speaking in favour of this measure. It was none other than the Prime Minister of this country. After listening to that speech, the honourable gentleman, like St. Paul on the way to Damascus, saw the light, and to-day the honourable gentleman is in favour of the measure, although it might be supposed that a prudent man like himself would in a matter of this kind like to know what the country is going to buy—what it is paying for, and whether it would be to the advantage of the country to put through this transaction. In the province of Quebec we have a saying with reference to an estate: "Accepter la succession sous bénéfice d'inventaire." That is, we accept an estate on the understanding that we shall have the advantage of making an inventory to see what is in it. In this case there is no inventory made and we have not the faintest idea of what the responsibilities and liabilities will be. The Canadian Northern railway is a tremendous undertaking, I do not deny it. It has 9,513 miles of railway. I may bring home to honourable gentlemen the magnitude of that railway when I say that it would have been necessary to build one mile of railway every day of the year, winter and summer, for the last twenty-five years in order to have over 9,000 miles—not quite as much as the mileage of the Canadian Northern.

Let me say to this honourable House, in the first place, that the people of Canada have their eyes riveted upon this Senate to-day. Here in Parliament, in the circle in which we move, it may perhaps be supposed that the public is indifferent in this transaction.

Those who busy themselves with finance in this country hope that the Senate will find some means of improving this scheme and protecting the interests of the public. If the Senate can do this and protect the people from what appears to be the greatest raid upon the treasury that has ever been —not perpetrated, but thought of, this body would rise in the public opinion of the country, and no one in our lifetime would ever talk about the uselessness of this Chamber. There are business men in this House who handle large enterprises, and if they put their heads together, I believe they might find some way of overcoming the difficulty. The Government is face to face with a difficult problem, but I believe it can be overcome. The honourable gentleman from Cape Breton (Hon. Mr. McLennan) said that he started out enthusiastically to read the report of the debate that had taken place in the other House on this question, but that he had not remained sufficiently enthusiastic to read it all. I may say that I have read the whole of the debate, and the more I read the more I was convinced that no one on either side of the House could say to what expenditure the country was going to be committed. Was it to be $400,000,000? Was it to be $500,000,000? Was it to be $800,000,000? Neither member of Parliament nor minister of the Crown has fixed a price for this undertaking.

There should be some way of fixing a limit. Every one knows that only plungers will go into a matter of this kind without fixing a limit. At first the people of the country were bewildered; they were gasping before plunging into the unknown; they could not realize that this matter was being seriously thought of. They thought it impossible that the Government should take any action without first having the fullest information. The Minister of Finance has displayed a great deal of ability and talent; he seems to be well informed with regard to the ramifications of this matter; but he never fixed a price, never said what we were to pay for this railway.

One man cannot expect to know all about the 9,513 miles of this railway; he can only speak of things which come under his own eye, things which he sees every day. I pass the sites of the terminals of the Mount Royal Tunnel and Terminal company on Dorchester street every day, and see an immense excavation there. This enterprise does not belong to the Canadian Northern railway. As I understand the transaction, the Terminal company issued bonds, which were guaranteed, not by the Canadian Northern Quebec railway, not by the Canadian Northern Ontario railway, not by six or seven of these companies, but by the Canadian Northern Railway company alone. Some arrangement had to be made by which the interest on these bonds would be met. A lease was made to the Canadian Northern railway, and the money to be paid under that lease was sufficient to pay the estimated interest—mark the words, the estimated interest—on the Mount Royal Tunnel and Terminal railway. The rental payable under this lease is sufficient to meet the interest on the bonds; but the cost will exceed the estimate by millions of dollars, and who is going to pay the interest on the excess cost? The Canadian Northern railway will pay only to the extent of their lease; but what will the Government do?

The figures which I am about to quote were asked for by members in another place, and, after considerable delay, they were given to them. The estimated cost of the tunnel itself is $4,631,427. The expenditure on that work to April 30, 1917, was $4,566,072.72. I should like to say en passant that that is an outrageous price for a tunnel of that length; but even at that it will be noted that if it were built at the estimated cost it would only require $65,248 to complete the work. The estimated cost of the terminals is $723,616, and the expenditure to April 30 amounts to $282,242, leaving a balance of $441,373. The Montreal station has not been built yet. It is going to be cheap, because we are supposed to build it. The estimated cost of the station is $110,823. That is the cheapest station in Montreal. The Windsor station is within 200 yards of this proposed station, and what did it cost? How many millions of dollars? This Parliament is told that this station is going to cost only $110,000, and it is said that $95,823 has been spent on it to date, and that $14,999.62 will finish that station. The figures are very precise, $15,000 might have been allowed for the completion of this work. I ask any honourable gentleman who lives in Montreal if he has seen this station. The Canadian Northern Railway company is very particular as to the amount which the country will have to expend to complete that work. The next item is the electrification of the tunnel, $425,127. The expenditure to the 30th of April is $372,236.02, and the cost to complete it is $32,890.98. Then we come to the branch railway from the West Portal to the junction with the Canadian Northern railway. The estimated cost of this work is $182,458, and $119,329.14 has been spent on it to date, leaving a balance of $63,138.86 to carry it to completion. I pass by this locality very often, and there is a filling to be made there that will take the whole of that amount. The estimated cost of engineering contingencies is $585,177. Up to date $543,370.46 has been paid out, leaving a balance of $41,806 to be spent. The estimate for real estate is $2,155,593, and to date $2,110,593.99, has been expended leaving an amount of $44,999. I know for a fact that all the lands bought by the Canadian Northern railway have not been paid for in full.

Hon. Sir JAMES LOUGHEED: We are not taking those over.

Hon. Mr. CASGRAIN: They are supposed to be Canadian Northern yards.

Hon. Sir JAMES LOUGHEED: Not the town site behind the mountain.

Hon. Mr. CASGRAIN: I am not speaking of Model City. The Canadian Northern bought about 5,000 acres of land back of the mountain. The honourable gentleman from Montarville (Hon. Mr. Beaubien) knows that they bought that land, and I dare say that he knows, as I do, that the only money that passed between the agents and the sellers was about enough to pay the commission to the agents and a very

small payment on account, and when the other payments became due representatives of the railway company went to the various landowners and told them that they had not the necessary money and could not pay, and asked them what they were going to do about it. They said: "You may sue us, but you will get nothing for two or three years. If you will defer these payments we will make a proposition to you." I do not know whether they knew that some kind Providence or some kind Government would assume their liabilities; but they said: "If you will defer these payments we will agree to pay you the interest; if you do not want to take that you will get nothing at all." The people had to consent to defer the payments and in some cases they got their first payment and interest. This land was supposed to be for yards for the Canadian Northern railway.

Hon. Mr. BELCOURT: What is the cost of the land?

Hon. Mr. CASGRAIN: 5,000 acres of land selling all the way from $1,000 to $2,000 per acre. The honourable gentleman can work that out himself.

Hon. Mr. BOYER: One of the interested parties told me no later than last week that they had sold $3,000,000 worth of land, but that they had to take back $2,500,000; so where does the benefit come in?

Hon. Mr. CASGRAIN: Now we come down to property damages. The property damages were estimated at $175,000, a low figure, and are not paid for yet. The company claim that they have paid on that account $122,220.87, leaving a balance of $52,779.13 to settle all the remaining damages. Honourable gentlemen know, and every one in Montreal knows, that McGill University has a claim for $500,000. We know also what took place when the railway went under the property of Hon. H. B. Rainville at the corner of Sherbrooke street. Mr. Rainville is a wealthy lawyer, and he was not frightened. The railway went under part of his property, and he took out an injunction and they decided that they had better settle. A friend of Sir Donald Mann went to him and said: "Look here, Sir Donald, this man Rainville is a bad actor; you will have to settle or he will take you to the Privy Council and tie up everything." Mr. Rainville had a lot which was 50 feet by 150 feet, and the railway bought it and paid $165,000 for it. I happen to know of this, because I was Mr. Rainville's arbitrator. The matter was settled out of court. Mr. Rainville got $100,000 in cash, and took a mortgage of $65,000 on the property. That is only one property. And yet in the statement furnished to Parliament it is claimed that they are going to settle the land damages with $52,799.13. Then, there is interest during construction, $1,432,129.59. The expenditure up to date is $1,420,827, leaving simply the interest due, $11,300 in round numbers, making the estimated cost of the tunnel and the terminal say $10,401,361, and the expenditures to April 30, 1917, was $9,632,718, leaving $768,643, to complete the work.

The tunnel and terminal companies sold bonds and collected the money in order to finish this work. Where has that money gone? I appeal seriously to the members of the Senate, will the balance of that money be handed back to the Government in order to finish this work? There has been expended for right of way from the terminal to the harbour $1,316,806, but there are deferred payments amounting to $174,000 on property acquired for extension of present terminals. That only shows that this Parliament is receiving information which is absolutely wrong on the face of it, and there is not a man in Montreal who would pretend that the figures given here, and given in all seriousness in another place by the Minister of Finance, would be sufficient to finish the work. They say they are going to finish it for $578,643; but I have had statements from reliable engineers and architects that five times that amount would hardly finish that work. They propose to get money by selling crushed stone taken from the tunnel, and they want this country to go peddling that stone around for sale. They estimate that for macadam that crushed stone would be worth $512,254, and they say they have received already $322,254, and they expect to get $190,000 for the balance.

In British Columbia the Canadian Northern Pacific railway flooded a great deal of land with their irrigation scheme, and now there have been many claims made on account of that flooding. I am told that Mackenzie and Mann have been able to stand off those claims; but will the Government have the strength of character to say to the people: "We will not allow you anything?" There has also been trouble from one of the tunnels of the Canadian Northern Pacific sliding into the Fraser river and blocking it so that the salmon could not ascend the river, and the fishing

interests will now make claims. Of course, those people could enter claims against Mackenzie and Mann of the Canadian Northern Railway company; but they had a beautiful system that any one who wanted to sue them could never strike the right company that did the thing complained of. If they sued the Canadian Northern it was the Canadian Northern Quebec or some other company they should have sued, hence they were non-suited; but now these people will come against the Government, which cannot divide itself, and the people in the salmon industry whose business was injured will have to be looked after by this Government. I think this is a very bad time for the Government to go borrowing money. I move the adjournment of the debate.

The debate was adjourned.

SUPPLY BILL NO. 3.

FIRST READING.

Bill 128, an Act for granting to His Majesty certain sums of money for the Public Service, for the financial year ending the 31st of March, 1918.—Hon. Sir James Lougheed.

CORRECTION OF THE MINUTES.

Hon. Mr. LANDRY: In the minutes received to-day it is incorrectly represented that an appeal was taken by Honourable Mr. Bostock from the ruling of His Honour the Speaker, whereas it should have been from the ruling of the Chairman of the Committee of the Whole, Hon. Mr. Sproule. The minutes also report, in the record of the vote, that the Honourable Mr. Bolduc maintained his own decision, and that the Honourable Mr. Sproule maintained his own decision.

Hon. Mr. WATSON: Why should he not?

Hon. Mr. LANDRY: All the time I was Speaker I never heard of such a thing. I always took care not to vote to sustain my own decision. But that is not the point I want to make. The point is that this whole report is a romance, and the events did not take place at all as reported, and I move that the minutes be amended accordingly, and call the attention of the officials to the point.

The SPEAKER: I may add that I voted for upholding the decision of the Chairman. The honourable member for Stadacona states that he never did that, but he must recognize that his decisions were always reversed.

Hon. Mr. LANDRY: I preferred to have a decision reversed, and do what I believed and what I still believe to be the convenient thing.

Hon. Mr. CROSBY: You had no confidence in them yourself.

The Senate adjourned until three o'clock to-morrow

THE SENATE.

Thursday, September 6, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE PARLIAMENT BUILDING FIRE.

INQUIRY.

Hon Mr. CLORAN inquired:

1. Does the Government intend to accept and pay claims of damages for the loss of wearing apparel, or other appurtenances and belongings in the destruction by fire, of the Parliament Buildings in February, 1915?
2. Does the Department of Justice consider the Government to be liable or responsible for the alleged damages?
3. If so, will the Government accept and pay claims for the loss of the lives of those persons who perished in the said fire, namely, W. Law, M.P., A. Laplante, Assistant Clerk of the House of Commons, the two employees of the Public Works Department, Alp. Desjardins and Mr. Fanning, all of whom were on active duty and service at the time of the catastrophe. Also of the two lady guests of the Speaker of the House of Commons, Hon. A. Sévigny, namely, Mrs. Bray and Mrs. Morin, of Quebec?

Hon. Sir JAMES LOUGHEED:

1. The Government is considering certain claims which have been made.
2. Not in law.
3. Answered by Nos. 1 and 2; and, furthermore, it may be said that the Government has already made certain allowances to the families of certain of those mentioned in No. 3.

AN IMMEDIATE GENERAL ELECTION.

INQUIRY.

Hon. Mr. CLORAN rose to call the attention of the Senate to the following facts:

1. That the constitutional life of the present House of Commons ends on the 7th day of October, 1917.
2. That no Government provision, so far, has been made for the immediate representation of the Electorate of Canada in the House of Commons after such expiration of life of the present House of Commons.

3. That since Confederation, every dissolution of the House of Commons, or expiration of the life of the same, was followed by an immediate General Election.

And to inquire:

What proposed or specific action does the Government intend to take in the matter?

He said: I am taking this question up on very high grounds. The House is well acquainted with the motion which stands in my name. This motion places before the country a question of the highest importance to a democracy. This question brings to the attention, not only of this House, but of Canada in its entirety, the fact that on the 7th of October the country will be without representation either on the floor of the House of Commons or in the councils of the nation. This is a grave crisis to meet. If the Government has been delinquent, it is not due to any want of warning on my part. I have notified them time and time again, and let me once more, and for the last time——

Some Hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: Probably you will be able to swallow that. When you talk of the expiration of Parliament you are talking against the Constitution. Do the gentlemen who say, "Hear, hear," know anything about it? Not a thing. There is no such thing as the expiration of the life of Parliament. Parliament is composed of the House of Commons and the Senate. The House of Commons must die within the five years named by the British North America Act. Under the British North America Act the Senate goes on until the members themselves die. The term "expiration of Parliament" is a misnomer; it is a misconception of the rights of the people under the Constitution of Canada. We are the main part of Parliament, and the better half is on the other side of the House—they are in the feminine district. We are a permanent body. The House of Commons dies on the 7th of October, and the representatives in the House of Commons who constitute the executive power in Canada die with it. Now, what will happen? The lessees of power in the Dominion of Canada are Sir Robert Borden and his sixteen or seventeen ministers, who, according to the British North America Act, constitute the Privy Council advising the Governor General. The lessors are the people of Canada, and that power is leased to the lessees through a general election by the people of Canada. I think this comparison will strike the imagination and common sense of the people. I will liken them to a tenant and a landlord. The tenant leases a farm or a residence from the landlord. The tenant enters into an agreement with the landlord that he shall have a lease of a house or a farm for a period of five years under certain conditions. The lessee occupies that farm or that house during five years, which he has a right to do. At the end of the five years his lease expires. What does he do? If the lessee is a law-abiding citizen he will be out of that house or off that farm at the end of five years; but if he is not a law- abiding citizen he will remain, especially if he thinks the house or the farm suits his purpose or if he is going to make a profit by remaining. He says to himself, "It is true that my lease of that farm is up, but I am going to remain on." Then the landlord has only one recourse: he has to appeal to the law of the land, through the courts. The landlord appeals to the law of the land, and asks that his property be protected. That takes some time. The courts intervene; they render a judgment of ejectment, calling upon the officers of the law to eject this man forcibly. That is the common practice throughout this land, and, I believe throughout every civilized land. The position of the Government of Canada and the people of Canada is identical with that of lessee and lessor or of tenant and landlord. The executive power of the House of Commons hold a lease from the landlord, the people of Canada, to occupy the residence and the premises of the country for five years, no more. What happens in the present case? The lessees—that is, Sir Robert's Government and the present House of Commons—defy the will of the landlord, the electorate of Canada. They say, "No, we will not vacate the premises; we are going to remain." It is plain to me that such is the position taken, because the Government is now unable to face the difficulty. They have only four weeks to prepare for an election—an evacuation of the premises—and the rumour goes that they do not intend to hold the election until March 18, next. Any sensible man knows that an evacuation of the premises, on the expiration of a lease of power by a Government which introduces measures by which it will be able to continue to hold on to the premises, cannot be performed inside of three weeks nor three months. Take, for instance, the Military Voters Bill. Take the new Franchise Act which is being presented to-day in the House of Commons. How long is it going to continue to rig up machinery of that

kind to defeat the popular will? This Government is actually battling against the bulwarks of our constitution; and I hold that the people of this country cannot be too soon apprised of what is going on in this House and in the other House in regard to the destruction of their domestic rights. Here is a Government discredited, paralyzed and now on its deathbed, and yet trying by every means possible, fair and unfair, to divert the electoral vote of this country into its own channels. There is no doubt about that. I stand here, even if alone, to protest against this attack on the democratic rights of a democratic people. My son and other men's sons have been fighting and are still fighting for the rule of democracy in Europe, and we are denied it right here on the floor of the Senate and on the floor of the House of Commons. We are muzzled.

Hon. Mr. CROSBY: You ought to be.

Hon. Mr. CLORAN: We are muzzled—not here, thank God. You have not succeeded in muzzling us yet, and before you put on the muzzle you will get many a sharp bite, I tell you. You have not got the muzzle on the Senate; but you have it on the House of Commons, and it is used in a most unpardonable, arbitrary manner.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: What? Is it used in a peaceful manner?

Hon. Mr. CROSBY: Mr. Speaker and honourable gentlemen——

Some Hon. SENATORS: Order, order.

Hon. Mr. CROSBY: I rise to a point of order. I can quite understand the hon. gentleman making an inquiry; but he is now discussing a thing which has no existence at all; he is urging that an election should be held after Parliament prorogues. We are going to have an election.

Hon. Mr. CLORAN: When?

Hon. Mr. CROSBY: Immediately after the 7th of October.

Hon. Mr. CLORAN: When is immediately?

Hon. Mr. CROSBY: It will be soon enough for the honourable gentleman and his followers.

Hon. Mr. CLORAN: Sit down; that is no point of order. Mr. Speaker, I rise to a point of order. What right has the honourable gentleman to interfere with my free speech ?

The Hon. the SPEAKER: The honourable gentleman from Victoria division (Hon. Mr. Cloran) has no right to accuse the House of Commons of acting in an improper manner.

Hon. Mr. CLORAN: I did not. If His Honour the Speaker will tell me when I did, I will withdraw my remarks.

The Hon. the SPEAKER: A little while ago. I would advise the honourable gentleman to withdraw that expression.

Hon. Mr. CLORAN: I did not attack the House of Commons. I would be very sorry to do so.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. CLORAN. But I say that the House of Commons has been muzzled. Who is going to deny that ?

Hon. Mr. GORDON: It is a pity the honourable gentleman is not muzzled.

Hon. Mr. CLORAN: It was muzzled last Tuesday, and has been for the past two or three days. If honourable gentlemen opposite do not understand the word "muzzled."

Hon. Mr. CROSBY: We would understand it if it were applied to the honourable gentleman. I rise again to a point of order. Can the honourable gentleman talk in that fashion in this House ?

Hon. Mr. CLORAN: I am very much obliged to the honourable gentleman. I like these points of order. If the honourable gentleman thinks for one moment that it flabbergasts me, he is mistaken. Now, to suit the refined tastes of honourable gentlemen opposite, I will quote the constitution in regard to the powers, rights, privileges and limitations of the House of Commons, the Government, the Governor General, and, I am proud to say, the very few limitations on the Senate. Death is about the only limitation on this House. What does the constitution say? Section 9 says :

The Executive Government and Authority of and over Canada is hereby declared to continue and be vested in the Queen.

Now it is vested in the King. Section 10 says :

The provisions of this Act referring to the Governor General extend and apply to the Governor General for the time being of Canada, or other the Chief Executive Officer or Administrator for the time being carrying on

the Government of Canada on behalf and in the Name of the Queen, by whatever title he is designated.

Section 11 says :

There shall be a council to aid and advise in the government of Canada, to be styled the Queen's Privy Council for Canada, and the persons who are to be members of that council shall be from time to time chosen and summoned by the Governor General—

For the time being. Honourable gentlemen who have not read this had better read it and digest it. The Governor General has absolutely no power outside the term of his office, under the King, the Queen, or anybody else. There is the constitution in black and white. The Governor General for the time being shall have the free power in the name of the King. What right has his Executive Council to say, "Good morning, Governor; you are going, but we remain." That is practically what the Government is about to do. They are making no provision for their replacement a few weeks hence. Is not that a flagrant violation of the constitution? What right has the Government to retain the reins of office? Absolutely no more right than the first ten men you would meet on the public street. I hold that this example of despising the constitution is an incitement to the populace to anarchy. What right have these men whose leave of office has expired to continue in office? No more right than the three tailors of Tooley street who, as Dickens said, ran the British Empire for quite a number of years. When the term even of the Governor General for the time being has expired, he cannot continue in office unless reappointed by the Imperial authorities—unless there is a second or third declaration from the King that the Governor General is still his representative in Canada. Yet the Government to-day, though its term has expired, retains office and administers the affairs of the country without any sanction or endorsation from the people who gave them power. Cannot the Senate see the situation? If the Senate does not, you are profoundly asleep, but the country is awake and will stand by the constitution even if the Senate does not.

Now, what does the constitution say in regard to the life of Parliament:

20. There shall be a session of the Parliament of Canada once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and its first sitting in the next session.

As matters are going, what would happen? This Government would dissolve the House, say, on the 5th or 6th of October, and remain in power for 12 months.

An Hon. SENATOR: Hear, hear.

Hon. Mr. CLORAN: Some honourable gentleman says, "hear, hear." Go straight over to Germany; that is where the honourable gentleman belongs. A Government that would descend to do a thing of that kind should meet with supreme contempt and direct condemnation from the people. I have no doubt that the present Government would postpone the election for 12 months if it could; but the estimates have been voted only for six months, up to the 31st of March, and they will be obliged to hold the election in any case, willy-nilly, before that date, because by the 31st of March the supplies will all have been squandered and they will need more. Therefore they will need to have Parliament assemble before the 31st of March in order to vote subsidies for the next three months. There is where the Liberal party in the House of Commons and in the Senate made a grave mistake, in according to the present Government six months' supplies ahead of time instead of according them three months' rations, which was enough for them.

These are plain facts, and are we to be told that His Majesty's loyal Opposition in this House or elsewhere, and especially in the country, have no right to dispute this unwonted attack against the constitution and the rights of the people of this country? Are we to sit here without protesting? That is all we can do; but I have no doubt that the protests from this honourable House and from other quarters will have full weight in the judgment of the country when the opportunity is given the people to rebuke this Government for its dealings in public affairs. The matter is more serious, honourable gentlemen, than you imagine. There are too many regrettable scenes in the country to-day in opposition to laws which have not been sanctioned by the people; and let us not here in this House, party or no party, invite the people to take the road of anarchy. This is the time to have union Government right here in this House. Coalition or union Government is being preached, but right here we ought to coalesce and impose the will of the people on a Government which is disregarding it.

The next clause of the British North America Act which governs this Parliament, especially the junior branch of it, is:

50. Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor General), and no longer.

And no longer. These are the only three provisions in the British North America Act which govern the existence of Parliament as a whole. I hold, with many constitutional lawyers, that the amendment which, I suppose because of our fear of war results, we condescended to endorse, the amendment asked by the Prime Minister to extend the life of Parliament for one year, was in flagrant violation of the constitution and a flagrant wrong against the people, who had a right to be consulted on that measure. That extension of Parliament is now a precedent in Imperial legislation, and when it suits the purpose of any party they can change the constitution by simply forcing an extension through the House of Commons, having it adopted in the Senate, and sending it over to the British Parliament to be sanctioned. The extension that was granted will expire in a few days, and no provision has been made by the present Government to replace the House of Commons.

I want to point out the distinction between a dissolution of the House of Commons and the expiration of the life of that House. Under the constitution the House of Commons is elected for five years but no longer, unless dissolved by the Privy Council before that time. But that does not do away with the right of the existing executive power to remain; it is they who dissolve Parliament, which does not die by itself. The executive power says to the members of the House of Commons: "We have decided to put you out of business, and we are going to have another body to represent the people." and all that the House of Commons can say to the Government of the day is, "Au revoir." That does not put the Government of the day out of business; they have a right to remain in office and administer the affairs of the country. That has been the constitutional practice since Confederation and it is only proper. But though the Government does not die when Parliament is dissolved, yet when the House of Commons expires the Government, representing that body, dies with it, because they are all members of the House of Commons; and when that House dies, under direction of the constitution the men who represent that House in the executive committee of power must die with it. No constitutional lawyer will contest that. If the Government dies with the House of Commons, who is entitled to take the reins of office and administer the country's affairs? Under the British North America Act there is only one power on earth that can authorize the Government to take the reins of power, namely, the people of Canada, the electorate.

Therefore the condition of things is serious, and from the popular point of view it is grave. What will the people say? What will the working men say, the ordinary taxpayers say? They will say, "Those men who are holding the reins of office are not there by my vote or sanction." The assumption of power under such circumstances is an incitement to unlawful means of government, commonly called anarchy, and this Government least of all should give such an example. I hold that it is their duty not to ask or take time to rig up schemes to beat their opponents in this election. They have no right to do so, and they ought to be ashamed, in the face of the democracy of this country—civilized, lawful democracy—to teach the people these lessons of anarchy. I think I have done my duty in stating these facts for the benefit of the country, and I know that if all the members of the Government were of the same mind as my honourable friend the leader in this House, we would have no such condition of things in Canada.

Hon. Sir JAMES LOUGHEED: The answer to the inquiry of my honourable friend is that the Government will take the necessary constitutional steps for the holding of a general election at such time as may be determined by proper authority.

Hon. Mr. CLORAN: We are the authority.

THE MILITARY SERVICE ACT.

MOTION FOR PAPERS.

Hon. P. A. CHOQUETTE moved:

That an humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate a copy of all letters, documents, correspondence, exchanged between the Governor General, Prime Minister, Minister of Justice, and all members of the Government, senators, members of Parliament, or citizens, generally, about:

1. The putting at once into execution the Military Service Act.

2. The adjourning of putting it in force only after the next general election, and

3. As to means to be taken to enforce the law if there is opposition to it.

He said: In making this motion my intention is to request the Government to postpone the enforcement of the Military Service Bill until after the next general election. In view of what has been said to-day by the honourable member for Victoria, (Hon. Mr. Cloran), and the answer given to him, the Government seems to be willing to do the proper thing, and to bring on the general election not long after the 7th of October next. There is no doubt that from now till then there will not be time to put the Conscription Act in force, or to put in motion the necessary machinery for calling to the colours those who are to be selected under that Act.

Going back to what was said a few days ago before the Act was signed, I read the following statement from the Journal-Press of Ottawa, of August 30:

> After that will come the actual calling to the colours of specified numbers and classes of those who have not been exempted. In all probability the final stage of getting the men out for training will not be reached until after the new year.

More than that, I notice in the Montreal Gazette of the 29th August the following:

> It is possible that after being called and trained the new battalion will not be required on the other side.

We know that the Montreal Gazette not long ago was against conscription; but we also know that it has changed its views, for reasons unknown to me, and which I prefer not to know; but it is a fact that the Gazette is now supporting the Conscription Act. That paper, however, reflects the opinion of the Government in stating that soldiers who should be called may not be required at the battle-front; and by another organ of the Government we learn that those who will be called will not be ready to go into training till after next January. If that is true—and I claim that it is, and that it is physically impossible that it should be otherwise—would it not be better, before the call is made, to wait for the verdict of the people, and hold an election as soon as possible after the expiration of this Parliament on the 7th of October next, say a few weeks or a month or two afterwards, and to specifically declare that the Conscription Act will not be put in force before that general election? If that were done, the people would wait with confidence for the verdict at the election, and I for one would be prepared after the Federal election, if this Government is maintained—I hope it will not be—

to go on the hustings and advocate submission to the Conscription Act, and also send to the recruiting stations any persons over whom I have authority, to give their names at once to be enlisted. That is the position I take, and have always taken.

Those who have called on the Government to postpone the enforcement of this Act until after the election have been accused of wishing to block conscription. The other day I noticed in the Toronto News an item stating that Lord Shaughnessy was accused of being an anti-conscriptionist because he had said that we had sent enough men to the front, and that we ought to wait before sending any more. But the supporters of the Government themselves have appealed to the Government not to put the Conscription Act in force until after the election, and not later than yesterday I read in the Montreal Gazette the following:

> La Patrie is absolutely against the putting in force of the conscription bill before a general election. "Unless, however, the Government changes its opinion there is nothing to indicate that the Bill will not be put into force," adds the same authority. La Patrie does not think, however, that the ministry should put too much confidence in the second paragraph of article 16, which forbids counselling disobedience to the law. "It is possible indeed, that in putting into effect the bill without popular sanction, and especially when the people are to have inevitably an occasion to pronounce upon it without much delay, resistance may, in fact, take place without even being advised. For months past resistance to this law has been preached in many sections of the country and we consider that it would be unwise on the part of the Government to provoke it, taking into account that the people will certainly have the last word to say in the general election, which cannot be delayed indefinitely."

So that not only those who are against conscription but those who are supporting it ask the Government, for the sake of the Conscription Act itself, and for the sake of peace and harmony in this country, to postpone the enforcement of the Act until after the election. It is clear that the people of this country are divided into two camps, those in favour of conscription and those against it, and we know that the latter are in a great majority in every province of this country, not even excepting Ontario.

Some Hon. SENATORS: No.

Hon. Mr. CHOQUETTE: The best proof of that statement I can bring is that every conscriptionist member of the other House voted against the referendum proposed by Sir Wilfrid Laurier because it was going to be defeated. Not only in Ontario and in the West the same ground was taken, that if

the referendum was submitted to the people it would be defeated. So I am right in saying that those who are against conscription being enforced before it is submitted to the people are in the great majority in this country.

But who are the persons who are for conscription? They are very few, but influential. First, I am sorry to say, are those who have a mind only to punish Quebec because they say Quebec has not done its part—which is a slander on the province of Quebec. Secondly, they are members of Parliament who are for conscription because they think that with immediate enforcement of conscription and an election cry they will be more easily elected. Third, there are parties who are for conscription and for continuing the war, because they are manufacturers of munitions, sellers of bacon and nickel, who are making big profits, such as the Davies Company, of which Mr. J. W. Flavelle, Chairman of the Imperial Munitions Board, is the head. Here is a list of manufacturers who are making the following profits: United States Steel Corporation, $207,945,953; Bethlehem Steel Corporation, $53,715,041; Anaconda Copper Mining Company, $39,087,187; Utah Copper Company, $32,174,480; American Smelting and Refining Company, $11,158,-084; E. I. du Pont de Nemours & Co., $76,581,729; General Chemical Company, $9,700,191; Central Leather Company, $12,-016,397; American Sugar Refining Company, $4,211,408; Republic Iron and Steel Company, $11,687,863; Standard Oil Company of New York, $20,425,510; Corn Products Refining Company, $3,798,892. And last, but not least, is the "Soo" Corporation, which in its last report shows net earnings of subsidiary companies to be $5,323,004, an increase of $1,800,000 over 1915-1916. These are the people who are asking for conscription and asking to go on with the war.

Hon. Mr. McSWEENEY: Cannot you give us the Canadian companies?

Hon. Mr. CHOQUETTE: I have not the names here, but they have been published in the Hansard of the other House. But I come back to the name of Sir H. B. Ames, who is the head of the Patriotic Fund. Here is the head of the Patriotic Fund asking men to go out and be killed, and at the same time making every effort to have them enlisted because he is making money in one way and distributing it in another. Personally I have the greatest respect for him. What was this gentleman doing six years ago?

Hon. Sir JAMES LOUGHEED: I rise to a question of order. The Conscription Act is the law of Canada at the present time. It has been put into operation, and any motion which my honourable friend makes for the bringing down of documents, in which he has for his object the suspension of the Conscription Act, is manifestly abortive. My honourable friend cannot advocate the suspension of any statute. He might as well ask for the suspension of the Bank Act, the Criminal Code, or any other public Act.

Hon. Mr. CHOQUETTE: I suppose I can discuss the question of order. The Act has been signed, but for my honourable friend, who is a serious man, to say—

Hon. Sir JAMES LOUGHEED: The Royal assent has been given, and it is the law of the land.

Hon. Mr. CHOQUETTE: It has been sanctioned here by the Governor, but a proclamation must be issued to call out the men, and I am asking that proclamation be not issued until after the general election. I cannot see how my honourable friend can say that the motion which I have made for the production of documents is not a proper thing to discuss.

The Hon. the SPEAKER: The Military Service Act has been passed and sanctioned and is now the law of the land. I suppose that the honourable gentleman from Grandville (Hon. Mr. Choquette) has the right to ask that the operation of the law be delayed, but he has not the right to speak against the Act. I advise him to confine his argument to the motion for the production of the correspondence for which he has asked.

Hon. Mr. CHOQUETTE: That is satisfactory. I was asking the Government not to put conscription into force. I was saying this.

Hon. Sir JAMES LOUGHEED: You were attacking everybody in sight.

Hon. Mr. CHOQUETTE: No. I was giving a reason. I said there were two camps of men, one asking that the proclamation be issued at once, and that the Act be put into force, and I think there are those who are interested in doing that. Perhaps I am going too far, but I am willing to admit my fault, if necessary. But there are those who are anxious that the proclamation to put the Act into force shall be published in the Gazette. I am

asking for the production of the correspondence from those who are against putting the Act into operation. I will give the reasons. I know that letters have been received in thousands by the Government, asking them to delay putting the Act into force until after a general election. The first thing I can do to justify those who are asking the Government not to put the Act into force and send more men to the war, is to read an extract from a letter published in a Montreal paper. This letter was written by a soldier who had been at the front. He said:

> I have seen the horrors of this war, the broken bodies on their beds of pain, the broken hearts of those bereaved, the awful mutilations that must be carried to the grave, the waste, the wanton waste of homes and towns and piled up treasures, the fruit of sweat and tears, and I solemnly declare that for the man who makes war on his fellows with the modern weapons of destruction there are no torments made in hell to fit his crime. If such a man there be, and such a nation, every cradle, every mother in her home, every maiden trusting chivalry, every Christian knowing Christ, cries to you and me, and to all who would have peace secure to bind them fast.

These are some reasons why this war must stop and why many men are asking the Government not to put into force now this law which will send their sons—

The Hon. the SPEAKER: Order, order. I advised the honourable gentleman to confine himself to the motion before the House. His line of argument is such as to create excitement in the country and opposition to the operation of the law.

Hon. Sir JAMES LOUGHEED: Furthermore, this Act is in force. It is not dependent on any proclamation. The machinery under the Act has been set in motion, and the discussion of this subject is entirely out of order. I ask the ruling of the Chair upon this question, and I intend to prosecute this to the end, no matter what the ruling of the Chair may be.

Hon. Mr. POWER: I understand that the honourable gentleman from Grandville (Hon. Mr. Choquette) made a motion as to the issuing of the proclamation. Now, that proclamation has not yet been issued, and I can understand that the honourable gentleman, as is very natural, holding his views, should appeal to the Government to postpone the issuing of the proclamation.

Hon. Sir JAMES LOUGHEED: The Act is in force.

Hon. Mr. BOSTOCK: I understand the Act necessitates the issuance of a proclamation of the Governor General in order to call out the first class.

Hon. Sir JAMES LOUGHEED: From time to time. However, I raise the point of order that this discussion is entirely out of order.

The Hon. the SPEAKER: I have ruled that the discussion must be confined to the motion as it stands. I ruled that the line of argument used by the honourable gentleman has been such as to cause excitement in the country, and to have a bad effect upon the people.

Hon Mr. NICHOLLS: Might I ask the honourable the leader of the Government in this House if it is a fact that Sir Wilfrid Laurier, the leader of the Opposition in the House of Commons, has already accepted the Act by agreeing to nominate one-half of the tribunals?

Hon. Sir JAMES LOUGHEED: So far as I am personally concerned, I object to any discussion other than upon the point of order now raised. I raised the point of order that the Act is in force, and discussion upon any other question is out of order. Under the notice of motion the honourable gentleman has no right to discuss the subject which he is discussing. The motion simply asks for certain papers.

Hon. Mr. CHOQUETTE: I cannot understand why—

Hon. Sir JAMES LOUGHEED: We will give you to understand why. A man who will preach sedition in this House will be taught why. I propose that any member of this House who preaches sedition, as this honourable gentleman is doing, will not be heard by this House. I will ask this House to exercise the power which it has to prevent an honourable gentleman from doing that here.

Hon. Mr. CHOQUETTE: The honourable gentleman has no right to say that I am preaching sedition, and I challenge him to produce one word—

Hon. Sir JAMES LOUGHEED: Every word. If you had given expression to these sentiments in Europe, there would have been a firing-squad called out.

Hon. Mr. CHOQUETTE: I am in order. I have the floor. I rise to a point of order. I ask the honourable gentleman to withdraw his words, I am not a Carson to raise soldiers to fight a law, as he did to fight Home Rule for Ireland; nor am I the head of an order which burned Gladstone in effigy when he proposed to abolish the Anglican

Church in Ireland, and whose chaplain general, the Reverend Mr. Flanagan, cried out before a great assembly in Belfast, "If the Queen signs this Bill we will throw her crown into the Boyne, the same as we did that of King James."

Some Hon. SENATORS: Order, order.

Hon. Mr. GORDON: You are a regular pro-German.

The Hon. the SPEAKER: Order. The question is raised that the honourable gentleman has been preaching sedition. In my opinion, the arguments used by the honourable gentleman in moving the motion were very seditious.

Hon. Sir JAMES LOUGHEED: I rise again to the point of order that the honourable gentleman has no right to make any observations, other than to move for the papers named in the motion.

Hon. Mr. CHOQUETTE: Do you pretend that I have no right to speak on that?

Hon. Sir JAMES LOUGHEED: I do.

Hon. Mr. CHOQUETTE: Do you rise a point of order that when I move for an address for papers I have no right to explain?

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr. CHOQUETTE: Is that the point of order?

Hon. Sir JAMES LOUGHEED: I ask the ruling of the Chair, as to whether the honourable gentleman has any right to discuss anything other than the papers mentioned in the motion.

The Hon. the SPEAKER: I have already given my ruling. The honourable gentleman has no right to speak on anything but the motion which is now before the House.

Hon. Sir JAMES LOUGHEED: That motion simply asks for the production of certain papers.

Hon. Mr. CHOQUETTE: I am very much surprised at all this fuss, because I am asking to have certain correspondence produced with regard to enforcing the Military Service Act, and asking the Government to postpone its enforcement. I do not see why there should be a point of order raised on that. I have given the reasons of those who are asking this, and who are mentioned in the letters before the Government.

Hon. Sir JAMES LOUGHEED: I object to that. The honourable gentleman has no evidence of any letters being before the Government. I take exception to his making reference to any letters of the kind referred to. I ask for a ruling on that point.

Some Hon. SENATORS: Order.

Hon. Mr. CHOQUETTE: And I am going to say—

Some Hon. SENATORS: Order.

Hon. Mr. POWER: Honourable gentlemen, I regret very much that we should have this little disturbance; but whatever our feelings may be just at the present moment, I think that we should consider the possible precedent that we are creating. The honourable gentleman from Grandville (Hon. Mr. Choquette) moved, as he has the right to move, that a humble address be presented to His Excellency the Governor General praying that His Excellency will cause to be laid before the Senate certain papers. The honourable gentleman has a right to make that motion, and he has a right—it has been the uniform practice in this House for fifty years—in making the motion, to make such remarks as are necessary to show why his motion is made.

Hon. Mr. DENNIS: Yes, but not sedition.

Hon. Mr. DOMVILLE: Oh, shut up.

Hon. Mr. POWER: I quite recognize the fact that perhaps in one or two portions of his address the honourable gentleman from Grandville (Hon. Mr. Choquette) reflected on an Act which has been passed by Parliament, which is something which he has no right to do. But I think he has a perfect right to discuss the motion on the Order Paper, so long as he confines himself to that. Of course, he must be guarded in his language. As I said when I began, I think it would be very regrettable to establish a precedent now which might lead to very objectionable results in the future.

Hon. Sir JAMES LOUGHEED: The House will assume all responsibility for that.

The Hon. the SPEAKER: I agree with the honourable gentleman from Halifax (Hon. Mr. Power) that it would be a regrettable thing if we went too far; but I must warn the honourable gentleman that when he uses arguments, in moving a motion, which I consider to be seditious, I will call him to order and will take the responsibility.

Hon. Mr. LANDRY: I understand, Mr. Speaker, that in the course of his speech

the honourable gentleman alluded to a proclamation which has not yet been issued. In the Act it is enacted that the Governor in Council may issue a proclamation calling certain persons to arms. That has not been done yet. Do I understand that the honourable member in his speech asked the Government to delay that, or gave reasons for delaying the issuing of the proclamation?

The Hon. the SPEAKER: The point of order is that the line of argument used by the honourable gentleman from Grandville was such as would create excitement in the country, and delay putting the law into operation.

Hon. Mr. CHOQUETTE: I must object to the remarks of the leader of the Government and the Speaker, and say that I have used no seditious words. I do not want anybody to put expressions into my mouth which I never used. I never used seditious words.

Hon. Sir JAMES LOUGHEED: You are so disloyal that you do not know what sedition is.

Hon. Mr. CHOQUETTE: I do know what sedition is. I know that Carson and the Orange Order were seditious.

Some Hon. SENATORS: Order, order.

The Hon. the SPEAKER: I shall have to name the honourable gentleman the next time.

Hon. Mr. CHOQUETTE (translation): Mr. Speaker, considering your position and how you got it, you should not show so much zeal for the Government.

The Hon. the SPEAKER (translation): Mr. Choquette, sit down. (Text): The honourable gentleman has no right to be insulting.

Hon. Sir JAMES LOUGHEED: I ask the honourable the Speaker to maintain order, and if the honourable gentleman does not observe order, I ask the Speaker to name him.

The Hon. the SPEAKER: I have named him.

Hon. Sir JAMES LOUGHEED: Then I propose to move a motion.

Hon. Mr. DOMVILLE: What is the meaning of this ?

Some Hon. SENATORS: Order.

Hon. Mr. DOMVILLE: You are only fit to howl, the whole of you.

Some Hon. SENATORS: Order, order.

Hon. Sir JAMES LOUGHEED: Inasmuch as the honourable the Speaker has named the honourable gentleman from Grandville (Hon. Mr. Choquette), if that honourable gentleman does not retract his discourtesy to this House, I will move that he be suspended from the service of the House for a certain number of days. I purpose doing that at once.

Hon. Mr. LANDRY: Before the honourable gentleman from Grandville answers, I want to state that His Honour the Speaker did not name the honourable member. He told him "Asseyez-vous" sit down. That is not the way in which the Speaker names a member.

The Hon. the SPEAKER: I beg pardon; I named the honourable gentleman, and asked him to sit down.

Hon. Mr. CHOQUETTE: I will resume my remarks.

Hon. Sir JAMES LOUGHEED: I do not propose that the honourable gentleman shall do so. Do I understand that His Honour the Speaker has named the honourable gentleman from Grandville for interrupting the proceedings of this House?

The Hon. the SPEAKER: Yes.

Hon. Mr. BELCOURT: My honourable friend (Hon. Sir James Lougheed) is mistaken.

Hon. Sir JAMES LOUGHEED: For having refused to submit himself to the judgment of the House.

Hon. Mr. BELCOURT: Will my honourable friend permit me?

Some Hon. SENATORS: Order.

Hon. Sir JAMES LOUGHEED: I propose asking—

Hon. Mr. BELCOURT: If my honourable friend will permit me—

Hon. Sir JAMES LOUGHEED: Yes.

Some Hon. SENATORS: Order.

Hon. Mr. BELCOURT: Let us try to conduct ourselves like gentlemen. There is no use in shouting "order." My honourable friend is mistaken. The conversation during which the Speaker claims

to have named the honourable gentleman from Grandville was in French. There are very few honourable gentlemen on that side of the House who understand French. I understand it, and am quite close to His Honour the Speaker. His Honour the Speaker, if he claims that he did name the honourable gentleman—I am not quite sure that he did—did not name him for any discourtesy to the House.

Hon. Mr. DENNIS: Excuse me. He said, for insulting him.

Hon. Mr. BELCOURT: Not discourtesy to the House, but for an insult to himself. If that is worse, then let it be worse, but let us understand where we are at. Let us not assume what my honourable friend (Hon. Sir James Lougheed) says, that the honourable gentleman was named for discourtesy to the House. It was not for that reason he was named, if he was named at all. So it is a matter entirely between the Speaker and the honourable gentleman (Hon. Mr. Choquette).

Hon. Mr. SHARPE: Not at all. The honourable gentleman is wrong.

Hon. Mr. CHOQUETTE: Honourable gentlemen, I do not know exactly where we are at. I thought the Speaker told me to sit down because he had a decision to give. Anyhow, I am willing to abide by the decision of the Speaker. I may have said something in French—I do not remember exactly what it was; he told me to sit down, and I thought it was that he might give a decision.

Hon. Mr. BELCOURT: I think my honourable friend would be well advised if he withdrew the words which he addressed to the Speaker.

Hon. Mr. CHOQUETTE: If in what I have said there has been something offensive to the Speaker, I am willing to withdraw it.

Hon. Sir JAMES LOUGHEED: If the honourable gentleman does not withdraw his discourtesy to his Honour the Speaker, and consequently to this honourable House, I propose to move for the suspension of the honourable gentleman.

Hon. Mr. CHOQUETTE: I was just going to say: I do not remember exactly the words I used, but if the Speaker has taken them as offensive, I am willing to withdraw them. I never had any intention of showing any disrespect to the Speaker.

Well, honourable gentlemen, to close my remarks on this motion asking for the production of documents. I was speaking of the special reason why this law should not be put into force before the general election. I do not see how otherwise I can put the matter before this honourable House and convince the House that the enforcement of the Act ought to stand until after the general election, which will be very soon. The reason which I gave to the House and to the Government for not putting it in force before the people pronounce upon it, and send abroad those in whom I am interested—

Some Hon. SENATORS: Order, order.

Hon. Sir JAMES LOUGHEED: I propose that the honourable gentleman shall not discuss that phase of the question.

Some Hon. SENATORS: Hear, hear.

Hon. Sir JAMES LOUGHEED: And furthermore, as I have raised the question of order. I again ask His Honour the Speaker to rule upon it; and, if my honourable friend persists in renewing his discourtesy to the Speaker, and consequently to this House, I shall take the responsibility of moving for his suspension.

Hon. Mr. LANDRY: I would like to know what is the point of order. I want to discuss the point of order.

Some Hon. SENATORS: Order, order.

Other Hon. SENATORS: Sit down.

Hon. Mr. LANDRY: I want to know what is the point of order.

Hon. Mr. LAVERGNE. That is the honourable gentleman's right. The honourable gentleman has a right to know what the point of order is.

Hon. Mr. CHOQUETTE: Mr. Speaker, am I to understand that, as a member of this House I have not the right to give my personal reasons, why I ask the Government to postpone the proclamation for the enforcement of the Act? Do I understand that I have not the right to do so? If that is so, then I have only to sit down.

Hon. Mr. GORDON: Well, sit down.

Hon. Mr. CHOQUETTE: I will not sit down at the demand of the honourable gentleman.

Hon. Sir JAMES LOUGHEED: I have raised the point of order. The point I have raised is this, that this Act is in force. There is no such thing as suspending a proclama-

tion in this way. Furthermore, the Act is in force, there is no such proclamation as that to which my honourable friend refers. The machinery of this Act is in motion now and will continue in motion.

Some Hon. SENATORS: Hear, hear.

Hon. Sir JAMES LOUGHEED: Furthermore, I raise the point of order that the honourable gentleman has no right to discuss any of the subjects mentioned in this motion, inasmuch as it is simply a motion for the bringing down of certain papers, and not for the discussion of those papers.

Hon. Mr. LANDRY: I think the honourable leader of the House is under a certain misapprehension. The Military Service Act has been passed, but have we no right to discuss that law? Yes, we have a right to discuss any law. The only thing we cannot do is to prevent people from obeying the law. But we have a right to go on any hustings and discuss the law, and we may say it is a bad law or it is a good law. We may estimate the law as we like. That is a liberty we have, and no law can take that liberty away from us. A common orator at a meeting could get up on the hustings and give his opinion on this law.

Hon. Sir MACKENZIE BOWELL: No, he could not—under the present law.

Hon. Mr. LANDRY: Yes, yes.

Hon. Sir MACKENZIE BOWELL: He would be arrested and sent to jail.

Hon. Mr LANDRY: No, no. I think that is a misapprehension. The law does not say that at all. I would like the honourable gentleman (Hon. Sir Mackenzie Bowell), if he makes that contention, to point out the section of the law which prevents a man from discussing it or expressing his opinion upon it. But my honourable friend (Hon. Mr. Choquette) was not discussing the law; he was only asking this. In the law there is, I claim—though my honourable friend may think differently—a clause which says that after the tribunals have been formed, a proclamation will issue calling upon persons between certain ages, between 20 and 34, to report.

Hon. Sir JAMES LOUGHEED: I ask His Honour the Speaker to rule simply on the question if, once an Act of Parliament has been passed, it can be discussed in this House, and if its suspension can be asked for. Nothing is said in the motion about this proclamation; the motion does not deal with any proclamation; it deals with the putting into execution of the Military Service Act. I say it has been put into execution; it was put into execution several days ago. Therefore I raise the point whether this question is in order. I raise it on that ground, and that alone.

Hon. Mr. BEIQUE: But you will allow us to discuss the question of order.

Hon. Mr. LANDRY: Yes, we are discussing the question of order.

Hon. Sir JAMES LOUGHEED: I want honourable gentlemen to confine themselves to the question of order. We are not discussing the proclamation mentioned in the Act, we are discussing the Act. Nothing is said about the proclamation..

Hon. Mr. LANDRY: I know nothing is said, but clause 4 of the Act says that:

> The Governor in Council may from time to time by proclamation call out on active service as aforesaid for the defence of Canada, either in Canada or beyond Canada, any class or subclass of men described in section three and all men within the class or subclass so called out shall, from the date of such proclamation, be deemed to be soldiers enlisted in the Military Forces of Canada and subject to military law—

Here the law declares that those persons will not be soldiers until the proclamation has been issued. Consequently there is in the law a section which says that the proclamation must be issued before those persons are called to arms. Well, the honourable gentleman (Hon. Mr. Choquette) was discussing that question, and a point of order is raised to the effect that it is not permissible to discuss any provision in that law, or the law itself. I say that we can discuss the law. Moreover, in that particular case the honourable gentleman (Hon. Mr. Choquette) was not discussing the law, but was asking the Government to delay until after the election the proclamation which the Governor has the power to issue, but which has not yet been issued. I do not see that the point of order is well taken in this case.

Hon. T. S. SPROULE: There is another principle involved in this case different from the ordinary one, and which has not been mentioned yet. The Act is an Act of Parliament, assented to by the Crown. If I understand, the rules, it is not the right of any member of this House to take up and discuss an

Act once it is passed, and advance arguments why it should not be put into operation, or why its operation should be delayed or interfered with. It is a completed Act of the Parliament of Canada, passed during the present session. Therefore the discussion of it cannot be revived nor can its operation be interfered with. Any conduct in that direction in this House would be, in my judgment, improper. Therefore I think the point of order is well taken but, outside of that, there are the penal clauses of the Act, which are binding upon every one in regard to interference with the enforcement of the Act or its operation. I hold that those sections have a very strong bearing upon any arguments that may be advanced in this House with regard to the measure, because it has been put into operation and should be left to go through all the ramifications of its work without being again reviewed in this Chamber. I think it is quite improper and out of order to review or discuss it, or to give reasons why the operation of the Act should be stopped, or prevented, or interfered with. I think that any of those arguments are improper and out of order.

Hon. Mr. LANDRY: Will the honourable gentleman read those penal clauses?

Hon. Mr. SPROULE: It does not pertain properly to a point of order to do so.

Hon. Mr. POWER: In the few observations that I had the pleasure of addressing to the House a while ago, I stated that it was improper and unparliamentary to reflect on any action of the House. To tell the honest truth, I did not follow the honourable gentleman from Grandville (Hon. Mr. Choquette), but if the honourable gentleman reflected on the Conscription Act, found fault with it and spoke of it in uncomplimentary terms, he was wrong. But that is not the question. The question is this. The Act requires that a proclamation shall be issued. The honourable gentleman from Grandville addressed a plea to the House, and perhaps more particularly to the Government, asking them not to have that proclamation issued until after the election. That does not reflect on the past action of the House.

Hon. Mr. SPROULE: It certainly means the suspension of the operation of the Act.

Hon. Mr. POWER: Honourable gentlemen should try to keep their heads and not be carried away by the strong feelings of the moment. I quite understand, as the honourable gentleman from Grandville has a rather aggressive way of addressing the House, that possibly some honourable gentlemen opposite felt, in fact, "riled" about it.

Hon. Mr. SHARPE: Not at all.

Hon. Mr. POWER: But we must not let our angry passions rise. We must keep our heads cool.

Hon. Sir MACKENZIE BOWELL: Does the honourable gentleman contend that the House has a right to reconsider at the same session its former action in the adoption of a law? At the next session that honourable gentleman might make a motion to repeal or alter or amend a law. But this Parliament at this session has passed a law; that law has received the Royal Assent and has been placed upon the statute book. Does the honourable gentleman from Halifax say that honourable gentlemen have a right to bring up that question and discuss it again?

Hon. Mr. POWER: No, I never dreamed of saying anything of the sort. What I said was this, that in the Act there is a provision for the issue of a proclamation.

Hon. Sir MACKENZIE BOWELL: We know that.

Hon. Mr. POWER: Then, the honourable gentleman should not have addressed his remarks to me, if he knows that; because the issue of that proclamation is a matter within the discretion of the Government.

Hon. Sir JAMES LOUGHEED: But there is nothing in the motion about a proclamation.

Hon. Mr. POWER: The honourable gentleman from Grandville is pleading with the Government not to exercise that discretion at a very early date.

Hon. Sir MACKENZIE BOWELL: Yes, but he does not include in his motion anything about the proclamation.

Hon. Mr. POWER: Then he should.

Hon. Mr. GORDON: The honourable member for Halifax (Hon. Mr. Power) admitted at the outset that he did not hear what the honourable member from Grandville said; therefore I for one feel that he should be excused. I think that if he had heard what the honourable gentleman from Grandville said he would be of the same opinion as the rest of us—that it was a speech pro-German and seditious.

Hon. Sir JAMES LOUGHEED: I again rise to a point of order and I ask that His Honour the Speaker decide the point of

order or that honourable gentlemen confine themselves to the point of order. May I point out that the Military Service Act has already been voted upon by the House. On August 3 we voted.

Pursuant to the Order of the Day, the Senate resumed the adjourned debate on the motion that the Bill 75, "An Act respecting Military Service," be now read a second time, and the motion, in amendment:

That the following words be added at the end of the question: "With the understanding that this Bill will not come into force till after the general elections."

Now we are discussing this all over again.

Hon. Mr. POWER: Not at all.

Hon. Sir JAMES LOUGHEED: That is the vote of the House upon it, and it is clearly laid down in Bourinot that such a question cannot be discussed again. The House not only voted upon the Bill itself, but voted specifically upon enforcement.

Hon. Mr. LANDRY: I think there is a distinction to be made between the Bill and the proclamation.

Hon. Mr. BEIQUE: I hesitate to take part in the discussion even of the point of order, because I did not hear the honourable gentleman from Grandville; but I must call the attention of the honourable leader of the Government to an evident mistake which he is making. The amendment to which he referred was an amendment to the Bill. Of course, that has been discussed and the Bill has become law. There is no question about that.

Hon. Mr. BELCOURT: And cannot be discussed at this session.

Hon. Mr. BEIQUE: But it provides machinery which is to be put in motion by the Government, to call out the persons who are eligible for military service. This is to be done by proclamation. It remains at the discretion of the Government when this shall be done. The Government, in the exercise of its discretion, may do it tomorrow, or it may delay this proclamation until after the election or a year hence, if it chooses to do so. Surely it is open to any citizens in this country to petition the Government, for reasons which may be assigned, to delay the issue of the proclamation; and, although the motion might have been worded differently, and more to the point, I think it is evident that the point is as to the putting at once into execution of the Military Service Act, and evidently the honourable gentleman (Hon. Mr. Choquette) directed his remarks to the proclamation to which I have referred. I think that ought to dispose of that part of the matter.

Hon. Mr. GORDON: Did the honourable gentleman hear what he said?

Hon. Mr. BEIQUE: It is not necessary that I should have heard what he said, in order to discuss the point of order. I think the honourable leader of the Government goes too far when he says that no reference can be made to the Bill. True, the Bill has become law; but in the next general election it will be open to any one to go on the hustings and claim that it should be repealed, and to give his reasons why the electors should vote against such and such. The Minister of Justice has so stated in the other House, and unquestionably it would be unbearable if, because a Conscription Act has been passed, a party who opposes that Act would be debarred in the general election from urging that as a reason why the Government should not be sustained.

Hon. Sir JAMES LOUGHEED: You cannot discuss it in this House. That is what we are saying. This is not the hustings.

Hon. Mr. BEIQUE: We cannot discuss it because it is not pertinent; but I might possibly raise a question under which it would become pertinent.

Hon. Mr. PLANTA: Even if the honourable gentleman was in order in discussing the Bill, the language which he used, or the last part of it was most offensive to many who heard it. May I be permitted, as probably one of many here who have lost sons, and still have sons fighting, that it is very hard indeed to contain oneself when listening to the language which was used by the honourable gentleman from Grandville in addressing this honourable House. I wish to say that if the same language had been used by a soap-box orator on the street, he would have been thrown into jail for treason.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. BELCOURT: As a matter of order, we should not adopt any rule which would be found embarrassing later on. My honourable friend the leader of the Government has raised a point of order which I think ought to be settled—that no remarks whatever can be made on the Bill which has been passed. I agree with my honourable friend from De Salaberry (Hon. Mr. Beique) in saying that that is wrong,

and that we would be making a very serious mistake if we were to so hold. I agree that we have no right to discuss this Bill itself, or any other Bill which has been passed this session. I thoroughly agree with my honourable friend from Hastings (Hon. Sir Mackenzie Bowell), that it is against the rules to discuss any matter which has been disposed of; but what is my honourable friend discussing? He is discussing the action to be taken, not by the House but by the Government, in connection with this Act, something to be done in pursuance of the Act, in carrying out the Act, namely, the proclamation.

Hon. Mr. SPROULE: Is he not fortifying that by practically the very same arguments that were used in this House against the Conscription Bill itself and the wisdom of it.

Hon. Mr. BELCOURT: I am not dealing with the arguments which the honourable gentleman advanced; some of them I agree with and some I totally disagree with. But that is not the point. The question is whether we are permitted, in the words of my honourable friend the leader of this House, to discuss something which is pertinent or relates to or arises out of that Bill. I say we have that right, and I am going to advance a reason which I think will convince my honourable friend who has just interrupted me.

Hon. Sir MACKENZIE BOWELL: I would like to call the attention of the House and the Speaker to the fact that the honourable gentleman has only the right to discuss the question once.

Hon. Mr. BELCOURT: I have not discussed this point of order before.

Hon. Sir MACKENZIE BOWELL: No, but your are discussing the attitude of my honourable friend, and you have spoken two or three times.

Hon. Mr. BELCOURT: The leader has spoken at least a dozen times on this.

Hon. Sir MACKENZIE BOWELL: Then the rule to which I have called attention applies to the leader of the House as well as to you.

The Hon. the SPEAKER: I believe that the honourable gentleman from Ottawa is speaking on the point of order.

Hon. Mr. BELCOURT: I am going to advance an argument which I think will convince my honourable friend from Hastings. If the occasion arises to-morrow or in a month from now for this Government, in the opinion of my honourable friend from Hastings, to issue this proclamation, and the Government does not do it, does my honourable friend contend that he would not have the right to rise in this House and move a vote of censure against this Government for not doing it?

Hon. Sir MACKENZIE BOWELL: Yes; you can move a vote of want of confidence if you like.

Hon. Mr. BELCOURT: Then have we not a right to discuss this proclamation? Is not that the test of it?

Hon. Sir MACKENZIE BOWELL : No; that is not in the motion at all. The motion has nothing to do with it.

Hon. Sir JAMES LOUGHEED: I ask a strict interpretation of this motion.

The Hon. the SPEAKER: If the honourable gentleman from Grandville had confined his remarks to the motion now before us, I would have great hesitation in declaring the motion out of order; but during the speech he used some expressions against the Act to make the people believe that it was a wrong Act, and that the people ought to oppose it. That was my understanding of his remarks, and I see in May, 12th edition, the following:

> The mention of a statute would seem to be partly open to the same objection as improper language applied to Parliament itself.

Therefore I declare the point of order well taken.

Hon. Mr. CHOQUETTE: In the Bill itself it is said that the Governor in Council may, upon the recommendation of the Central Appeal Judge, make proclamation with respect to establishment, etc. In my motion I am asking the Government, or the Governor in Council, not to make this proclamation now, but to postpone it until after the next election. I must say I protest against the distortion of what I said. Some of reasons I have for asking the Government not to put this Act in force now are those given by La Patrie and the Gazette, of Montreal, and the Journal-Press, of Ottawa.

Hon. Mr. SPROULE: Order: the honourable gentleman is drifting into the same lines.

Hon. Mr. GORDON: You still want to help Germany.

Hon. Mr. CHOQUETTE: The reasons given by those newspapers were: first, that the proclamation would have no effect for the present, because perhaps the young men would not be wanted on the other side; and, secondly, as the Journal-Press said, because they would not be in training before January. According to the constitutional law, this Parliament must be prorogued before the 7th of October, and according to the unwritten law, if not the written constitution, the election must be held in a few months thereafter; and, if that election should take place before November or December, there would be time thereafter to issue the proclamation that the Governor in Council may issue under section 3 of the Act.

Hon. Sir JAMES LOUGHEED: I rise again to a question of order. I did raise the question of order, that the senator from Grandville had no right to discuss this motion, which simply asks for the bringing down of certain papers from the Government. He has given no notice that he intends to discuss it. It cannot be expressly or impliedly understood or interpreted to mean that there would be discussion on it. It is a bald request for papers.

Hon. Mr. CHOQUETTE: My motion is for an address to His Excellency the Governor General asking him to have placed before this House documents which are in the hands of the Government, and which I wish to see. I am only asking now that the proclamation mentioned in the Military Service Act be proposed till after the election. With all due respect to the remarks of my honourable friend, I am exceedingly surprised at this stormy debate when I am only about taking the position of the Journal-Press and the other papers I have mentioned. In order not to raise prejudices in the minds of persons who are so ready to jump up on very little pretext and call a point of order, I now move my motion.

The motion was put and declared lost.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

DEBATE ON THE MOTION FOR THE SECOND READING, AND THE AMENDMENT THERETO.

The Senate resumed from September 5 the adjourned debate on the motion of Hon. Sir James Lougheed that Bill 125, An Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway company, be now read a second time, and the motion in amendment of Hon. Mr. Bostock:—

That the word "not" be inserted before the word "now" and the following substituted therefor:

The further consideration of this Bill be deferred until the following information has been communicated to the Senate, the production of the report made to the Government by the directors of the Canadian Northern Railway system, including the directors appointed to the board by the Government under section 16, chapter 20, of the statutes of 1914; the names of the stockholders of the stock of the Canadian Northern Railway company; the names of the pledgees of this stock, etc.

Hon. J. B. P. CASGRAIN: When I stopped speaking yesterday evening we were emerging from Mount Royal tunnel. I am sure that as this subject involves a matter of only $600,000,000, it will not create very much excitement in this House, and that the discussion will be conducted in a most peaceful manner. In speaking of the $52,000 that was supposed to be sufficient to pay for damages to property, I should have added that there is an agreement between the Canadian Northern Railway company and the Mount Royal Tunnel and Terminal company and the proprietors of the land by which no damages are to be settled until one year has elapsed after the work is completed; so it is evident that the account is more than uncertain; and as I came forward with only one large account which they have to settle, it stands to reason that there will be many millions of dollars required to settle all the others.

I regret that I must take issue with the honourable leader of the Government when he said yesterday afternoon that the amounts guaranteed by the Federal Government were all second mortgages, and that the provinces ranked before the Federal Government in their guarantees. I understand that the Federal Government in some cases, at any rate in one case that I am sure of, ranked before anybody else. I think the honourable gentleman said that the Federal Government always came after the provincial governments in ranking on the guarantees.

Hon. Sir. JAMES LOUGHEED: Yes.

Hon. Mr. CASGRAIN: I have been careful not to antagonize our friends on the other side of this House in my remarks, because, in view of the uncertainty of the amount of the liabilities on account of the meagre information given us, some of our friends on the other side might be in favour of the motion of the leader of the Opposition to obtain more information.

Therefore I wanted to forget for the moment that there are Conservatives and Liberals, or that there had been one Administration before the present one; but in the very preface of his remarks the honourable leader of the Government said that if we were put in this situation it was due to the Administration of Sir Wilfrid Laurier. We are quite willing to take our part of the blame. Since we have to discuss this matter, I shall go a little further, so as to put only that part of the blame that belongs to Sir Wilfrid Laurier and the Liberal party on their shoulders, and at the same time put on the shoulders of the present Administration that part of the blame which belongs to them. They cannot deny that they are blameable for the greater part. They cannot go back on their own child. We were guilty, if there is any guilt in it, of guaranteeing $35,000 a mile for a distance of 1,050 miles, from Port Arthur to Montreal, making roughly a little over $35,000,000. When the agreement to give that guarantee was made I was one of the parties who was strongly in favour of it, and I thought at that time that we were making a good bargain; and, if this House will bear with me, I think I can prove that the then promoters of the enterprise, Messrs. Mackenzie and Mann, said that, instead of asking for the ordinary subsidy of $6,400 a mile for a road costing $35,000 a mile for a distance of 1,050 miles, they preferred a guarantee. That is to say, if the railroad cost above $15,000 a mile, half of the $6,400 would be applicable to the second subsidy. For every additional dollar that was spent above that, if the double subsidy was earned, the road had to cost more than $15,000 a mile by at least $6,400. There is no question that the road between Port Arthur and Montreal would cost more than the amount necessary to ensure the double subsidy. The leader of the House told us yesterday that it cost $52,000 a mile, therefore they were entitled, under the law, to the $6,400. A subsidy of $6,400 a mile for a railroad 1,050 miles in length makes very nearly $7,000,000. The applicants for this subsidy said: "Do not give us the ordinary subsidy; we prefer taking a guarantee; you will keep the $7,000,000 in the public treasury, but you will give us a guarantee of $35,000,000." Up to that time the Canadian Northern had always honoured their obligations, had always paid their coupons, and apparently there was no risk whatever in giving them this guarantee. The road was to cost a great deal more than the amount required, and we were getting a first mortgage on that road from Port Arthur to Hawkesbury. I have the very words here:

> It was a first mortgage on every mile of that road, barring the small piece near Hawkesbury of 50 or 60 miles on which bonds had already been issued, and on which the Government had to be satisfied with a second mortgage.

The road cost $52,000 a mile; therefore they had to get $17,000 more on every mile. The Government was perfectly well guaranteed; and to-day, if the Government wanted to exercise their legal power and bring that part of the road to sale, they would find more than one railway in this country that would be glad to take it and recoup the money to the Government for the $35,000,000 guarantee given to that road. Why the Government does not do that I do not know. There is to my mind no excuse for sacrificing that.

Hon. Sir JAMES LOUGHEED: Is my honourable friend at liberty to say what company would take over that road from Port Arthur to Montreal?

Hon. Mr. CASGRAIN: I am not at liberty to say, but I know it.

Hon. Sir JAMES LOUGHEED: Perhaps the honourable gentleman would inform the Government of the facts, so that these parties could take advantage of the offer.

Hon. Mr. CASGRAIN: Supposing this guarantee had been given by trustees or some big financial institution, what would happen if they let this first mortgage go by default? Would they not be recreant to their trust? Not only would they be recreant to their trust, but there would be only one place for them, if they did it with criminal intent—it would be jail or the penitentiary. Of course. I am not saying that those who are doing it should go there; but it is in the face of these facts that a group of business men, the very biggest business men in Montreal, signed a letter which appeared in the Montreal Gazette. That paper is, to my mind, the best Conservative paper that we have in our province, or perhaps in the country. It is a reliable paper. There is one honourable gentleman who has just recently been admitted to this House who would be glad to hear what I have to say about it. I do not believe that paper would have published this letter and the editorial which accompanied it if they had not been sincere. It is true that they have been silent since.

Then, take the Toronto Globe, which passed as the Bible with good Presbyterians in Ontario for many years. You do not see any flamboyant titles about this deal in it. Why does not the Globe come out? However, here are the names of the gentlemen who signed this protest. First is F. W. Molson, a director of Molsons Bank, a director of the City and District Savings Bank, and a very prominent man in Montreal. The next is Huntley R. Drummond, a director of the Bank of Montreal, president of the Canada Sugar Company, and a son of the late Sir George A. Drummond, for many years one of the strongest Conservatives in this House. When there are Conservative gatherings in Montreal he is always the first to be there; nevertheless he saw fit to send this protest to the Government. These big business men do not put their names on paper before the public unless they think there is a big emergency. The next name is Zeph. Hébert, President of the Board of Trade of the city of Montreal, president of Hébert & Company, one of the largest wholesale houses in this country, which has a turnover in excess of $3,000,000 a year. Next is Mr. A. J. Brown, K. C., director of the Royal Bank and of many large commercial enterprises, a man who is supposed to be a great commercial lawyer and the confidential adviser of some of our biggest men in Montreal. I have known men of very great importance who have said that unless A. J. Brown put his initials to a document, it would not do. The next is H. A. Ekers, who was mayor of Montreal by acclamation, a very popular man in Montreal, twice Conservative candidate in that city, and even at the risk of displeasing his party—and I am sure he would not like to do that under the present circumstance—he put his name to this letter. Next is Mr. Charles Chaput, president of Charles Chaput & Co. Then there is Mr. Charles Meredith, president of Meredith & Co., the leading bond house in Montreal. To show you the importance of this company, I may say that its vice-president is Sir Charles B. Gordon, vice-president of the Bank of Montreal, who was singled out for honours by His Majesty for services rendered during this war. The next is C. S. Campbell, K.C., the great commercial lawyer, a son of Sir Alexander Campbell, who at one time was leader of the Government in this House, and Minister of Justice under Sir John Macdonald. Then there is W. R. Miller, who was last year president of the Board of Trade of Montreal, and president of the Edwardsburg Starch Company. Then there is George Caverhill, a director of the Montreal Light, Heat and Power Company, president of Caverhill, Learmont and Company, the largest and oldest hardware company in the district. The next name is that of William McMaster, who is a very important man, a director of the Bank of Montreal and president of the Canada Explosives Company, a man who is doing business with this Governement and with the Munitions Board; still he did not hesitate to tell the Government what he thought. The next name is H. W. Blackwell, vice-president of the Merchants Bank and vice-president of the Steel Foundries.

Hon. Sir JAMES LOUGHEED: Are there any ordinary every-day citizens on the list?

Hon. Mr. CASGRAIN: No, I think they avoided getting any but the most prominent names. Next is Andrew J. Dawes, a director of the Merchants Bank and president of the National Breweries.

Hon. Mr. McMEANS: Are there any prominent men outside of Montreal?

Hon. Mr. CASGRAIN: There is my honourable friend from Winnipeg (Hon. Mr. McMeans). The next name on the list is Robert Hampson, president of Hampson & Sons. F. Howard Wilson, director of the Merchants Bank and the Montreal Tramways. James Morgan, president of Henry Morgan & Company, a company which occupies a position in Montreal somewhat similar to that occupied by Eatons in Toronto. George E. Drummond, a director of the Molsons Bank. I have named the activities of these gentlemen from memory. They are all good Conservatives, with the exception perhaps of one. I venture to say that not more than one of these men, if he voted, voted for Sir Wilfrid Laurier at the last election.

Hon. Mr. POPE: They know better than that.

Hon. Mr. CASGRAIN: I may say that it was intentional that the banks should be represented. In the list of names which I have mentioned, there are two directors of the Molsons Bank, one of the Royal Bank, two of the Bank of Montreal, and two of the Merchants Bank. I am sure that lots of other names could have been put to this letter; but the fact that there are only a few and these the leading men of Montreal and friends of the present Administration, makes it all the stronger. Now, I will read the letter. It says:

The Government Bill to authorize the purchase by it of the capital stock of the Canadian Northern railway is half-way through the House

of Commons and will shortly be in the Senate. If it becomes law, it will impose on Canada, at a time when the country is under an unprecedented strain, a burden of unknown magnitude, one certainly greater than any ever before imposed upon this country, with the exception of the war debt.

The purchase of a defined piece of railway property is one thing. The buying of stock in a company with unascertained assets and unknown liabilities is another. Once the Government becomes the principal owner of the common stock, it must provide out of loans or taxes for all the debts of the railway due or to become due and for all future losses in operating. The estimates of expenditure still necessary to be made run into enormous figures.

No one knows what the real extent of its obligations are. The railway has bonds outstanding and debts unpaid; so have its subsidiaries. There are guarantees given by it to other companies, unpaid balances on contracts and upon accounts, but to what extent is unknown.

What its assets are is equally unknown. It operates and is interested in railway companies, land companies, telegraph companies, tunnel companies, lumber companies and hotel companies.

Will the Government shut up these hotels, or will they be temperance hotels?

Hon. Sir MACKENZIE BOWELL: They will be temperance hotels.

Hon. Mr. CASGRAIN: It would be nice, I think, to stay at a Government hotel. It would be the first time that we could say we had been at the public trough.

But no one knows how far it owns them, what their assets or liabilities are, nor to what extent the railway company is responsible for their liabilities.

No other railway company nor any other group of business men would consider such an acquisition except after elaborate examination and reports from accountants and appraisers on the assets and liabilities, and then only subject to a solvent guarantee that all supposed assets would be delivered and that no undisclosed debts or obligations would appear.

In the United States the usual course has been to place the roads in the hands of a receiver.

To find out these things, where such examinations and guarantee cannot be had, the usual course in the United States has been to place the road in the hands of a receiver, whose staff can ascertain them and place before those interested an accurate and clear statement. Systems quite as large, notably the Union Pacific, the Atchison, Topeka and Santa Fe and the Rock Island, have in the United States been through this process and have emerged from it with capital written down to correspond to the actual values in a solvent condition and able to perform their duties as public servants.

The only examination so far had into the affairs of the Canadian Northern has resulted in the opinion of two of three railway experts that the stock proposed to be purchased was worth nothing. That means that whatever its nominal value may be, the unsecured debts are more than enough to prevent its being sold to any reasonably prudent purchaser. In view of the fact that no money was paid to the company for the stock and that the company has never been able to earn anything upon it, there was and is no reason to expect any other result from examination.

No agreement or obligation to purchase is produced. In fact, nothing has transpired except verbally and then between members of the Government not named and persons whose names are not disclosed. In fact what is to be paid, who is to get paid for it, what the cost and the attendant obligations are, no one knows. The smallest transaction in common life could not be concluded in such a way, and any attempt to do it by trustees responsible to a court would unquestionably be a breach of trust, and this is the largest and most onerous undertaking ever contemplated by any Canadian Government, and the most risky. It is safe to say that no road capitalized above its earning power can ever be a useful public servant, nor can any road bought by a Government for more than its worth ever be anything but a continuous drain on the taxpayer.

The Canadian Northern railway was built as a private speculation. Its bonds were sold to financiers at a discount. No money was received into its treasury for its stock. Nothing has been made public which would justify the taxing of other citizens of this country for the purpose of giving fictitious value to these bonds and stocks. The interest and other charges on Canada due to the war increase every day and even now are so great that it is difficult to say from what source they can be paid without an economic strain never hitherto undergone and a cutting down of expenses not yet even begun.

The credit of the country abroad is less than it has ever been. The last loan of $100,000,000 at 5 per cent for two years netted only $96,111,111. In other words, the country is borrowing money at a charge of more than 8 per cent per annum.

I will explain that in a minute:

Its future credit may depend entirely on the belief of foreign bankers that good money will not be sent after bad, and that speculative enterprises will be allowed to find the financial level called for by their intrinsic merits.

The undersigned, all of whom as investors, have a stake in the prosperity of this country desire to call the attention of their fellow-countrymen to the grave risk they all are running of having their own earnings diverted for the purpose of securing profits to bondholders and stockholders of a concern, the equity in whose enterprise has been declared by the only people at all in a position to form an opinion to be of no value. It is also urged that the strongest possible protests be made before it is too late to all senators and members of Parliament.

The names follow; they are the names which I gave beforehand.

I said that I would explain this 8 per cent. The last loan, as we all know, was made in New York, and the amount was $100,000,000. The Minister of Finance declared that he received from it $96,250,000. J. P. Morgan & Co. say, and they print,

that all the Minister of Finance for Canada got was $96,111,111. There is a difference—and out of this $96,111,111 the Minister of Finance had to pay a commission of three-quarters of a million; so that the Canadian Treasury got only $94,360,000. But, let us take the Finance Minister's own figures, $94,500,000, as correct, although for what purpose the American Company prints another amount I do not know. The interest on $100,000,000 for two years at 5 per cent is $10,000,000. In addition to that, when our Finance Minister goes back to New York he cannot take back that $94,500,000 and say, "That is all I have, and that is all I am going to give you." He must take back from Canada $100,000,000 though where he will get that amount I do not know. There is a deficit of $5,500,000 to be made up. That amount plus the $10,000,000 makes a total of $15,500,000. For what? The only money which the Finance Minister will have had the use of is the $94,500,000. We must pay $15,500,000 for that loan. If you will figure out the interest, you will find that it is 8.03 per cent. Any schoolboy can figure that out. That is what we are paying, and it is at this time that we would go into an enterprise which, within the next 12 months, will require the raising of $35,000,000 or $40,000,000, as I will show.

I claim that this is not the time for such a proposal, and that if some other means can be devised of dealing with the question it ought to be adopted. And there is a means which is quite certain, in the opinion of some very good lawyers. Everybody in this House may not be aware that there is on the statute books a law having special reference to insolvent railways. That law was placed on the statute-book in the year 1904 by the honourable member for De Salaberry (Hon. Mr. Beique), and it has given satisfaction every time it has been invoked. Here is a very short summary of it, and in case there should be in the minds of some honourable gentlemen any doubt respecting the existence of efficient machinery under the present law to wind up the Canadian Northern Railway company the following may be useful.

Under the provisions of the Exchequer Court Act, Chapter 140 of the Revised Statutes of Canada, Section 26 provides that the court has the power to order in such a manner as it may prescribe the sale or reorganization of a railway, subject to Federal jurisdiction, at the instance of the Minister of Railways, when the railway company has become insolvent. The court in such a case shall have all the powers for the appointment of a receiver, the interim preservation of the property, the delivery of possession, the making of all the necessary inquiries, the taking of accounts, the settling and determining of claims and priorities of creditors, the taxing and payment of costs, and generally the taking and directing of all such proceedings requisite and necessary to enforce its order or decree and render it effective, as in mortgage actions in the High Court of Justice in England.

The receiver whom the court may appoint takes possession of the railway and its accessories and under the direction of the court works and operates the railway, and maintains its accessories in good condition, renews the same or any part thereof, and does generally all acts necessary for the preservation, working, maintenance, administration and operation of the railway, and conducts suits on behalf of the Company in its name. He may also, if the court so directs, complete the construction and equipment of the railway.

The cases in which a railway company shall be deemed to be insolvent are enumerated in section 27, the provisions of which cover almost every conceivable case of financial difficulty. The section corresponds closely to a similar section in the Act for winding up insolvent companies, except that it is more stringent as to delays. These proceedings have been used to wind up and sell the Quebec Southern railway, the Atlantic and Lake Superior railway, the Baie des Chaleurs railway, the Central Ontario railway, the Père Marquette railway, which is now in the hands of a receiver under the jurisdiction of the Exchequer Court.

I may say also that the same group of persons who are interested in, or behind, the Canadian Northern people are many of them interested also in another railway, a tramway this time, far from here—in Barcelona, Spain, and that railway is also in the hands of a receiver; and if this group could receive, as is intended, $25,000,000 cash just now, that amount might be very useful in order to save the railway in Barcelona, where, it appears, the Spaniards were allowed to ride too cheaply on the cars, and not enough money was earned to pay the expenses, on the contract. In any case that $25,000,000 would be very convenient now to enable that same group to release that enterprise. There is also a group interested in South America, in Rio Janeiro. By the way, the

receiver appointed for the Barcelona railway was appointed in London, England.

People seem to be afraid to go before the Exchequer Court; they think it would be a terrible thing. Well, it is not. I was myself interested in two railways which went before the Exchequer Court. The process might take a little time. It might have the effect of a moratorium. It might stay the hand of all the hungry creditors who would pounce upon the fast-emptying treasury of this country. The proceedings of the Exchequer Court would take sufficient time perhaps to let the clouds roll by, and enable us to get money at less than 8 per cent. A receivership is the most prudent and easiest way, and in the United States it has resulted in excellent management. A receiver can borrow more cheaply than any other institution. When a receiver has been appointed and is acting under the jurisdiction of the court he buys anything that he may need either for the operation of the railroad or to complete its construction or to provide equipment. Anything he buys, he buys under the order of the court. He has the very first lien on the railroad, and every dollar that he spends goes before even the first mortgage and the second mortgage and the bonds. Consequently he is in a better position to borrow money than any one else. The appointment of a receiver would be a good method for the Government to adopt.

To submit this matter to arbitrators would be reverting to the system which obtained forty or fifty years ago. Whenever at that time a difficulty of this kind had to be settled, there were well-known Federal arbitrators appointed who went about the country settling claims. That system was not found satisfactory, and the Exchequer Court was given the necessary powers, and since then the Exchequer Court has been dealing with such matters. If the matter were left to the Exchequer Court, the country would at least know the cost. I stated last night that we did not know what we were undertaking. If the matter is dealt with by the Exchequer Court, the bondholders would appear with their bonds and the claims of all who had claims would be presented, and an order of the court would issue that no claims would be entertained or allowed after a certain date. There would be an end to the claims. But under the method now being followed the door is left wide open, and, after the stock has been paid for by the Government up to $25,000,000, the Bill authorizes other claims to come in. There is nothing I can see in the Bill which will put an end to the claims. But if the matter goes to the Exchequer Court, the court would declare that after the 20th of December next, or after the 1st of February next, no further claims would be received. The matter would be dealt with like any other insolvent estate, and the country would know the amount of these claims. Besides, every one who went before the Exchequer Court would have to prove his claim. If a pledgee came there with debentures to the amount of $100,000, and these debentures had never been sold to him, if he had simply made a loan of, say, $30,000 or $40,000 on them, that fact would be declared in the court and the country would not have to pay the $100,000, the face value or the par value of the bonds. The Exchequer Court would allow that man to rank according to his debt, and not higher. The honourable gentleman from Sydney (Hon. Mr. McLennan) is, I am sure, a fairminded man. He said last night that this Bill is distasteful to him. I appeal to him especially, and to other honourable gentlemen in this House if the question should not be referred to a court, where every person would have to prove his claim, and whose priority would rank according to the amount he had paid? His status would be fixed definitely and his claim settled.

If you read the Bill you will notice that the arbitrators are supposed to deal with the matter in a summary way. It was argued that that provision meant that they would sit from day to day, but "in a summary way" has another meaning. To refer the matter to the court does not necessarily involve the sale of the railway. A judgment of the Exchequer Court is equal to an act of this Parliament. The Exchequer Court has full power to order the reorganization of this railway, and that might result in a new Canadian Northern system, with all the watered stock squeezed out of it and the system put on a paying basis and enabled to continue.

There should be no fear of receiverships in this country. Everybody should know that the appointment of a receiver has always been the best and easiest way of pulling a company out of difficulties. Honourable gentlemen are well aware that half—in fact, 75 per cent of the roads of the United States have been at some time or other in the hands of receivers; and

when they were in the hands of receivers the public got the very best of service. It is a well know axiom in the United States that no railroad is better run than a railroad in the hands of a receiver. All the receiver has to do is to receive the money and give good service to the public. After all, the first duty of a railroad is to serve the public properly; and the receiver is the one who sees to that. He is not worried as to whether or not the coupons shall be paid, or whether or not there shall be any dividends for the shareholders. All he is paid for is to give good service, and he gives good service. The Wabash, which is an important system in the United States, has just emerged from the hands of a receiver and is all the better for it. The Rock Island railway, the Chicago and Great Western—these railroads went through the hands of receivers and came out all the better.

There is another great advantage. There is a certain amount of commitments by the Canadian Northern. When I speak of commitments I mean that there have been many promises made by the various companies and by the promoters, Messrs. Mackenzie and Mann. They have committed themselves to do many things. It is well know that in the province of British Columbia alone they are committed to the extent of $20,000,000 or $25,000,000. Where will the money come from? British Columbia guaranteed $40,000,000, as the blue-book says, or $47,000,000, according to the statement of the Attorney General. $7,000,000 does not seem to be much one way or the other, for we seem to be going it blind in this matter. However, if this matter went to the Exchequer Court all the promises that have been made would have to be proven, and the country would not be held responsible for them if they were not. For instance, when Mackenzie and Mann got those guarantees from municipalities they agreed to build certain stations of a certain style, and this and that. If these affairs went through the receiver's hands, all that would be cut out, because there would be no more liens unless the people went to the Exchequer Court and that court decided that they were entitled to them, which would be very doubtful. It would be very easy for the Government, in their clemency and generosity, to hand over anything that they believed was due in equity, if not in law; but their position would be very much stronger if they exercised the rights given under the legislation of 1914, by which the company is barred from even discussing the taking over of the railway. Under that legislation the Government could step into the property like an ordinary mortgagee, and there is no good reason why the Government should depart from that law.

One objection that was heard in another place and repeated in this House was that there would be seven receivers. The leader of the Government in this House told us last night, corroborating what his own leader had said in another place, that there would be seven.

Hon. Sir JAMES LOUGHEED: No, six. Let us make it six. I do not think I insisted on seven.

Hon. Mr. CASGRAIN: It would be seven, counting the Exchequer Court. Now, the legislation of 1914 expressly declares that all the subsidiary companies which up to that time had not been declared to be railways for the general advantage of Canada should come under Federal authority, and they were so placed, and they are still there. Then why does the leader of this House talk about seven receiverships, seven courts of law, seven sets of lawyers, in face of the fact that through the Exchequer Court one receiver could be appointed who could deal with the whole problem? In the interests of this country, in this time of stress and financial difficulty and uncertainty, a receiver could keep that railway in operation and in such condition that we would be able to deal with it later on when proper investigation was made. The Exchequer Court was created for that very purpose, and the law put on the statute book by the honourable member for De Salaberry is an excellent law. The Exchequer Court has the same power as an act of Parliament.

To show how good the Exchequer Court is, I may mention that when the matter of the Quebec and Saguenay railway came before Judge Cassels in that court, although the Government's lawyer allowed one amount of $500,000, and another of $794,869, or a total of $1,294,869, and said the railway was entitled to that, Judge Cassels cut out both amounts. If in that comparatively small matter of $5,000,000 or $6,000,000 he was able to cut off over a million, how much would he cut off if this Canadian Northern matter were referred to him? We are now practically saying: "We accept the whole mortgage, the whole of the unknown liabilities, all the commitments, all the equipment trust; we accept everything; and we will have an inquiry

to find out how much we will give them after we have accepted everything and gone in blind." It would be like buying a house with a mortgage on it for more value than the value of the house, for in one case we have assets of $402,000,000 and a liability of $600,000,000; and, even if we add the $30,000,000 of assets which they said they forgot, the amount is still much below what they are liable for.

I would not waste my breath about the stock, because the only people who investigated that declared that it had no value. I do not believe in having the arbitration; but I think everybody in this House would admit that it would be an excellent thing in the interests of this country if the matter went to the Exchequer Court. To give you an idea of what we are taking over, there is a company called the Prairie Land Company which originally had about 400,000,000 acres of land, on which bonds were issued for $21,000,000 which the Government will have to pay. Whether they got $21,000,000 or less on those bonds is a question; very few of them were sold at par. That company sold 3,200,000 acres and got the money; but where is the money? We do not know. To-day there are only 800,000 acres of land left. Those bondholders are very imprudent, because in their trust deed they should have provided that when the lands were sold they should have received something on account.

Hon. Sir JAMES LOUGHEED: Do you not think they did?

Hon. Mr. CASGRAIN: You said we would have to pay $21,000,000; but if they have been paid already it is a worse steal yet.

Hon. Sir JAMES LOUGHEED: We will point that out later.

Hon. Mr. BEAUBIEN: How did they get rid of the mortgage, if it rested on the land and they sold the land?

Hon. Mr. CASGRAIN: That is one of the mysteries of the Mackenzie and Mann transactions. That is one of the easy ones. However, the fact remains that $21,000,000 must be paid by this Government, and what will they get in return? $2,000,000 worth of stock in this company, and naturally the balance of the lands; but those are the lands that have been left out of the 4,000,000 acres which nobody would take. They may be in sloughs or in sandy places; they have been refused ever since they have been owned by Mackenzie and Mann or the Canadian Northern system—and it is not a large proportion to have one-fifth of the land unsuitable. But why should this country take 8,000,000 acres of land and pay $21,000,000 for it when we have now more land than we know what to do with, and when we read in the advertisements that only one-tenth of the Northwest is settled, and we are looking for settlers?

Hon. Mr. CROSBY: I will tell you that when I come after you, something you do not understand yet.

Hon. Mr. McLENNAN: In speaking of the $100,000,000 loan in New York, and the fact that $96,000,000 was received and $100,000,000 would have to be paid, the honourable gentleman said that he did not know where the Minister of Finance was going to be able to get it. It seemed to me that that remark might be liable to misapprehension.

Hon. Mr. CASGRAIN: I thank you for drawing my attention to that, because it might look as if I had lost confidence in the credit of this country. I have not got that far yet, although we are on a fair way of spoiling the credit of the country. I did not know, and that is my explanation of it. The people themselves, the present Government, have to pay out of the consolidated fund of Canada an amount equal to $25,000,000.

Hon. Mr. CROSBY: Not exceeding $25,000,000.

Hon. Mr. CASGRAIN: A bank cheque for $25,000,000 to whom? That is the question. One of the fundamental principles of constitutional government is that when money is voted an amount is fixed and the person or institution that is to receive it is named. Is that going to be the way here, or how is it going to be? This $25,000,000 should be earmarked. The business men of this House should make it a point to know where and to whom that $25,000,000 is to be paid. That is what Parliament is for.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. Mr. CASGRAIN (continuing): Honourable gentlemen, once again I have to take issue with the leader of the Government in this House. He said that the present Government had inherited a third Transcontinental railway. Now, the leader of the Government will admit that the former Administration had nothing to

do with that part of the Canadian Northern railway which is in British Columbia. He will admit that not one dollar of money and not one acre of land was granted, and that no encouragement was given for the building of that portion of the road. I have it on absolute authority, from no less a person that the ex-Prime Minister, that his Government had never given one cent of subsidy to the Canadian Northern railway in British Columbia. Therefore I may crave absolution.

Hon. Sir JAMES LOUGHEED: You were the parent of the child, and we had to clothe it.

Hon. Mr. CASGRAIN: The policy of the Government at that time was that the railway should not go outside of Alberta. With all respect, I contradict the leader of the Government when he says the present Government inherited a third transcontinental railway, because after the former Government had granted subsidies to the Grand Trunk Pacific from Edmonton to Prince Rupert, surely no sane Government would think of subsidising another railway within an acre or two parallel for a distance of 350 miles from Edmonton to the top of the Yellowhead Pass. The honourable the leader of the Government admitted this afternoon that my contention was correct—that when we did guarantee any bonds, it was on that piece of road from Port Arthur to Montreal. I believe that if the Canadian Northern had not undertaken that work in British Columbia they would be in a much better position to-day. From Edmonton westward for 360 miles the Grand Trunk Pacific has as fine a road as there is anywhere, and right next to it is the Canadian Northern which was built afterwards. When rails were wanted, what took place with those two parallel roads, in a country where no one lives? Beautiful railways, with easy curves, easy grades—beautiful roads, but no one to ride on them?

Hon. Mr. SHARPE: I thought the two roads were racing to see who could get through first.

Hon. Mr. CASGRAIN: I stand to be corrected, but my opinion is that there was a race for location plans so as to get into the Yellowhead Pass, and the Canadian Northern Company allowed the other road to go ahead because they had no subsidy, and they were never known to build a road without some subsidies. Every one knows that no money was ever put into that enterprise except by the Federal Government, the local governments, and the municipalities. I must say that the municipalities are the only bodies that the Canadian Northern has not been able to get much money out of. The sum they got from municipalities is ridiculously small. I suppose they did not want to bother with small fry; they went to where there was money in large quantities. The first year that the present Government was in power it granted subsidies to that road in British Columbia. The road runs from Edmonton to the Yellowhead Pass, and there it turns almost at right angles, following the north branch of the Thompson river, and makes a bee-line for the Canadian Pacific railway. It could not take a more direct line to Kamloops, and from there it parallels the Canadian Pacific railway to New Westminster and Vancouver. It was one of the most expensive parts of the road to build. According to the honourable the leader of the Government, it cost $88,000 a mile, and there has been no return from that road.

If the Canadian Northern railway had remained in Alberta, Saskatchewan and Manitoba, it would not have been in its present predicament, and I charge the present Administration with having encouraged that road to go from Alberta into British Columbia. What was done in British Columbia? In the very first session that the present Government was in power it granted not merely one subsidy of $3,000 a mile, but four subsidies, $12,000 a mile in spot cash, for the same line in that province, and in addition the company received a guarantee of $45,000 a mile from the Government of Sir Richard McBride, making the total receipts for that road in guarantees and subsidies $57,000 a mile. That is one thing for which the former Administration is not responsible, but for which the present Administration must take the blame.

Then we come to Vancouver Island. We have not heard about it at all. Perhaps honourable gentlemen are not aware that they are buying railways on Vancouver island, which have no physical connection whatever with the Canadian Northern system. What does the Government of this country want railways on Vancouver island for? Can any one give a good reason for that? I am informed that there is on the Alberni canal, on the west coast of Vancouver island, a railroad which is only partly built, built on a sort of shelf. Those who are familiar with the Saguenay river will understand me when I say it is as if the railway ran along Cape Eternity or

Cape Trinity on the Saguenay and was not connected with anything. There is where the telegram from the Hon. Mr. Oliver, of British Columbia, comes in. He says to the Government: "In taking over this system, remember you must finish the undertakings of Messrs. Mackenzie and Mann on Vancouver Island, in the province of British Columbia; you must finish such works as the Alberni canal." It is, I am informed, the most expensive road that could possibly be built, hanging on the side of perpendicular rocks for mile after mile, and not starting anywhere or finishing anywhere or connecting with anything. What would that construction cost this country? We all know that Messrs Mackenzie and Mann, whatever people may say about them, were the greatest railroad builders that this country has ever seen. They could do more and get more work done for one dollar than others could for more money; certainly they could get more done for one dollar than the Government could get done for two dollars, or even three.

We are to inherit that part of the estate, and we must finish it. Hon Mr. Oliver telegraphed to the Prime Minister asking: "How are you going to finish it? Where are you going to get the money for the purpose?" What guarantee have we that this Government will be strong enough to resist the province of British Columbia. I think I see the candidates of the present Government at the next election going about on Vancouver island guaranteeing that certainly the work of construction will be proceeded with immediately, because the Government is committed to it.

Now, how much will it cost to bring that road to standard? The main line of the Canadian Northern may be in good condition, but how much will it cost to bring that section up to the standard? It will require an immense amount of money. It will be found that much more will be expected of the Government than would be expected of a private company. Extensions will be asked for and will have to be granted, or that part of the country will turn against the Government, for a private company would erect ordinary railway stations. They would put up the station and say, "That is the best we can do and you have to be satisfied with it." But with the Government the case would be different. I can quote in advance what the people will say. The Grand Trunk Pacific and the National Transcontinental built stations which were much too good. I admit it, but why should we commit a similar mistake? I do not know how honourable gentlemen on the other side can say, "Oh, the stations on this system will not be any better than those on the National Transcontinental." I am telling you now that on the National Transcontinental the stations were much too big for the traffic to be done, and were much too good. They were built with Government money. But in the case of the Canadian Northern the Government will be doing the same thing, if it does not do worse.

Then, as to the service, the people will ask for more trains; they will ask that a train shall stop here and a train shall stop there. We know what takes place on the Intercolonial railway. There will be a repetition of that from ocean to ocean. When it comes to the erection of stations what kind of station will satisfy the city of Montreal, the great metropolis of Canada, and the head of the railway system of 9,513 miles? When they see the beautiful station of the Grand Trunk and the palatial station of the Canadian Pacific railway, what kind of station do you think the city of Montreal will want? There is $14,999 available for the purpose, and what kind of station do you think could be built in the city of Montreal for that amount, to compare with the beautiful Canadian Pacific Railway station only 100 yards away? I hope honourable gentlemen will take this into consideration before voting on the subject, and they may perhaps then feel inclined to vote in favour of the motion by the honourable leader of the Opposition that we should have more information about this proposal, so that we may know what it means and how much money will be required.

With regard to equipment, the very best cars will be required. We know that on many branches of the Canadian Northern there are perhaps one or two engines and one train going up and down each day, or, as has been the case outside of Edmonton for years, a train going up one day and coming back the next day. Such arrangements accommodated the people to a certain extent, and the people had to put up with it because they could get no better accommodation from Mackenzie and Mann. But when the Government owns the railway the people will want the very best of service. What will be the cost of improving the service, and what revenue will the country get for it?

I really believe that in order to assume all the known liabilities and requirements and in order to bring the system up to the standard, the public debt will be increased

much more than $600,000,000. That figure has been mentioned often in another place, and never has it been contradicted, by either the Minister of Railways or the Minister of Finance. I think this transaction is a calamity for Canada. It is a calamity from the financial point of view. It is a calamity also with respect to the service we shall get from it. We know very well what kind of service we are getting on the Intercolonial railway and what it is costing this country. Was the Intercolonial railway ever known to pay a cent of return on the cost of the road, or even a cent of return on all that is put into it from year to year? I am open to correction. I stand subject to correction by honourable gentlemen from the Maritime Provinces, but I have never heard that the Intercolonial under Government management ever paid anything on its cost. If it had any bonds it would have been bankrupt long ago. If it had any shareholders, they would have got nothing at all.

Then, all the construction to which the Canadian Northern has committed itself will have to be done by the Government. I do not care whether it is this Government or any other. There will be such pressure brought to bear upon them that they will have to give way; whereas the Canadian Northern under Mackenzie and Mann could resist the pressure and simply say: "We have not the money; Sir William Mackenzie is away in England; if he can raise the money there we will build the line; we expect him back in a short time." That used to be the excuse for years. Mr. Mackenzie was absent and it would be necessary to wait until he came back; or Mr. Mann was ill, having undergone an operation, and the matter would have to be deferred for another season. There was always some good reason given. But the Government cannot become ill, the Government cannot go to England, and the Government will have to do the work.

There is only one remedy for the situation, and that is the remedy which I indicated this afternoon—to refer this matter to the Exchequer Court. All these questions would then be disposed of and there would be no more talk, but only the ruling of the court. There are securities which must be looked after during this coming year; and, after speaking of money at eight per cent, let me point out some of the securities for which this country will have to provide. I will give you the dates. The information is found in the company's own book. There is, first and foremost, the "Memorandum re Short Term Loans, Loans and Current Liabilities, June 15, 1916." The total is $98,000,000. And that does come in immediately. Here are some of the items:

Canadian Northern railway 6% 1 and 2 year notes July 10, 1917, and July 10, 1918, $6,000,000.

Now we do not even know whether this has been paid or not.

Canadian Northern railway 4% D.S. (Dom. Guart.) two year notes 1st September, 1917, $11,500,000.

We do not know whether that has been paid or not. We do not know who is going to pay that whether the Canadian Northern or the taxpayers of this country; but it must be paid; someone must pay it, if the Government takes over the road, especially if it is taken over without having the matter referred to the Exchequer Court and having the company declared insolvent. If that were done we could pay when we liked.

Canadian Northern railway 5% one year notes, September 1st, 1917, $1,750,000.

Canadian Northern railway 5% one and two year notes due 10th January, 1918 and 10th January, 1919, $2,500,000.

The total is the neat little lump of $21,750,000, and the treasurer of this country must go to New York or somewhere else to find the money in order to pay it. Why not let it become insolvent before we put our money into it. What is the use of sending good money after bad and impairing the credit of this country? Lower down on page 8 you will find:

Temporary loans and advances covering interest reconstruction, betterments and equipment at 14th June, 1917....	$21,145,913	
Less: Receivable from proceeds of securities, etc., applicable in reduction of the above certified to by Company's Official	1,260,898	
		$19,885,015
Due to Construction Contractors at April 30, 1917..		1,277,323

If you add those three items together you get a grand total of $42,912,338, which is a very considerable amount, which we must find and pay this year. And I showed this afternoon that the Finance Minister had paid 8 per cent for the loan of $100,000,000 in New York.

While I am on this page, may I point out the carelessness with which this statement has been prepared? We have on page 8 of the report: "Pay-rolls, audited vouchers, etc." The vouchers have been audited by Webb, Read, Hegan, Callingham & Co., chartered accountants—

Hon. Mr. CASGRAIN.

$12,994,152. Now, turning to page 1 of the book, what do we find? "Audited vouchers and other floating liabilities," etc. The amount given is $12,994,152.11. There is a difference of 11 cents, and yet the statements were prepared eleven and a half months apart. I say that the clerk who prepared this was very careless. He should have read this over, and for decency's sake, he should have made a difference of $1,000 anyway, because the amount after 12 months would not be the same. Still, there is the document put before you. What confidence can we have in figures like these? There must be some honourable gentlemen here who are well versed in finance and are accustomed to statements of companies, and I would like some honourable gentleman to find in this book any reference to the liabilities to the Government for advances. Where are those liabilities shown? There must be some liability, since the company have agreed to pay the interest on the advances, etc. I cannot find any trace of that liability. I hope some honourable gentleman will be able to find it, for the Government has lent them $15,000,000 at one time, and more money at another time.

What did the company realize? There is another very important point to which I would call attention. What did the company realize from the convertible debenture stock issue of $25,000,000? A great gusto was made last week. It was stated that we were going to become the owners of all those shares. It was said that we already had forty millions and we were going to own the other sixty millions, and would own the whole thing. The holders of this debenture stock may come at any time and say, "We want shares." I admit it is not very likely, however, but we can find no trace of what was realized for that $25,000,000 of convertible stock. Where did the money go? How was it employed? Was it at par, or discount? Who owns this stock? That is another mystery.

It appears that during the year the contractors were paid, roughly speaking, about $15,000,000. I would like to know who were those contractors. The amount due in June, 1916, was $16,666,957; but in June, 1917, it was reduced $1,227,323; consequently there was $15,000,000 or a little over paid to the contractors. But who those contractors were I really do not know, and nobody knows. It would be very interesting to have that information. Perhaps they were, forsooth, the Mackenzie and Mann Contracting Company, Limited. If, as is reasonable to suppose they were, they made a little profit out of it. They were not absolutely without profit.

The funded debt in June, 1916, was $285,416,264. In June, 1917, that debt had run up to $359,931,635 about $75,000,000 more. What was done with this $75,000,000 during that short 12 months? That is something which the Senate should be told, if the Senate is going to know anything about this matter.

The Canadian Northern mileage is, roughly speaking, 9,513 miles. The main line is about 3,200 miles, and the branch lines about 6,313 miles. The liabilities to be assumed by the Government for the road as it stands will not be less than $600,000,000, or $63,000 per mile. The main line, as I have already stated, is in good condition, but some of the prairie lines are in very poor condition. I can call upon any honourable gentleman living on the prairies to corroborate that statement. There are some ties laid on the prairie, and a little soil is thrown around them, and that is all. Those branch lines, if the Government takes over the road, will have to be brought up to the proper standard, and it is estimated by reliable authority that to do so will require at least $20,000 per mile, which will make the cost of that road per mile over $80,000. Taking $80,000 at 5 per cent, that means that the earnings must be $4,000 per mile over and above the working expenses, in order to pay the interest. How much business will it be necessary to do on those roads in order to make a profit of $4,000 per mile? We all know that there is about one dollar made out of every three dollars. Consequently the earnings would have to be about $12,000 per mile. That is greater than the Canadian Pacific railway is making to-day.

What were the net earnings last year? They were about $1,200 per mile. The year before they were less than $1,000 per mile. I would like to draw special attention to that fact. They were not $4,000 per mile last year, or the year before, but about $1,000. Under government management the expenses will probably be largely increased and the net earnings will probably be diminished. Therefore you will see that for every mile of that system there will be a deficit which must be met by the taxpayers of this country.

The principal items of liabilities as per the memorandum attached amounted to $392,432,105 on June 30, 1916, while they

amounted to $487,501,170 on June 15, 1917, an increase of nearly $95,069,065 during the year. If the liabilities are increasing at that rate there is no reason to suppose that the government liabilities in connection with the system will not increase in the same ratio as they did when the road was in the hands of private individuals. You will see the enormous amount of money involved.

Then, of course, there is always that story of the current liabilities being about the same.

The following statement summarizes the situation:

Liabilities.

	June 30, 1916.	June 15, 1917.
Funded debt. C.N.R. Schedule A..	$162,192,440	$359,931,635
Funded debt. C.N.R. Shedule B..	123,223,82	
Equipment Trust ..	16,862,500	14,846,500
Temporary Loans		19,885,015
against Securities..	55,912,961	73,987,274
Due to other co'ys on construction a/c ..	16,666,957	1,277,323
Secured— Current liabilities pay-rolls, vouchers etc..	12,994,152	12,994,152
Coupons & Div. warrants (since paid)	2,166,597	4,579,271
Accrued interest on Bonds, etc..	2,412,674	
	$392,432,105	$487,501,170
Excess over 1916..		$ 95,069,065

I want to show how the inside group of people who are connected with this business, not the taxpayers, will make money out of it. The taking over of this road by the Government considerably enhances the value of all those securities. A person might have a claim against the Canadian Northern, a doubtful claim that would involve a lot of litigation before he got the money; but the moment the Government assumes it, that claim becomes a Government security and worth par, plus interest, from the time the claim is due. There is where the fortunate insiders will make money, the people who knew this was coming. Honourable gentlemen must not think that this is a bolt out of the blue. This coup has been premeditated for years. What was wanted was a majority in both Houses of this Parliament. The insiders knew about it, and went and secured options on or paid money for some of those securities, which to-day have got behind them the credit of this great country, and hence are worth par with interest. Those insiders took questionable and doubtful paper at a great reduction, and those who were fortunate enough will make a great speculation at the expense of the taxpayers of this country. All the guarantees are to be assumed. There has always been a good price for the bonds guaranteed by the provinces, but those that are unguaranteed, amounting to $147,000,000, have been on the market at 60, 65 and 70 cents for anybody who wanted them for more. We are going to pay par for those, and there is going to be an arbitration afterwards to see whether we should not give a sort of honorarium, or fee, or recompense, to the people who succeeded in putting this road into insolvency. The $147,000,000 of unguaranteed securities is where the group of insiders will make their millions. Having bought them at 60 and 70 cents they stand to make fifty millions of dollars if they only get an advance of 30 per cent, and the Government has given them that. The group has been sitting up nights and thinking about this thing, organizing the whole business.

Money has been lying in the bank in Alberta for several years for the building of branch lines, in many instances in duplication of existing lines, as I am informed; but they do not dare to take that money out to apply it to any other part of the system, because a judgment of the Privy Council has decided that when bonds have been issued and authority given to build a line in a certain place the money cannot be diverted from one line to another. Even the Alberta Government themselves, who guaranteed some of those lines, could not take the money and transfer it from one line to the other, and that Government, with the whole power of a large majority in the legislature, were not able to pass legally legislation allowing that money to be diverted.

Now what is going to be done here? The Government has to build those lines. Where will they build them? They do not know; we do not know. How much would it cost to build them? That is not known, either. Is there enough money in the bank to build them? We do not know. If there is not, we will have to borrow it, and at a high rate of interest.

The honourable gentleman from Cape Breton (Hon. Mr. McLennan) seems to believe in public ownership; nationalization of railways seems to be his hobby. He has seen the service given by the Intercolonial railway, and I would ask him if he would want such a system to extend from the Atlantic to the Pacific. All the taxes that we can levy in this country would not meet the deficit if the road was run as the Intercolonial has been run by any government. Personally I am absolutely against

Government ownership. I have had something to do with a railway near the Intercolonial, and we could get people to work on our road; but after a snow storm on the Intercolonial the men would not do any work, and when the foreman would come to a man and say, "Here, Jean Baptiste, you go faster than that," the man would reply, "I won't go faster, I am going fast enough." Then the foreman would say, "I will dismiss you," and the man would reply: "You don't dare to do it; I will go to Charlie Marcil, our member."

Hon. Mr. TANNER: That may be the state of affairs in Quebec, but it certainly does not exist in the Maritime Provinces. There the people work.

Hon. Mr. CASGRAIN: I am very glad to see that the people work down there, and if they do I do not see why they will not pay freight like other people, so that the railway might make some return. It runs through New Brunswick and Nova Scotia, and has never paid a cent into the treasury.

Hon. Mr. TANNER: My honourable friend is entirely mistaken. If it were not for the exceedingly great expense that is incurred in the province of Quebec the railway would be a very profitable system.

Hon. Mr. CASGRAIN: That is a satisfactory answer to the majority—to put it on Quebec. I will not answer that; you can get my friend, Senator Choquette, to answer that.

Hon. Sir JAMES LOUGHEED: Switch on to the Canadian Northern now.

Hon. Mr. CASGRAIN: The Canadian Northern will add a very large amount to our debt, nearly three-quarters of a billion; and as the debt is now one and a quarter billion, we will have two billions of a debt as soon as this transaction goes through. That will mean $100,000,000 yearly for interest, and the whole income tax that will be raised in this country will not be sufficient to pay the deficit on this transaction. All this talk of an arbitration on the shares has been nothing but a red herring to take the mind of the people away from the known and unknown liabilities of the road, because everyone knows that there is no equity in that road at all. But the plan worked beautifully.

I take off my hat to the Minister of Finance; he is certainly one of the ablest men that ever sat in this Parliament. He was able to put it all over the Commons members, even the member for St. John, with all his astuteness, because the Minister of Finance could explain everything so nicely to him. He is a great acquisition to the Conservatives, and I really believe it was a loss to the Liberal party when he left our side, for if he had stayed with us we would have had one man able to put many things over.

Hon. Mr. CROSBY: That is what you want to do.

Hon. Mr. CASGRAIN: This thing has been well staged. The press from end to end of Canada has been chloroformed. The good Toronto Globe has no big headings, no talk of "Raid on the treasury." How does that come? It is because there is a group of gentlemen, able men, to whom the Conservative party is no more than the Liberal party, who are always on the side that is in power. They have made the Government. Formerly many of this group were Liberals, but the day came when they saw light; perhaps they were not satisfied with the earnings on our side; however, they changed, and became good Conservatives, at least for the time being. I would not give much for their conversion; I do not think they will have final perseverance; but if we ever return to power I expect to see them back and getting into the band wagon with us, and directing our party the same as they are directing this party. Mackenzie and Mann are not the heads of the group, but they are good partners in it. In 1904 we had a general election, and that group came down to Montreal; they had had it all their own way up in Toronto, for no Liberal could have a look-in to the fourteen counties around Toronto, and they thought they could do the same thing in Montreal. It was necessary to buy the big French paper, La Presse, which had a bigger circulation by 40,000 than any other. It was Mackenzie and Mann, Greenshields, and Lord Atholstan who bought La Presse. It was done in a very questionable way. However, they bought it, and there was a lot of champagne over it; people who signed might not have signed if they had not taken so much champagne. They did not keep La Presse very long. They fought during the election all they could, but they did not come into power. That same group tried to cut the political throat of Sir Wilfrid Laurier on that occasion, but they did not succeed. What did they do? Six weeks afterwards they were as tame as doves; they were

eating right out of his hand; they had come right back, every one of them, and they wanted to be his very best friends; and as he is good-hearted he took them to his bosom once more. The question is now on that $147,000,000. Who is going to get that money? I do not believe that Mackenzie and Mann will get that money, that $50,000,000 of profit that will be made on those unguaranteed securities. I do not think the country will get it either; I do not think the Canadian Bank of Commerce will get it; but I think those who get that will be that group of financiers, the same old outfit that wants $25,000,000 right now for different purposes, who have interests scattered through this broad universe, in South America, in Spain, and other parts of the world.

Before I conclude I want to read something from the Toronto Globe, dated 1st of November, 1911, and it is prophetic; no one could have thought any one could read into the future like this. It is a letter written by another good Conservative—to-day I am reading only letters from Conservatives. The writer of this letter is R. A. Reid, D.C.L., a Toronto barrister, and a very well-known Conservative worker:

To the Editor of the Globe: In view of the universal dissatisfaction in Canada with the new Conservative Government regarding the appointment of Mr. W. T. White to the position of Minister of Finance in the Borden Cabinet, it may not be amiss to point out a few things that might be brought about by such a total disregard of the people's rights and interests in this country.

Now I will pass a long way and read only a few sentences:

It seems a most extraordinary thing that Premier Borden has not been able to select a Minister of Finance out of the whole number of his supporters elected by the voice of the people at the recent elections held in Canada. What is the reason for such a strange state of affairs? Surely there must have been at least one man elected as competent as Mr. White at any rate, to fill the position. If not, then it is a sad commentary on the intelligence of the people of this country. What is the position of affairs regarding this matter as things stand to-day? Here we have a man, Mr. White, who was not a candidate during the recent elections, who was not elected to Parliament, who is not now a member of the House of Commons and who is nevertheless for the present, at any rate, a Cabinet minister, sitting at the Council Board of Canada without any authority from the people of this country and passing upon measures of more or less importance from the date of his selection by a group of constitutionally irresponsible, unlettered, so-called financial magnates, representing not the people's interests or the interests of the masses, but the financial or moneyed interests who may hereafter be seeking special privileges or favours from the Government of the day.

Is not that prophetic? Has it not turned out exactly as was foretold?

We are not overstating the position when we say that the honours of governing Canada at this date are pretty evenly divided between the railway companies, the bloated capitalists and monopolists, the unscrupulous corporation politicians and the financial interests. These are the chief governing factors at Ottawa to-day.

That was written six years ago, but one would think that it was written this morning.

And the sooner the source of this form of government is destroyed and the growth torn out, root, branch and fungus, the better it will be for the Conservative Administration in this country.

"We, the people, rule," is a familiar pet expression. Yes, the people rule (sometimes) in the conventions, when they select their candidate, but when the candidates are elected some of them have a different ruler. We have a new Government in this country and it looks as though it would become tied and bound to the corporation influences and financial interests in a worse manner than ever before heard of in Canada. What do we find? Men who from an intellectual standpoint know nothing of the principles of constitutional law or government and less of politics, men who could not tell a fundamental principle of government from their funny-bone, rushing down to Ottawa and getting what has been called the ear of Mr. Borden when forming his Cabinet. We find men like J. W. Flavelle, Z. A. Lash, W. T. White, Willison of The News, Graham of The Montreal Star, and that intellectual giant, Arthur Hawkes, all out to dictate who shall govern this country.

Let us for a moment carry our memories back to the mass meeting in Massey Hall last summer, called to protest against the reciprocity measure, when it was noticed that the letters Canadian Northern railway were strongly in evidence everywhere. What did we find, and whom did we find mostly in evidence? Why, Arthur Hawkes, alleged to be the editor of a paper, said to be a newspaper, called The British Weekly, and formerly employed by Mackenzie & Mann, who on that occasion made what he called a speech. Z. A. Lash was also there. He was formerly legal adviser for Mackenzie & Mann, and is largely interested in their enterprises at the present time. W. T. White was also there explaining the great things to be expected if the financiers were to continue in charge of the affairs of this country.

There is a great deal more of this that I could read, but I shall just read one more short paragraph:

The interests considered there was not one among the whole number of Conservatives elected on September 21st, 1911, qualified to fill the positions to their liking.

That is referring to the position of Finance Minister. The interests, the group, could find no one in the Conservative party in this country to fill that position, and they gave it to a man who had been a

Liberal all his life, and who at the Massey Hall meeting declared himself to be a Liberal. Of course, the Liberals are noted for their honesty, and if they wanted to keep the strong box intact, the Government said: "We cannot trust a Conservative from New Brunswick, Nova Scotia, or even Quebec," and they took in a Liberal. I am afraid that evil associations corrupt good manners. Now, I shall read the last paragraph:

The "interests" considered there was not one among the whole number of Conservatives elected on Sept. 21, 1911, qualified to fill the position to their liking, and so all those good old staunch Conservatives who had borne the burden and heat of the day for years on the Conservative side in the House of Commons and in the party, men who have spent their whole lives working for the country and the party, were passed over and a stranger and political adventurer was suddenly thrust to the front as a minister of the Crown over their heads. The smile that came over the faces of "Doctor" Flavelle, LL.D., White, Lash, Walker, Arthur Hawkes and the other plotters after they had accomplished their purpose can be better imagined than described.

Hon. H. W. RICHARDSON: Honourable gentlemen, the Canadian Northern is a legacy; it was not made by the present Government, but was left to them to handle in the best way that they could. It is not our child. The Canadian Northern was formed by Messrs Mackenzie and Mann, and was built, as you are aware, through the provinces of the Northwest, and as a grain-carrying and colonization road it had no equal. The road was well located. It goes through the most fertile part of the Northwest, and has been of great service to this country. Unfortunately, the road was never properly financed. Its promoters looked to the municipalities and to the different governments for aid to build it. The Government of the country and the provinces were anxious to have the vacant wild lands opened up, and there was no other means of opening them than by railroads. The Northwest to-day is far more productive than it would have been without the Canadian Northern railway; I think every honourable gentleman here will admit that. The burden that we have to take upon ourselves to-day is enormous; no one denies that. We have not sought for this burden, but we have guaranteed the bonds of that railway to the extent of $212,000,000.

Now, we have been told that this railroad should be put into the hands of a receiver. I question very much if that could be done. We have been told that the railroads of the United States have been in the hands of receivers, foreclosed, taken care of, and that they have generally come out of the hands of the receivers. This is an entirely different proposition. The bonds of the railroads in the United States were not guaranteed by Governments; they were guaranteed by the roads, and there was no other recourse than to put them into the hands of receivers. If that were done in this case, the bondholders would immediately go to the Government and look for the $212,000,000 which was guaranteed by the provinces of the Dominion and the Dominion Government. Liquidation and insolvency are twins, and the first thing the bondholders would do would be to demand indemnity from the Government. To finance an undertaking of that kind would be much more difficult than to finance the present road and to pay pressing debts.

I am not going to go into figures, but there are some features which I will touch upon that have not been brought out. The bonded debt has been spread over a great many years, giving this country from, say, 1937 to 1960 to meet these obligations. The money to build this road was borrowed at a wonderfully low rate of interest, I think under 4 per cent, perhaps 3¾ per cent. I know of no borrowing by any corporation or any Government that equals the borrowing of the Canadian Northern railway.

We are told that the Canadian Northern Railway has a mileage of 9,513 miles. We have been told that this road has cost less per mile than any of the competing roads. This cost has been compared with the cost of the Grand Trunk Pacific. In the East it cost about $30,000 a mile less, and in the West about $40,000 a mile less than that road. We have been told, and we know, that this road has the best grades of any road in this country. The Grand Trunk Pacific has beautiful grades, but the Grand Trunk Pacific is not in the same class with the Canadian Northern, because the Grand Trunk Pacific was built irrespective of earnings, whereas the Canadian Northern was built with an eye to earnings, and is in a far better location to earn than is the Grand Trunk Pacific. Now, if the grades of the Canadian Northern are so much better than those of the Canadian Pacific, and if the Canadian Northern territory is equal to or better than the Canadian Pacific territory, and if it has not cost more to build than the other roads, is it not reasonable to suppose that in the future this road will earn enough to take care of itself?

I venture to say that if it had not been for the war the difficulties of the Canadian

Northern would not have existed. As we know, 1914 was a very difficult year for railroads, and it almost wiped out the earnings of the Canadian Northern railway. I have looked over the grain shipments of the Canadian Northern railway, and I may say that the world to-day owes that railway a debt which perhaps will never be paid. During the last three years there has been 155,000,000 bushels of wheat shipped over that road. That wheat would not have been raised if that road had not opened up the prairies. The road is new, it is extending day by day, and the land through which it passes is not all settled. There is lots of vacant land which is not producing, and when it is settled production will be increased, and it only takes 25 per cent increase of gross earnings to make this road pay its own way, even provided that it owes $570,000,000. That is not a very large amount when we remember that in 1884-5-6-7 there was little or no traffic on the Canadian Pacific and that its earnings in the West were comparatively small. In the eighties it was doubtful whether the Canadian Pacific railway would be able to pay for the grease on its axles; and looking at it to-day what do we see? We see the Canadian Pacific railway system stretching not only across this continent, but reaching to the Orient on one side and to Europe on the other.

I am not going to prophesy, but I think that the future will prove that the Canadian Northern railway will be profitable to the country in more ways than one—that it will take care ot its earnings and bond interest. I do not say that this will take place immediately, but I think that such is likely to be the case before ten years are over. The Canadian Northern railway will open up our country and increase our wealth. We have to colonize the country, and there is no way of doing it except by railroads. If you wait until the people go into the country before building a road, you are not going to settle the country. You must first open up the territory by building the road and then the people will come in because they will have facilities for moving their products. There is no other way to do it. I think that the Government has no other way out of this difficulty.

It has been proposed to lend the company enough money to tide it over its difficulties, but it seems to me that the people of the country will not advance any further funds to the Canadian Northern railway. I have never been in favour of government control; but there are times when a man is driven to accept things which he does not like, and I see no reason why the Government cannot operate this road as well as private individuals. Surely there are enough honest, intelligent men in this country to handle this road as well as the Canadian Pacific railway is handled. I would be ashamed to stand on my feet to-day and acknowledge that we had not the ability and honesty in this country to operate the Canadian Northern railway. We need not compare the Canadian Northern with the Intercolonial. The Intercolonial railway never had a chance to make the earnings that this road has. I am not going to back up Mackenzie and Mann. I am not going to say anything either in their favour or against them. They made a great venture, and they almost won. If times had not been hard, and if the war had not come on, I think they would have succeeded. I think they made a mistake in building the road on to British Columbia and in the East. If they had concentrated their energies on a grain road running into the prairies, a cheap road to construct, a cheap road to maintain, a road with large earnings, they would have made themselves perhaps multimillionaires. But they dreamed of a transcontinental road. They built that British Columbia section at an enormous cost, through the rocks of that country, and where the earnings were so small that they were of little aid in paying the cost of the eastern end of the road. The time will come when the products of British Columbia will be a part of the East, and when the products of the East will be a part of British Columbia, and then there will be room for both the Canadian Pacific railway and the Canadian Northern railway. I hope that in future, perhaps ten, fifteen or twenty years hence, there will be room for the Grand Trunk Pacific.

I do not intend to speak at length. I have spoken on a difficult subject. I am perhaps as well acquainted with the conditions of the Canadian Northern railway as any other man in this House. I have sat at the board repeatedly and taken part in the discussions repeatedly; I have seen the burden of debt, and realized the impossibility of this system surviving. I know that the different links of this road should not be separated, that this country must have a competitive road. The people of the country would not be willing that the Canadian Pacific Railway company should absorb this road, and then absorb the country. If you put the roads into one corporation, that corporation has such power

behind it that it would be a menace to the country. There is no question at all about that. Therefore it was the duty of this country to keep the Canadian Northern in existence as a road, to protect the people in the West as well as the people in the East. Just now there is a war in progress and we are called upon to finance it. It seems that all the energy which we possess should be spent in the one direction of winning the war; but, unfortunately, this problem must be faced.

I have listened to the remarks of the honourable gentleman from De Lanaudiére (Hon. Mr. Casgrain) with a great deal of pleasure and interest, with the exception of his closing remarks. I think it would have been better if he had omitted the attack upon Sir Thomas White. I do not know a man in this city of Ottawa who is carrying such a burden as Sir Thomas White is carrying. He has had to find the money for this country, to finance the war. Do you think, honourable gentlemen, that he would take over this railroad from choice? No, honourable gentlemen; he took it over because it was necessary to do so. He loathed the undertaking. It was another burden to be placed on his shoulders when his shoulders could hardly bear the burdens they were already carrying. And I want to tell the honourable gentleman from De Lanaudiére that the attack he made was unfair, and I think the honourable gentleman, having listened to what I have said, will realize that it was unfair. Honourable gentlemen, I have done.

Hon. Mr. BOSTOCK: I would like to ask the honourable gentleman a question. I understand he is director of the Canadian Northern system on behalf of the Government. He did not deal with the question of what the directors thought of taking foreclosure proceedings under the Act of 1914, the Act under which the honourable gentleman was appointed.

Hon. Mr. RICHARDSON: I did not become a director until about a year ago. I have no financial interest whatever in the Canadian Northern. The matter of taking over the system was never discussed at any board meeting which I have attended. No Government business was discussed, nor did I hear at any board meeting of any proposal that the Canadian Northern should come to the Government for help. All negotiations with reference to the government assistance were conducted between Sir William Mackenzie and the Government, not between the Canadian Northern Board and the Government.

Hon. Mr. CASGRAIN: Would the honourable gentleman allow me to explain what I said with reference to Sir Thomas White? I simply read from the Toronto Globe. I do not think I should be accused of making a charge against him. I said that I was quoting from the Toronto Globe, published in his own city.

Hon. Mr. SHARPE: The honourable gentleman said it was prophetic.

Hon. Mr. RICHARDSON: The honourable gentleman (Hon. Mr. Casgrain) quoted from the Globe, but left it to be inferred that his own opinion was the same.

Hon. Mr. CASGRAIN: It was not a compliment, I admit.

Hon. F. L. BEIQUE: I agree with a good deal of what has been said by the last speaker (Hon. Mr. Richardson). I agree with him that the government ownership of railways is not the proper thing for this country. I disagree with him, however, when he seems to be reconciled to the idea of the Government assuming the ownership of a large railway. He stated that he hoped we would be able, as in another case, to manage a large railway properly. We have had an experience of 50 years in the management of a railway, and so far it has been shown, and I think conclusively, that it was an utter failure and that not only would government ownership be unprofitable, but it would not promote the development of the country. The Intercolonial has been in the hands of the Government and has remained what it was 40 years ago, except for the waste of money from the beginning to the end of the year.

In approaching this question I am very much concerned, as I am sure every honourable gentleman on this or the other side of the House is concerned, with its importance. I am concerned also with my inability to suggest a proper solution. I think that if we had been afforded the necessary information we might have been able to deal with the question in a much better way. I have been in this House for a good many years now, and have seen many questions, and very important questions, come to this branch of Parliament in a very unsatisfactory form. I have in mind particularly the Railway Act of 1903, which, after it had been dealt with by the House of Commons for months, came before us with the different interests at loggerheads. This House, after giving due consideration to the matter and getting the proper information, succeeded in settling the difficulty, and enacted a law which was considered satisfactory

by all parties concerned. I might also refer to another very important question, one of more recent date, the Insurance Act. In 1910 it came to us from the House of Commons in a very unsatisfactory condition. For months deputation after deputation had been heard before the House of Commons committee and nothing had been settled. The parties were directly at variance. This House managed to settle all the difficulties inside of two or three weeks, and was complimented in the press throughout the country for having settled the question so satisfactorily to all concerned.

Now, it seems to me that, in approaching the present question, we might have had much more information than is now before us. I have only to refer to the statute of 1914 concerning the Canadian Northern railway system, and I find the following in section 9:

> The books, returns, reports and other records of the Canadian Northern and of each of the constituent and subsidiary companies shall at all times be accessible and open to inspection for and on behalf of the Governor in Council by any person or persons from time to time named in that behalf by the Governor in Council or by the minister.

Had the honourable leader of the Government consented to the request—I think, the fair request—which was made by the leader of the Opposition, that this Bill be referred to the Standing Committee on Railways, Telegraphs and Harbours, it would have been easy to obtain much better information than we have to-day in discussing the question. The reason alleged for not referring it to the committee was that it was a public Bill and of great importance. The two Bills to which I have referred were important public Bills, but they were referred to the Standing Committee because it was only in that way we could obtain the information necessary to enable us to deal with the question satisfactorily, and I fail to see why the honourable members of this House were not afforded a like opportunity in the present case.

However, we have to do our best and deal with the question with such information as we possess. So far as I am concerned, I must say that I am reduced to the information to be found in the statute of 1914 and in the report of the commission which was appointed to investigate this question. The Canadian Northern railway system, as honourable members know, comprises not merely one railway, but a great number of railways. There are 21 constituent companies and 5 different subsidiary companies, or 26 in all. They are mentioned in the Act to which I referred a moment ago, and from what is known as the Canadian Northern railway system. Most of those companies have been incorporated by this Parliament. Some of them have been incorporated by the provincial legislatures; but by section 15—

> The works and undertakings of the following companies are hereby declared to be works for the general advantage of Canada, viz,—
>
> The Canadian Northern Manitoba Railway Company,
>
> The Irondale, Bancroft and Ottawa Railway Company,
>
> The Marmora Railway and Mining Company,
>
> The Halifax and South Western Railway Company,
>
> The Quebec and Lake St. John Railway Company.
>
> 2. The works and undertakings of the Canadian Northern Western Railway Company are hereby declared to be works for the general advantage of Canada.
>
> 3. The works and undertakings of the Canadian Northern Saskatchewan Railway Company are hereby declared to be works for the general advantage of Canada.
>
> 4. The works and undertakings of the Candian Northern Pacific Railway Company are hereby declared to be works for the general advantage of Canada.

I think there are a few which were not declared to be works for the general advantage of Canada, but I fail to see why they were not so declared. It would be easy to have that declaration made if it were found useful in dealing with the system. Such action is often taken, whenever occasion arises or necessity occurs. This system, as I have stated, is composed of 21 constituent companies. As to the conditions of these various companies taken by themselves, as to the value of the assets and the amount of the liabilities, although I have been trying to find some information I have been unable to obtain any, and I think there is not a member of this honourable House who can find any information as to the nature and value of the assets and the amount of the liabilities of any of those companies. Now, how can we deal with the matter without that information? If we had had the opportunity which was asked from the honourable the leader of the Government, we could easily have obtained the information. Honourable gentlemen will admit that it is information which is absolutely necessary. Suppose that a person were dealing with this matter as his own business—and I hope it will be admitted by every member of this House that we are in duty bound, as citizens and as members of this honourable House, to deal with this matter

as if it were our own business—how could he decide whether it is advisable or not to take over those properties and practically assume the liabilities of those 21 different companies before ascertaining the value of the assets and the amount of the liabilities? How can we as citizens and as members of this honourable House take the responsibility of passing judgment on a question of this kind when we are entirely in the dark? Shall we not be responsible to the country? Shall we be discharging our duty in presuming to deal with a matter of such importance entirely in the dark?

Information is all the more necessary because the commission, composed, as it was, of the best men who could be found in Canada, England and the United States, have been obliged, after having had, as I understand, a staff of 50 men employed for months and months, to come to the conclusion that the figures submitted to them by the Canadian Northern officials, or Messrs. Mackenzie and Mann, were unreliable. I do not want to be offensive to those gentlemen, but you will find that fact in the report which is before you. For instance, on page 18 of the report they refer to the estimates made in 1914 for the years 1916-17-18. Taking these in round numbers, the estimated gross earnings were 54, 61 and 67 millions respectively for those years; the operating expenses were 38, 43 and 46 millions; the net earnings were 15, 17 and 20 millions respectively. Then the fixed charges and the surplus are shown. The gross earnings for 1916, estimated at 54 millions, were reduced in fact to 35 millions. The net earnings, instead of being 15 millions, were 9 millions, and so on. The estimates for 1917 were of a like nature; when revised they had to be reduced from 61 millions gross earnings to 42 millions; and the net earnings had to be reduced from 17 to 13 millions, and so on. The report is full of figures of this kind, showing that, although the books were supposed to have been kept properly, and open to the Government from 1914 to this date, when they came to examine and verify the figures they found them unreliable. We have now to take the figures as they are. The Commission found that the amount invested in the whole system was 370 millions, that the cost of reproduction was 397 millions; but, deducting depreciation of 47 millions, reduced it to 357 millions. That, with 45 millions as present value of equipment, formed a total amount of 402 millions. On the other hand, the Commission found that the liabilities amounted to some 500 millions. We have now ascertained that the proper figures were evidently not given to them, because the honourable gentleman who has just spoken has just mentioned 517 millions. This is more than appears in the report of the Commission, and the honourable member should know, because he is on the Board; but it has been stated repeatedly in the hearing of both the Prime Minister and the Minister of Finance in the other House that the liabilities amount to over 600 millions, the amount that appears to be acknowledged by all parties as being at least 650 millions, and this by taking only the liabilities that are known.

It is perfectly evident, from an examination of the statements which have been furnished, that the figures are not reliable. For instance, at the middle of page 6 of the Financial Statement published by order of Parliament, this item will be found; "Unguaranteed securities, 4 per cent perpetuity debenture stock, Great Northern Railway of Canada, bonds maturing October 1st, 1934, $3,505,750," as being the total issue. I happen to be interested in a bank which holds part of those securities, and I find that the bonds maturing October 1st, 1934, are part of an issue of $4,963,000 in respect of the railway constructed with the bonds issued on the 1st of October, 1904, and $20,000 per mile of a railway of 150 miles to be constructed. I do not believe 150 miles were constructed, but if they were it would amount to $7,960,000. At any rate, there appear to be outstanding, on the face of the bonds themselves, an issue for construction amounting to $4,963,000. It seems to me very unlikely that the Canadian Northern or Mackenzie and Mann have provided for those securities in anticipation. They are dated October 1, 1904, payable in 1934, and I am quite sure that none of those bonds have been taken up. I think it is the same thing with many of the twenty-six other companies with which we are called upon to deal. Is it reasonable for this honourable House to be asked to deal with a matter of this importance without having the proper information?

I would call attention to a very important point—that the Canadian Northern railway is assumed to control all the stock of some of those twenty-six companies; but there are several companies of which the whole stock is not controlled by that system, but which seem to be in the hands of third parties, to

whom I think they have been pledged as security. I cannot lay my hand on that statement just now. In some companies, the Canadian Northern system controls 61, 59 and 51 per cent. So there appears to be a minority interest which will remain out when the Government has purchased the $100,000,000 of shares. That is very serious, because the Government will be advancing the money, and will be supporting these twenty-six companies for the benefit of those shareholders as far as they may be interested. They will be minority shareholders who may cross their arms and wait until the Government has made money for all of them. That cannot be the intention of the Government; it must be an oversight on the part of the Government; a condition of that kind should not exist. But we have the admitted fact, as regards the twenty-five millions of bonds which may be exchanged by virtue of the agreement which is recognized by the statute, that those twenty-five millions may remain out for all time to come. They amount to one-fifth of the total, and the Government will have no way of redeeming those twenty-five millions, and those shareholders will wait for profits which may be made for them; they may wait 25, 30 or 50 years, when those shares may be worth as much as the shares of other companies that are now prosperous. Surely that is a condition of affairs which should not be allowed to take place in any country. If the Government is to take hold of the railway let it take hold of it entirely, but not leave out one-fifth of the stock in the hands of different shareholders who will have nothing to do but wait for the benefit that will accrue.

As to the consideration which is due to Mackenzie and Mann or to the pledgees of the $60,000,000, or part of the $60,000,000 of stock which is not owned by the Government, it has been suggested that it would not be proper on the part of the Government to confiscate any interest which might appertain to any holder of the shares, or any interest which might belong in equity or otherwise to Mackenzie and Mann.

I could understand the point being raised and very properly raised, if this property which is being taken over had been subsidized in the ordinary way. But in approaching that question one must bear in mind that this was a private enterprise of Mackenzie and Mann, and that they owned all the stock from the beginning; that it was a close corporation from the beginning; and that they had the help of the federal, provincial and municipal governments to the extent of $298,253,000. We may say that in round figures $300,000,000 has been granted to a railway which has been found to have cost $370,000,000. They acknowledge that they have been helped to the extent of $300,000,000. In addition, they have been helped to the extent, I think, of some $35,000,000, and they have been helped by loans in cash to the extent of $25,858,000. As far as I can make out, a large part of that $35,000,000 is not included in the total of $298,000,000. If it is I cannot trace it. Surely it cannot be suggested that the country would be dealing unfairly with these gentlemen if the Government exercised the rights which were set forth in the Act of 1914. I refer to section 22, which says:

> Upon the happening of any event of default and at any time or times while the same shall continue it shall be lawful for the Governor in Council after such notice to the Canadian Northern as the Governor in Council may direct, to declare to be vacant the offices of the directors of the Canadian Northern and of any of the constituent or subsidiary companies which may be subject to the legislative authority of the Parliament of Canada, and to appoint a board or boards of directors in lieu thereof respectively (any former director being eligible for appointment).

The Act then goes on with regard to the powers of the directors. Then section 24 says:

> If authorized by the Parliament of Canada, the Governor may on such terms and conditions (if any) as Parliament may prescribe at any time, while any event of default shall exist and the continuing, by order declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed, and thereupon the equity of redemption of the Canadian Northern (and of such other persons) in the mortgaged premises and every part thereof shall be and become absolutely barred and foreclosed, and the same shall thereupon be vested in His Majesty in right of the Dominion of Canada any statutory enactment or any rule of law or equity to the contrary notwithstanding.

It was suggested by the honourable leader of the Government in opening the debate that Mackenzie and Mann were entitled to some consideration because they had never charged anything for their services. It is true that it would appear from the evidence adduced before the Railway Commission that they did not charge anything as managers or otherwise. It is stated in the report of the commission that they were paid by means of stock. The answer to the question which I put to the honourable leader of the Government as to whether anything was to be paid for the stock is to be found at page 41 of the report. It says:

The property investment of the Canadian Northern Railway system is stated in the balance of June 30, 1916, at $494,112,489.34. This figure admittedly has been written up to include $100,000,000 of capital stock. And this stock, as we have already said, was issued without any cash consideration.

There is the evidence that there was nothing at all paid for the stock. Now, if we refer to the agreement which was made between the Government and Mackenzie and Mann in 1914, which is to be found at page 154 of the statutes of 1914, we find this:

That the contractors will not at any time make or seek to enforce any claim for contractors' profits commissions or otherwise against the Canadian Northern, or against any of the constituent or subsidiary companies, upon or in respect of any express or implied contract, understanding, agreement, or stipulation of any kind, heretofore or hereafter made, whereby or whereunder they, or any one or more of them, may now or hereafter be entitled to receive from the Canadian Northern or from any of the constituent or subsidiary companies any construction profits, in respect of work heretofore undertaken, or as consideration for transfers of properties, rights, or franchises already transferred, or to be transferred under sub-classes a and b of this clause, or for commission or remuneration for services in financing, or for any other services heretofore rendered, and all such claims are hereby by them and each of them absolutely renounced and released.

This is the agreement which was confirmed by the statute. We are therefore face to face with this position, that they have been helped by the country to the extent of $300,000,000 and more. For twenty years they have been given every possible opportunity of making a large fortune out of this enterprise, and before the war commenced in 1914 they were bankrupt. They had already obtained, first, some $900,000 in cash from the Government; second, $10,000,000 on certain securities—I do not know what they are worth—and then they came and obtained $45,000,000 from the Government. On the occasion of this further aid to be extent of $45,000,000, they made an agreement the effect of which I have mentioned.

Now, the Government will not be justified, in regard to the stipulations to which I have referred, in paying possibly $60,000,000 for the $60,000,000 of stock which is outstanding. I do not believe the country will ratify anything of that kind, and the country will hold us morally responsible if we permit a thing of that kind to be consummated. The honourable the leader of the Government has stated that there was an objection to the resolution to proceed under the Act of 1914, in that it would necessitate the appointment of several receivers, because these subsidiary companies were provincial companies. Only a moment ago I showed that most of these companies were declared to be works for the general advantage of Canada. I have shown, if there are any which were not, that it would be easy to have them so declared. They form part of a transcontinental system; they are avowedly works for the general advantage of Canada; and if there ever was an occasion for this Parliament to exercise this power, now is the time to do so. But there is more than that. If the honourable gentleman will refer to section 6 of the Railway Act which has been passed by the House of Commons, which is in great measure a reproduction of the Railway Act which is now on the statute-book, they will find this:

The provisions of this Act shall, without limiting the effect of the last preceding section, extend and apply to,—

(a) every railway company incorporated elsewhere than in Canada and owning, controlling, operating, or running trains or rolling stock upon or over any line or lines of railway in Canada either owned, controlled, leased or operated by such company or companies, whether in either case such ownership, control, or operation, is acquired by purchase, lease, agreement or by any other means whatsoever.

This would dispose of the roads or the subsidiary companies incorporated in the United States. As they are controlled by the Canadian Northern they come under this paragraph of section 6 of the Railway Bill. As far as the other roads are concerned, section 6 says:

(b) Every railway company operating or running trains from any point in the United States to any point in Canada.

Then section 6 says:

Every railway or portion thereof, whether constructed under the authority of the Parliament of Canada, or not, now or hereafter owned, controlled, leased or operated by a company wholly or partly within the legislative authority of the Parliament of Canada, or by a company operating a railway wholly or partly within the legislative authority of the Parliament of Canada, whether such ownership, control or first-mentioned operation is acquired or exercised by purchase, lease, agreement or other means whatsoever, and whether acquired or exercised under authority of the Parliament of Canada, or of the Legislature of any province, or otherwise howsoever; and every railway or portion thereof, now or hereafter so owned, controlled, leased or operated shall be deemed and is hereby declared to be a work for the general advantage of Canada.

Therefore we have the necessary declaration to place every one of those companies under the jurisdiction of this

Parliament, and thereby give jurisdiction to the Exchequer Court. The honourable member for De Lanaudière (Hon. Mr. Casgrain) said that at my request this law had been put on the statute book in 1904. It goes back to 1899, but the Act was completed in 1903. In 1899 the necessity of placing the railways under the jurisdiction of the Exchequer Court was recognized, but that is all that the Government was willing to concede at that time. It was in 1903 that the Act was perfected.

Fortunately or unfortunately, for many years I have held shares in some of the railroads of the United States, and I have had experience with several receiverships. I was interested in the Northern Pacific; I am interested in the Missouri Pacific, which has just come out of a receivership; and I have had occasion to see the necessity of having machinery in our law to deal in a proper way with railway property. Formerly the only means was to have the property seized and sold by the sheriff, which was not at all the proper thing to do, and it was for that reason that the Act which is now chapter 140, sections 26 and following, of the Revised Statutes of 1906, was passed. The Act provides for the appointment of a receiver, and, as has been already stated, the receiver has all the power necessary, not only to manage the property, but to extend and complete it, and to buy rolling stock; he is vested absolutely with the same power as a board of directors of the railway would have, and with the further advantage of being able to give a first lien on all the property for any money which he deems it advisable to borrow. Of course, all his actions are under the control of the Exchequer Court. I have had experience with a number of receiverships. I have been concerned in a couple of railways which have gone through receivership, and I have had experience of the working of the machinery.

But if the Government deems that it is not advisable to put the railway in question under a receivership, I fail to understand the objection to letting the law take its course. If any arbitration is to take place, let it be done by the Exchequer Court. The Government appointed a commission composed of the three best men who could be found. I think those men have the entire confidence of the country. There is evidence in their findings of great judgment and honesty. I refer particularly to Mr. Acworth, who is from England and who might have been presumed to be disposed favourably towards the English capital which has been invested in the Grand Trunk system. We know it is practically all English capital which is invested in that important railway. But his report shows that he was entirely unbiased and dealt with the question irrespective of any consideration for the investors in that great enterprise, whether they were Canadian or English capitalists. These gentlemen have come unanimously to the conclusion that there is no equity at all in the Canadian Northern stock. They valued the property on the basis of the investment, on the basis of the cost, on the basis of what it would cost to duplicate it, and on the basis of how it could be sold, and they have come to the conclusion unanimously that there is no equity at all and that the liabilities far exceed the value of the property.

What is suggested by this Act? That an arbitrator be appointed by the Government to act with an arbitrator appointed by Messrs. Mackenzie and Mann or by the pledgees of the stock, and with a third arbitrator. They are to be instructed to make a valuation in a summary way—to proceed, it was suggested, by way of affidavit, or at any rate in a summary way for the purpose of revising the valuation made by these three men, who employed experts who were engaged for six months or more in investigating the subject. Suppose that the arbitrators differ. Suppose they come to the conclusion that the stock is worth $10,000,000, $15,000,000 $20,000,000 or $60,000,000, will the country regard it as a judicious valuation? Will not the country remain perfectly convinced, and will not every member of this House remain perfectly convinced, that it is a wrong valuation, that the true valuation was made by the three disinterested persons who have shown a great deal of ability and judgment in dealing with the matter? Therefore I submit that from every point of view it is injudicious to provide for an arbitration of the kind proposed.

But if there is to be an arbitration, we have in the Revised Statutes provision for a court which for years has been chosen as the arbitrator in all cases of the kind. It is so stated in the statutes. The judges of the Exchequer Court have superseded the official valuators whom we had several years ago. The judges of the Exchequer Court are called upon daily to value property which has been expropriated. Why put them aside and entrust the arbitration

to persons who, though they may have the confidence of the country—

Hon. Mr. CASGRAIN: Some of them.

Hon. Mr. BEIQUE:—have had no such experience in matters of that kind? Is it because—I dislike to make such a suggestion, but I am afraid that it is because there is some apprehension that what took place in the case of the Quebec and Saguenay railway might be repeated. There we had the counsel appointed to represent the Government before the arbitration admitting two different items, amounting to over $1,250,000, which were rejected by the judge of the Exchequer Court. He showed not only that he was competent, but that he had the necessary force of character to protect the interests of the country; and that is, it seems to me, a reason in itself for entrusting the arbitration to him, if a second arbitration were necessary. But, so far as I am concerned, I fail to see that this arbitration can be satisfactory to the country. It will either confirm the valuation already made, or change it, and if it alters it, the country will have no faith in the valuation, whatever it may be.

I have called attention to the fact that under this Bill the Government is not taking the whole stock; that one-fifth of it will remain in the hands of private parties, possibly for all time to come. If the Government deems it advisable to give a further indemnity to Mackenzie and Mann, would it not be better to give it by way of stock? If it is deemed desirable to give an indemnity instead of having an arbitration, why not leave them $10,000,000 of the stock—

Hon. Mr. CASGRAIN: They would not take it.

Hon. Mr. BEIQUE: —of the company, as a further consideration—as a gift if you like? It would assure to the enterprise their good will. If I am not mistaken, either the Prime Minister or the Minster of Finance stated in the House of Commons that it was important to profit by their experience and to enlist their co-operation. Well, their co-operation will be much better enlisted if they remain interested in the stock than if they are paid a few millions in cash. They would put that amount into their pockets and would cease to be interested as far as the company is concerned.

An argument which has been advanced in favour of this legislation and against the appointment of a receiver is that the credit of the country would be affected if the Canadian Northern railway were allowed to go into the hands of a receiver. Honourable gentleman, I am afraid that the country will be affected much more if the course proposed in the bill is followed than it would otherwise. What is the position occupied by the country? The public debt is acknowledged to be $1,250,000,000 or more. When the accounts are settled between the Canadian Government and the Imperial Government, when all the expenses of the soldiers and other military expenses on the other side are taken into consideration, I am afraid there will be several millions added to that. Now, we are going to load upon this country an additional $650,000,000. The debt will be over $2,000,000,000. What does that represent for a population of seven and a half millions? It represents about $270 a head; or, as the average number in a family is five, it represents five times that amount, or about $1,400 for each head of a family. I am afraid, honourable gentlemen, that the future of this country may be very seriously jeopardized.

You must bear in mind that the passing of this Bill would not be the end of the matter; that it will be necessary to take care of the Grand Trunk Pacific, which is being dealt with only piecemeal; that next session, whatever Government we may have, a similar problem will have to be faced. If the Government deals with the Canadian Northern on the basis proposed, it is very likely that the other company will have to be dealt with on a similar basis and another $400,000,000 or $500,000,00 will be added to the public debt. If this transaction goes through, do you not think that when the country is obliged to pay 8 per cent interest, as it is at the present time, the credit of the country will be very seriously damaged—much more so than if we proceeded as is done in the United States?

I stated a moment ago that I have been through two or three receiverships in the United States. I have had to put my hand into my pocket in order to protect my securities, whether stock or bonds, because when a receiver was appointed his first duty was to entrust the organization to a man of experience and get him to devise a scheme to deal fairly with all classes of securities and to submit that scheme to the courts for approval, and then to call upon the holders to contribute the $50,000,000 or $100,000,000 required to put the company on a good footing, in a permanent solvent condition. That is what is done. That was done in the case of the Northern Pacific shares. I myself bought

some of the stock at four and five cents on the dollar, and they are now selling above par. That was done with the Union Pacific, which is to-day worth over—

Hon. Mr. CASGRAIN: 128.

Hon. Mr. BEIQUE: A few day ago it was at 140. It is the way that value was given to that kind of security. Do you not think it would be better to call upon the different parties interested, who are the holders of those securities, to protect their securities? Let the Governments, provincial of Federal, bear their share of the guarantees that they have given; but why put the whole load on the Federal Government? Where is the fairness of giving an increased value to those unguaranteed securities for 127 millions by the passing of this Act? I know the bonds of the Great Northern to which I was referring—and I am speaking against my own interest and that of the bank of which I am president, and which holds over $100,000 of those bonds—were on the market at 40 cents on the dollar. If this Bill is passed those bonds will increase in value at least 25 per cent.

Hon. Mr. CASGRAIN: Par.

Hon. Mr, BEIQUE: No, not par, because they are 4 per cent bonds, but they will increase very materially, and I am speaking of only one particular class of security. The $127,000,000 occupy the same position. Apart from that, there is a floating debt of $98,000,000 which may be worth 100 cents on the dollar, that would not be worth perhaps more than 10 or 15 cents on the dollar if this Bill were not passed.

Is it fair to ask this, especially at a time when the taxpayer is called upon to put his hand in his pocket and pay at least 4 per cent over the $1,500 or $3,000 exemption, and pay as much as 25 per cent if he justifies the amount? Is it fair to call upon those people to pay for a thing of this kind? Are you not afraid that you will drive out of the country a large amount of energy and capital? Do you think that those who have accumulated any fortune, if they see they are exposed for the balance of their lives, as they are, to be treated in that way, will not be tempted to go elsewhere so that part of their fortune will not be applied to the footing of bills of this kind? Here you are dealing with some 26 different companies. We do not know their condition, the value of their shares, or the amount of their liabilities; but we do know that in many cases a large proportion of the railway has not been completed. The moment the Government assumes ownership of those railways the citizens interested in the different localities will be pressing the Government for their completion, and this will be the cause of a very large expenditure and increase in the public debt. I think that is a point which should not be lost sight of.

I hope every honourable gentleman in this House will feel it his duty not to treat this as a party matter. I have avoided every phase of the question as to whether the Borden Government or the Laurier Government is responsible for the conditions which we have to face. It is immaterial to me. The Governments, on one side or the other, have committed mistakes, and big mistakes. Our system of construction of railways has been very defective. We have been constructing many more railways than were required or will be required for a long time to come. We should have concentrated much more than was done; colonization should have been limited to the lands close to a railway, instead of being spread all over the Northwest. The position as it is has been created, and we must face it; but let us face it in such a way that the credit of the country is not ruined, and that the future of the country is not jeopardized.

Hon. Mr. PLANTA: I understand the honourable gentleman is a director of the Canadian Pacific railway?

Hon. Mr. BEIQUE: Yes.

Hon. Mr. PLANTA: That fact will, I think, explain the honourable gentleman's objection to the proposed solution of the problem under discussion; but is it not a fact that the Canadian Pacific railway offered Mackenzie and Mann $20,000,000 for their interest in the Canadian Northern?

Hon. Mr. BEIQUE: I am advised, and am quite sure that it is not the fact at all. I think the honourable gentleman is not justified in insinuating that I am influenced by the fact that I am a director of the Canadian Pacific railway. I am proud to be a director of that great corporation. Unfortunately I am not entitled to claim any credit, because I came on the board too recently. But I am not influenced by that. I am glad the question has been put, because it gives me occasion to say what I intended, that I agree with the honourable member from Kingston (Hon.

Mr. Richardson) when he says that this railway should not fall into the hands of the Canadian Pacific railway. I am of that opinion, not because I would be afraid of a monopoly, for as long as we have a Railway Board such as we have fortunately had from 1903 to this date, the public will be protected, as the Railway Board has the fixing of the rates. I do not think it would be advisable in the interests of the country that this road should go to the Canadian Pacific railway, but I should hope that it would fall into the hands of a company such as the Canadian Pacific, which has done a great deal for the development of this country, and is still doing a great work in that direction, so much that if that company disappeared to-morrow it would be as though part of Canada had disappeared. My idea is that if the Canadian Northern railway fell into the hands of people who would make such a success of it as has been made of the Canadian Pacific we would then have the benefit of one more company working for the interest and development of the country.

Hon. Mr. TANNER: Is it the honourable gentleman's opinion that this solution would be best arrived at by putting the Canadian Northern in the hands of liquidators?

Hon. Mr. BEIQUE: It would solve the difficulty to this extent, that it would be the duty of the receiver to ascertain what are the liabilities, and he could do that very thoroughly by calling upon all persons having claims to file them.

Hon. Mr. TANNER: What I want to know from my honourable friend is whether he thinks that would be the best remedy?

Hon. Mr. BEIQUE: No, I am not in a position, with the information at my disposal, to take the responsibility of naming such or such a remedy. In my opening remarks I said we should have been given facilities to obtain the proper information. I go further: if we are not satisfied with the suggestion made by the commission which was appointed by the Government, I think we should consult the best railway experts before arriving at a conclusion. I think it was the duty of the Government to either accept the suggestion of the commission or to find other qualified persons who would help them to formulate other plans.

Hon. Mr. TANNER: I understand the honourable gentleman has no opinion on that question?

Hon. Mr. BEIQUE: Yes, I have my opinion, and I have expressed such opinion as I have. I have other opinions, but would not take upon myself to formulate them before having all the information which I should possess.

Hon. E. D. SMITH: I wish to preface the few remarks I will make with a few paragraphs from a paper read by a celebrated engineer, Mr. W. F. Tye, at a meeting of the Canadian Engineers, as he expresses, in more concise and clear language than I could command, exactly my own sentiments in regard to the situation. Mr. Tye is a very celebrated engineer, and his opinions ought to be of some weight. He was selected by the city of Hamilton during the past year to make a report on the railway situation in that city, and in conjunction with another engineer made that report, which has proven very satisfactory indeed to the city of Hamilton. That report had to deal with the railway situation in the district between the city of Toronto and the Niagara frontier, and had immediately to do with the complicated situation which arose there as between the Canadian Northern—about which we are discussing to-night—and the Hydro-Radial system that is being introduced into Ontario by Sir Adam Beck and the municipalities of Ontario. If this Canadian Northern railway is purchased by the Government, it will very greatly simplify the situation there. The Canadian Northern have chartered a line running from the city of Toronto to the city of St. Catharines, and they have 60 miles of railways, which are included in the list of railway in this Bill, radiating from the city of St. Catharines to the Niagara frontier. Those are excellent roads, and they are required to connect with the terminus of the Canadian Northern in the city of Toronto in order to make the system perfect. There is no question that at present the Canadian Northern is greatly handicapped by not having its terminals completed. Here is one instance in point. With a terminal from the Niagara frontier, they will be able to get their coal in on their own rails, whereas at the present time they have to bring it in on the rails of other lines. If the Dominion Government took over the Canadian Northern, it would surely enable us in that district between Toronto and the Niagara frontier to do with one road instead of two. There was no probability of the Canadian Northern and the Hydro-Radial getting together on any scheme, but it ought to be easy for the two Governments to get together on a scheme

so that only one line would be built from Toronto to the Niagara frontier, instead of two. Reverting to the report of Mr. Tye, this is what he says:

Canada's Railway Problem and its Solution.

After a great deal of study of Canada's railway problem, the writer of this paper has arrived at the following conclusions:

1. The National Transcontinental, the Grand Trunk Pacific and the Canadian Northern railways are unable to earn their operating expenses and their fixed charges. Canada has built, and is operating, the first of these roads, and Canada and the various provinces have guaranteed the principal and interest of most of the bonds of the other two. As the roads are unable to earn their fixed charges they must, of necessity, be paid by the country.

2. The failure of these roads is due to the duplication of lines by all the railways, encouraged and bonused by the Government; to the excessive cost of the Grand Trunk Pacific and National Transcontinental railways; to the failure of the Grand Trunk Pacific to provide itself with an adequate system of feeders in the West; and to the construction, by the Canadian Northern, of the long and unproductive stretches of road across British Columbia and Northern Ontario without feeders, terminals, etc.

3. If the Canadian Northern, the Grand Trunk Pacific and National Transcontinental be maintained in two separate systems, it will cost at least $400,000,000 to build the necessary branch line feeders and terminals, to provide them with adequate rolling stock, and put them in proper physical condition to compete with the Canadian Pacific.

4. It will be necessary that the Grand Trunk Pacific build five to six thousand miles of feeders in the West.

5. It will be necessary that the Canadian Northern build two or three thousand miles of feeders in the East, and terminals costing many millions in Montreal, Toronto, Ottawa, Quebec and Vancouver.

6. Canada has already sufficient railway mileage for years to come. The additional mileage necessary for these roads could only be had by duplicating existing lines. Such duplication of lines would only add to the burden to be borne by Canada in the way of subsidies, guarantees, etc., without doing the country any good.

7. Canada has sufficient railway mileage and traffic for two good transcontinental systems,—the Canadian Pacific and another—but has not enough for three.

8. A consolidation of the Grand Trunk, the Grand Trunk Pacific, Transcontinental and Canadian Northern railways would give a well-balanced system. The Grand Trunk has an excellent system in the East, with terminals in all large and important centres. The Canadian Northern has not. The Canadian Northern has a good system of feeders in the West. The Grand Trunk has not. Each is strong where the other is weak. Combining them must, of necessity, be the most economical and efficient way of handling the situation.

9. Such a combination would not require more than $100,000,000 to provide it with sufficient rolling stock and to put it in proper physical condition to compete with the Canadian Pacific.

10. The saving in capital cost would be at least $300,000,000, and, at present rates of interest, the saving in fixed charges at least $15,000,000 per annum.

11. The Transcontinental cost $100,000 per mile to build. The parallel Canadian Northern cost less than $50,000 per mile, and is, in every way, as efficient an instrument of transportation. The Quebec bridge, with approaches, will cost $40,000,000, and will not be necessary for many long years to come.

12. The Transcontinental, including the Quebec bridge, has cost Canada at least $100,000,000 more to build than it would have cost the Canadian Pacific to build as efficient a road.

That is the situation that exists to-day. How are we going to get out of the difficulty? This situation has been brought about, not by any action on the part of the present Government, but by the building of the Grand Trunk Pacific and the Transcontinental railways twenty years ahead of their time. An enormous amount of money was spent in building those roads and was added to the debt of the country. Those roads have no feeders and will be a great burden until a system of feeders is established. Already the National Transcontinental railway has been thrown upon our hands against our will. Now that we have it we must make the best of it. It is evident that before many years pass we will be forced to take over the Grand Trunk Pacific railway. If we have those two systems on our hands, we shall have forever an enormous burden unless we can provide a system of feeders in the West. The Canadian Northern railway has a system of feeders which is equally as good as that of the Canadian Pacific railway. Therefore, if the Government is forced in the near future to take over the Grand Trunk Pacific in addition to the Transcontinental it seems to me that it would be the height of folly to allow the Canadian Northern railway to pass into the hands of a private corporation. It will be absolutely necessary for the Government of Canada to have the Canadian Northern system to be able to carry on the transportation affairs of these other two railways with any expectation of making a profit.

There are only two alternatives to taking over the Canadian Northern railway. We have been bonusing the Canadian Northern Railway Company, lending them money, and guaranteeing their bonds. One way out of the difficulty is to continue doing that, but that is something which I am sure would be repugnant to the people of this country from one end to the other. No gentleman in this House or in the other House has suggested that solution of the problem. The other alternative would be to allow the railway to pass into other hands. There

is no question but that the Canadian Pacific Railway Company would be glad to buy it; possibly some of the wealthy corporations of the United States would be glad to buy it, assume all liabilities and pay something to the shareholders. I believe that if this railway were put under good management it would become a paying proposition in a very few years.

Honourable gentlemen seem to be very much exercised about the liabilities which we are undertaking to assume, namely, $400,000,000 or $500,000,000. They have exaggerated the amount and made it perhaps $600,000,000. I do not propose to go into figures, but whatever the amount is at which we have to take it, we have the road as an asset to balance the liability. It is not as though we were getting nothing for the money. We have an asset which in this case, I think, would be excellent value.

I have not heard any one propose any other solution of this problem except that of allowing the road to go into the hands of a receiver. If it were dealt with in that way it would be put up at auction and sold to the highest bidder. If that were done, there is no reason why the Canadian Pacific or some other railway system should not buy it, and then it would pass into the hands of another company. If the suggestion of the honourable gentleman from De Salaberry (Hon. Mr. Beique) were carried out and the road were operated by a receiver for a number of years, some one would have to put up the money. The honourable gentleman suggested that in the United States the bondholders put up the money in order to bring the road back to a state of efficiency. In this case the principal bondholders are the Dominion of Canada and the provinces. If they would have to put up money when it was in the hands of the receiver, they might as well put up the money and have the road themselves. So, after all, there is only one way out of the difficulty, and that is to take the road over and operate it.

I am not very much alarmed at the thought of the Government taking this road over. Surely we do not acknowledge that we have not got men, or that we cannot devise some system which will enable us to operate this road as well as any privately owned road is operated. We have examples of public utilities being carried on successfully. Perhaps the best illustration of that is the Hydro Electric system in the province of Ontario. This enormous system has been successfully operated, and has brought the price of electricity down to, perhaps, one-third of what it formerly was. That does not necessarily prove that it might not have been equally successful under private ownership, but it does prove that works of this kind can be carried on successfully. There is no reason why some system could not be devised by which this road could in the near future be operated efficiently and economically under a department of the Government. This has been done in England during the war, and it has been done in many other countries. It is being done in Canada. I think that the Temiskaming and Northern Ontario railroad is as efficiently and economically conducted as any road in Canada. The only reason why a publicly-owned road is not so economically and efficiently conducted as a privately owned road is because politics are allowed to enter into it. Surely the brains of the Parliament of Canada can devise some scheme whereby this road, and any other road that may come into our hands, can be operated with efficiency and economy. I am satisfied that in a very few years the feeders of the Canadian Northern in the West will enable the other roads to make up their annual losses. The Grand Trunk Pacific and the Transcontinental are bound to be a continual source of loss unless they have feeders in the West, and to prevent that loss we have to have the Canadian Northern, by means of which I believe the loss can be converted into a profit in a few years.

Hon. Mr. BEIQUE: Will the honourable gentleman permit me to ask him how it is that the Intercolonial has not been placed outside of politics?

Hon. Mr. CROSBY: It has been ever since 1911.

Hon. Mr. SMITH: We have had only one road. The management of the Intercolonial railway has not been taken out of politics, but it has been greatly improved during the last six years.

By the amendment before the House it is sought to have certain information collected by a committee of this House. That is the function of the Board of Arbitrators. If we attempt to gather that information together and call witnesses before the committee of the Senate, judging by our experience in the past, we shall be sitting here until Christmas. Whether or not that is the idea of the amendment I cannot say, but it seems to me that a more efficient way of ascertaining the value of the road is that proposed in the Bill.

Honourable gentlemen on the other side of the House have been very free in quoting the Drayton-Acworth report, and they seem to place reliance in it. Let us see what that report says in regard to the method of settling the value of the road.

We suggest that, if it is decided to permit the present shareholders to retain a portion of their holding, the Act of Parliament constituting the Board of Trustees, shall contain a provision for arbitration between the Trustees and the Canadian Northern railway and establishing an arbitration board to act forthwith. The Trustees should appoint one arbitrator and the Canadian Northern shareholders the other, and the two arbitrators should agree on the appointment of an Umpire; failing agreement, an Umpire should be appointed by the chief justice of the Exchequer Court; and the decision of the Board should be final.

That is exactly what the Government proposes. Then on page 52 this is what they have to say in regard to a receivership:

Under a receivership the holders of the junior securities have to submit to compound their claim, and the fixed charges are reduced to an amount that the net revenue from operation suffices to meet. Ought this drastic course to be adopted here? We think not. We think the security holders of the companies have to some extent a moral claim on the Government. Their schemes of extension have been matters of public knowledge for many years. So far from discouraging them, the Governments, both of the Dominion and of the provinces, have by subsidy and by guarantee, by loans and cash advances, encouraged them to go on.

But there is more than this. The bonds and debentures of the Grand Trunk Pacific and Canadian Northern have been placed in the main through London with non-Canadian holders. And these holders in subscribing have unquestionably been influenced by the fact that the companies were backed by the Canadian Government. Technically, of course, the Government has no responsibility beyond that of meeting its own guarantee. But if the two companies went into the hands of receivers, we cannot doubt that investors outside Canada would believe, however erroneously, that the Dominion Government had treated them badly and that the result would be serious injury to the credit of the Canadian Government, and indeed of all Canadian enterprises. And this result is one that, putting it on pecuniary grounds alone, the Canadian people should in their own interest spend a good deal of money to avoid. We therefore consider that Canada should assume the responsibility of seeing that the interest on these securities is met.

This being the case, it seems to me that there is only one course to pursue. We have appointed a board of arbitrators. The chairman, Sir William Meredith, is a man whose ability and integrity are unchallenged. There is provision for appeal to the Supreme Court in case the decision of the board is not unanimous, and can any one imagine that a unanimous decision could do any injustice to the people of the country? I for one cannot agree with those who have advocated confiscation under some circumstances. I do not think that such action is in the interests of Canada, and I do not think it would meet the views of one in a hundred persons in Canada to take over this road without paying fair and reasonable compensation for it. That is all that is sought by this Government, and it is the business of the board to find out what is an honest, equitable amount to be paid for this road. If the findings of this tribunal are not unanimous the Government has the right to appeal to the Supreme Court. The Supreme Court is composed of six gentlemen, three of whom were members of the late Government, and all of whom are Liberals; so I do not think the Liberal party need fear, if there is an appeal to the Supreme Court, that they will do anything that would, in the opinion of honourable gentlemen, be unjust to the people of Canada. Having taken that view, I purpose voting for the Bill.

Hon. Mr. BOSTOCK: The honourable gentleman has said that he is satisfied to take the recommendations contained in the Drayton-Acworth report on certain phases of this question. Why would he not take their recommendation as given on page 84 and proceed under the Act of 1914?

Hon. Sir JAMES LOUGHEED: He selects another page.

On motion of Hon. Mr. Dandurand, the debate was adjourned.

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

THE SENATE.

Friday, September 7, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

NEW SENATOR INTRODUCED.

Hon. Aimé Bénard, of Bénard, Manitoba, was introduced by Hon. Sir James Lougheed and Hon. W. H. Sharpe, and took his seat.

VOLUNTEERS UNFIT FOR ACTIVE SERVICE.

INQUIRY.

Hon. Mr. BOSTOCK rose:

To call the attention of the Government to the following announcement, which appeared in the Globe of the 31st August last:

"Slip in ahead of conscription—Recruits come better after Military Service Bill is signed by Governor General.

"Whether or not it was because the signing of the Military Service Bill became more generally known or not, yesterday was an exceptionally good one at the Toronto Mobilization Centre, as good days go now. No less than 120 men presented themselves for examination, although about half of the number came from the United States, as the result of the recruiting efforts of the British Mission. Fifty-one of the American recruits were found fit to be attested, and with the local men made 70 all told, to be taken on the strength of the various units still recruiting.

"These were allotted as follow: 1st Reserve 1st Central Ontario Regiment, 24; C.A.S.C., 5; C.A.M.C., 4; University of Toronto Training Company, 1; York and Simcoe Forestry draft, 13; Parry Sound Forestry draft, 2; P.P.C.L.I., 2; and Divisional Signallers, 1."

And to inquire if any steps are being taken to utilize the services of these men who are not considered fit to be attested?

Hon. Sir JAMES LOUGHEED: Six applicants for enlistment at the Toronto Mobilization Centre on August 30 were rejected as physically unfit and placed in category E, which means that they were unfit for even clerical work in Canada.

Hon. Mr. BOSTOCK: Can my honourable friend say whether they were unfit for farm work?

Hon. Sir JAMES LOUGHEED: If they were physically unfit for clerical work, they would not be sufficiently robust for agricultural work.

Hon. Mr. CLORAN: Could not they pick strawberries and things like that?

Hon. Sir JAMES LOUGHEED: Yes, but we do not get our strawberries in the Northwest until about December.

CANADIAN NORTHERN RAILWAY.

FURTHER FINANCIAL STATEMENTS.

Hon. Mr. BOSTOCK inquired of the Government:

1. To what companies does the Canadian Northern railway owe $16,666,957 on construction account, and the amounts due each company?
2. To what construction company does the Canadian Northern railway owe the $1,277,323, and the amounts due each company?
3. To whom does the Canadian Northern railway owe the $11,161,443, as floating liabilities, and the amount to each?
4. How much money has the Bank of Commerce and other financial institutions already advanced to the Canadian Northern railway, and upon what securities?
5. For what amount has Mackenzie and Mann, Limited, pledged the fifty-two million dollars of the capital stock of the Canadian Northern railway to the Bank of Commerce, and what other securities does the bank hold for the loan?
6. To what affiliated companies have advances been made to the extent of $10,250,506, and the amount to each company?
7. What debts are owing by the Canadian Northern railway other than those referred to in the financial statement submitted to Parliament?

Hon. Sir JAMES LOUGHEED:

1, 2 and 3. These liabilities are made up of the ordinary accounts contracted in the construction and operation of the railway and numbered many hundreds of accounts and are due to individuals as well as to corporations. The important consideration is the total amount which is shown in the blue-book No. 237. These liabilities will be taken into consideration by the arbitrators in fixing the value of the stock.

4. Particulars are shown in the blue-book No. 237, pages 11 and 12.

5. The stock is held as general collateral, no specific advances being made upon it.

6. The affiliated companies are those included in the Act of 1914.

7. None.

Hon. Mr. BOSTOCK inquired of the Government:

1. The funded debt of the Canadian Northern Railway company is shown in balance sheet 30th June, 1916, to $162,192,440.38, and that of affiliated companies, $123,223,824.19. Whereas the statement of securities outstanding guaranteed and unguaranteed shows an amount of $359,931,-635.64. How is the difference made up and where does it appear in the financial statement printed by order of Parliament?
2. What is the bonded debt, floating debt, and other liabilities direct and indirect of each of the affiliated companies of the Canadian Northern Railway Company, whose capital stock is held or partly held by that company?
3. What is the amount of bonds, debentures or other securities pledged for loans to the Canadian Northern Railway company?
4. What is the amount of loans? What is the amount of securities? Were these loans made to Mackenzie and Mann, Limited, or to the Canadian Northern railway? When these loans are paid to whom will these securities so pledged revert—to the Canadian Northern railway, or to Mackenzie and Mann, or to other parties?

Hon. Sir JAMES LOUGHEED:

1. The funded debt as shown in the balance sheet of 30th June, 1916, $162,192,-440.38, and of affiliated companies, $123,223,-824.19, making a total of $285,416,264.57, represented the amount of securities outstanding in the hands of the public. This did not include the securities which were held as collateral, the amount of loans secured thereby being shown. The statement of securities outstanding $359,931,-635.64 as of 30th June, 1917, represents all securities both funded and those held as collateral to loans.

2. The balance sheet of the Canadian Northern Railway system as presented is a consolidated balance sheet as required by statute 1914 embracing all of the affiliated companies, so that this statement shows all the liabilities outstanding both of the parent company and the affiliated companies.

3. Particulars are shown on page 10 of the blue-book No. 237.

4. All loans to the Canadian Northern railway are shown in the blue-book No. 237. When the loans are repaid all securities held will revert to the Canadian Northern railway.

Hon. Mr. BOSTOCK: Nothing is said about the loans to Mackenzie and Mann, Limited. The inquiry is made in paragraph 4.

Hon. Sir JAMES LOUGHEED: If my honourable friend thinks that he can get any further information of a more specific character, I shall be glad to do it.

MILITARY SERVICE ACT.

CORRECTION.

Before the Orders of the Day:

Hon. Mr. LANDRY: At the outset I should like to congratulate our new acquisition to this House. I regret that his commission has not been read in French. I thought he was a French Canadian, but now I am not sure.

Hon. Sir JAMES LOUGHEED: We will look into that.

Hon. Mr. CLORAN: Hear, hear. The point is well taken.

Hon. Mr. LANDRY: I want to call the attention of the House to an incident that took place yesterday, and which is not reported as it should be, or if it was reported as it should be we were under a misapprehension yesterday. On page 935 and 936 the report says:

> The Hon. the Speaker: I shall have to name the honourable gentleman the next time.
>
> L'honourable M. Choquette: Monsieur l'Orateur, considérant votre position et comment vous l'avez reçu, vous ne devriez pas faire tant de zèle pour le gourvernement.
>
> The Hon. the Speaker: Asseyez-vous. Sit down. The honourable gentleman has no right to be insulting.
>
> Hon. Sir James Lougheed: I ask the honourable the Speaker to maintain order, and if the honourable gentleman does not maintain order, I ask the Speaker to name him.

So the honourable the leader of the House was under the impression at that time that the Speaker had not named the honourable member for Grandville, and if we look at the report we find nothing at all previous to that time to show that he had been named. Then the report goes on to say:

> The Hon. the Speaker: I have named him.
>
> Hon. Sir James Lougheed: Then I propose to move a motion.
>
> Hon. Mr. Domville: What is the meaning of this?
>
> Some Hon. Senators: Order.

Then Sir James Lougheed said:

> Inasmuch as the honourable the Speaker has named the honourable gentleman from Grandville (Hon. Mr. Choquette), if that honourable gentleman does not retract his discourtesy to this House, I will move that he be suspended from the service of the House for a certain number of days. I propose doing that at once.

Then a remark which I made is attributed to Hon. Mr. Belcourt. I said:

> Before the honourable gentleman from Grandville answers, I want to state that His Honour the Speaker did not name the honourable member. He told him "Asseyez-vous"—sit down. That is not the way in which the Speaker names a member.
>
> The Hon. the Speaker: I beg pardon; I named the honourable gentleman, and asked him to **sit down.**

So, after looking at the report, I am still convinced that the honourable the Speaker did not name the Hon. Mr. Choquette.

Some Hon. SENATORS: Hear, hear.

Some Hon. SENATORS: Order.

Hon. Mr. LANDRY: What is the point of order?

Hon. Mr. CLORAN: They do not know.

Hon. Mr. DANIEL: The honourable the Speaker says that he did name the honourable gentleman.

Hon. Mr. LANDRY: I say that I am still convinced that he did not name him, and shouting, "Order, order" or anything else will not change that conviction.

Hon. Mr. DANIEL: I rise to a point of order, Mr. Speaker. Under our regulations it is the duty of every member to accept the statement of any member made in this House. The Speaker has stated that he did name the Hon. Mr. Choquette, and it is out of order for any member of this House to question that statement. I would like a ruling on that point.

Hon. Mr. LANDRY: I suppose that I can answer the honourable gentleman. I have that right. I did not say that the Speaker did not name Hon. Mr. Choquette. I said that I was still under the conviction that he did not. If he says he did, I sup-

pose every one heard that he did. I am the only one to be mistaken. I cannot explain why the honourable the leader of the Government said:

I ask the honourable the Speaker to maintain order, and if the honourable gentleman does not maintain order, I ask the Speaker to maintain it.

He too was of the same opinion. There are perhaps half-a-dozen on the other side of the House, who are nearer to the voice of the Speaker than I am, that are of this opinion. At all events, if the Speaker did name the honourable gentleman, I have the right to claim that this is not a good report. That is the only conclusion that I can come to. If his Honour the Speaker claims that in the excitement that every one was under—

Hon. Mr. BEIQUE: I was not excited.

Hon. Mr. LANDRY: Well, those who were not excited might have heard; but I understand that the honourable member for Kennebec (Hon. Mr. Lavergne) got up, and that it was he who received, "Mr. Lavergne, asseyez-vous." And he sat down.

Hon. Mr. CROSBY: I rise to a point of order.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. CROSBY: I ask if there is anything before the House.

Hon. Mr. CASGRAIN: There is the point of order raised by the honourable member for St. John (Hon. Mr. Daniel).

The Hon. the SPEAKER: There is already a point of order before the House, raised by the honourable gentleman from St. John, and in my opinion it is well taken. I remember distinctly that I named the honourable member for Grandville (Hon. Mr. Choquette). I spoke in French, I said, "Monsieur Choquette, asseyez-vous," which means, "Mr. Choquette, sit down." If the honourable member for Stadacona still thinks that I did not do so, I cannot help it. I rule that the point of order taken by the honourable member from St. John (Hon. Mr. Daniel) is well taken.

Hon. Mr. CHOQUETTE: We have a right to discuss the point of order before you give a decision.

The Hon. the SPEAKER: I waited until nobody rose.

Hon. Mr. LANDRY: I was just rising to answer my honourable friend from Halifax.

Hon. Mr. CROSBY: I rise now to a point of order, and ask if there is anything before the Chair.

Hon. Mr. CLORAN: You are.

Hon. Mr. LANDRY: I will answer that.

Hon. Mr. CROSBY: I do not want you to answer.

Hon. Mr. LANDRY: Let me answer.

Hon. Mr. CROSBY: I will not.

Hon. Mr. LANDRY: I have a right to speak to the point of order. The honourable gentleman has raised a point of order, and I have a right to answer.

The Hon. the SPEAKER: I have ruled on the point of order.

Hon. Mr. LANDRY: There is another point of order.

Hon. Mr. DANIEL: What is it?

Hon. Mr. LANDRY: The Speaker has been asked to rule that there is nothing before the Chair. It is against the rules of order to discuss the question when there is no motion before the Chair; but when the honourable gentleman from Halifax (Hon. Mr. Crosby) has had a few more years in this House and has learned more of parliamentary law, he will have learned that when the Orders of the Day are called, we have a right to ask for changes in Hansard, and I have a right—

Hon. Mr. CROSBY: Only on a question of privilege.

Hon. Mr. LANDRY—and the honourable gentleman is not in order when he interrupts me and does not stand up.

Hon. Mr. CHOQUETTE: Honourable gentlemen, with regard to the report of what occurred yesterday, I do not feel inclined to go back to that matter. It was settled amicably between the leader of the Government and myself. He sent for me and admitted that he had misunderstood what I had said, and also others, and as a gentleman I accepted his word, and was satisfied with that. I will merely say in addition to the remarks made by the honourable member from Stadacona (Hon. Mr. Landry) that the Hansard report is absolutely correct.

The Hon. the SPEAKER: The honourable gentleman has no right to say that I have lied to the House.

Hon. Mr. CHOQUETTE: I do not say that. I say the report is correct.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

DEBATE ON MOTION FOR SECOND READING AND PROPOSED AMENDMENT.

The Senate resumed from September 6 the adjourned debate on the motion of Hon. Sir James Lougheed that Bill 125, an Act providing for the acquisition by His Majesty of the Capital stock of the Canadian Northern Railway company, be now read a second time, and the motion in amendment of Hon. Mr. Bostock.

Hon. Sir MACKENZIE BOWELL: Honourable gentlemen, before the honourable gentleman commences his speech, with his permission, I would like to put a question to the leader of the Government in this House. In this Bill reference is made to an agreement which is to be entered into with regard to the arbitrators. I would like to ask the leader of the Government in this House whether it is the intention of the Government, when they enter into the agreement which is proposed, to fix a maximum amount to be paid by the Government in payment for the stock; and also, may I ask whether it is the intention to take steps in order to ascertain the liabilities which are not disclosed, if any, to the arbitrators. I think an answer to this question will assist very materially in considering the nature of the agreement into which they may enter, and may throw some light upon the provisions of this Bill.

Hon. Mr. DANDURAND: Will the honourable gentleman repeat the first question?

Hon. Sir MACKENZIE BOWELL: I asked as to whether it was the intention of the Government to fix a maximum amount to which the arbitrators would be restricted. That is a question which has been raised, not only in the discussion here, but also by many members of the other House in discussing the provisions of this Bill. I think that if the members of this House were in possession of that information it would enable them to come to a better conclusion as to the merits of the Bill.

Hon. Sir JAMES LOUGHEED: I am very glad that the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) has asked this question, and I therefore answer it. I may say that the Government, upon entering into the agreement provided for in the Bill, will fix a maximum amount to be paid for the stock, and will further provide, of course, that the fixing of the amount shall not be taken into consideration by the arbitrators as an element in fixing the value, if any, of the stock to be acquired. As to the second question, I may say that the Government will provide in the agreement that any obligations of the company not disclosed to the arbitrators will, upon being established as valid claims, within a period to be fixed after the award is accepted, be paid out of the money so awarded, if any.

Hon. RAOUL DANDURAND: Honourable gentlemen, as representatives of the people of Canada we are discussing a contract to be entered into with the Canadian Northern Railway company and its principal shareholders, Messrs. Mackenzie and Mann, with the view of solving the difficulties that apparently confront that company. We represent one of the parties to the contract to be entered into, and that party, the people of Canada, stand towards the other contracting party as the second mortgagees of the property of the company, which has been mortgaged for the guarantee of loans which the company has negotiated. As second mortgagees we have to protect the sum of $119,000,000. Ranking before the second mortgages stand first mortgages to the amount of $107,000,000. The total amount which we have to protect is the sum of $226,000,000. If that were the clear and absolute situation, not complicated by other conditions, the problem would be quite easy of solution. But behind those mortgage claims there are other claims to the amount of $350,000,000 and over. At this stage it would appear that the company is unable to meet its liabilities. I say it would appear, because we have no official statement from the company that it is in default. If it were established either by document emanating from the company, or by some official act of default, that the company is unable to meet its liabilities, then we would be face to face with the alternative of allowing the company to fall into the hands of a receiver or of accepting some such proposition as the one before us, or that which was agreed upon between the parties in 1914, when the Government made to the company a loan of $45,000,000.

This great responsibility which confronts us is one which we must not approach lightly. Can we afford at this time to assume a debt of from $550,000,000 to $600,000,000, and add it to the funded debt of Canada? It seems to me that we should be slow in involving the country in an increase of its liabilities to that extent. Last evening the hon. senator for De Salaberry (Hon. Mr. Béique), following the senator for De La-

naudière (Hon. Mr. Casgrain), suggested that there was another scheme which should have been adopted and which would find favour with Parliament. It is that of putting this company into the hands of the Exchequer Court, which would act as a receiver and would see to its reorganization. Yesterday it was shown clearly that if this company was given in charge of a receiver, under the provisions contained in the Exchequer Court Act for the liquidation of railway companies, the whole concern would remain intact and would continue to be operated, and schemes of reorganization and rehabilitation could be proposed and worked out. I was at first somewhat doubtful about the wisdom of placing such a large system in the hands of a receiver appointed under and governed by the Exchequer Court Act but I now realize that when we are facing such a formidable problem as the administration of that company in its complexity, with the untold and unknown liabilities involving 26 companies, the Exchequer Court would surely see to the protection of the various interests that would be affected. The bondholders would retain their rights under the guarantee of the Government; the ordinary creditors of the company who have not the government guarantee, and who obtained the bonds, notes and other securities of the company at a large discount, would probably be very happy to receive the cash which they put into the concern; the rehabilitation of the company would take place; millions would be unloaded which otherwise, if the Government assumes the load, would be paid to people who would receive more than the cash which they invested in the company. We all realize that the total debt of the company is such as to hamper the successful carrying on of its operations. Of course, if the Government takes hold, it will be assuming a dead loss to the country; but, through a scheme of reorganization carried on under the supervision of the Exchequer Court, I am convinced that every one would get his due; and, if the Government were generously disposed, it might even advance money to meet liabilities that are unsecured; but even then it would save millions by allowing no profit to such creditors.

It was yesterday represented to us, with a considerable degree of authority, that millions of the company's stock do not represent cash that went into the treasury; and this is the main reason which leads me to suggest that a receivership would have been a still better way of proceeding. The Prime Minister and the Minister of Finance advanced reasons why, in their opinion, it would be dangerous to proceed in that way, and those reasons were repeated on the floor of this House—that the bonds guaranteed by the provinces and by the Federal Government were placed at a low rate and in considerable amount, and under a liquidation by a receiver, money would have to be found to pay those bonds, inasmuch as they would become payable by the fact of the failure of the company. It seems to me that this objection could easily be met by the Government declaring that those bonds should continue in existence. The bondholders would not suffer by such a proceeding, so long as the interest was paid and the guarantee was unimpaired.

I recognize that the Government and Parliament dismissed the idea of allowing the road to go into the hands of a receiver, the reason given in 1914, at the time of the company's application for help, and repeated on the floor of the House of Commons during the debate last week, being that the financial situation of the Dominion and of the provinces would be very likely affected in the outside world. But are not the present financial conditions abnormal? When we decided in 1914 that we should advance $45,000,000 to the Canadian Northern Company to complete its system, there was the conviction in the minds of the members of Parliament that the amount would probably be sufficient to place the company permanently on its feet; and those were pre-war times. To-day we realize that our expectations have not been fulfilled, and that we are carrying a formidable load through the exigencies of war. The money market of Great Britain is closed to us; we know what rate of interest we are paying in the American market; therefore would we not be justified in applying in this instance the method which has prevailed in the United States, of agreeing to rehabilitate that whole system by putting it in the hands of a receiver?

Should we, when the war is on, and when we do not know how long it will last, or what obligations we shall have to assume from month to month, decide to assume a further liability of about $600,000,000? Should we not, on the contrary, postpone our decision for a year, or as long as the war lasts, with the expectation that it will not last a year, or at all events will not go beyond that? Should we not, in preference to the scheme which is offered to us,

advance a limited sum to the company? It seems to me that the delay would allow of more light being received by Parliament.

Only two alternatives are presented to us. We are told that the Canadian Pacific Railway company is the only corporation able to take hold of the Canadian Northern, if the Government does not do so; hence a monopoly of railways in Canada would be practically established; or, on the other hand, we are offered the establishment of government ownership. The honourable senator from Wentworth (Hon. Mr. Smith) said that there were possible—or, in his optimism, did he mean probable?—groups of railway men who could easily be interested in taking up the Canadian Northern system, the Grand Trunk Pacific, the Transcontinental, and perhaps the Grand Trunk, and making one system of all these. I do not know upon what he based his hope; but if, during war time, it would be impossible to think of interesting capital from abroad in such an enterprise, who says that it would not be easier to obtain such a solution of our difficulties after the war? That is, it seems to me, one of the reasons why we should defer taking the fatal step in proceeding to buy or to take possession of the Canadian Northern and practically to establish governement ownership throughout this country. This implies, of course, that I have not very much confidence in government ownership. It seems to me that the load we shall have to carry after the war, apart from the ownership of railways, will be so heavy that we should lose no opportunity to obtain the necessary co-operation of foreign capital in order to give a private company a second transcontinental railway system which I am sure they could operate with far more advantage to themselves, especially if we succeeded in reorganizing the Canadian Northern and liquidating it so as to reduce its formidable liabilities.

The Prime Minister stated that this Bill was but a preliminary enactment; that we should have before long, if not at the next session of Parliament, to take up the question of the Grand Trunk Pacific railway. He showed that the Grand Trunk Pacific railway, with the Transcontinental and the Grand Trunk Railway system in the East, formed with the Canadian Northern, a perfect system which should be linked together. This is the conclusion of the Drayton-Acworth report itself. I am not disposed to disagree with the Prime Minister's views or the Drayton-Acworth report in that respect; and, if there were a way of uniting those two systems so that there would remain two strong corporations in Canada to work in competition, the Canadian Pacific railway and the other, it seems to me that it would be in the interest of Canada that that should be done by private enterprise rather than by government ownership or government direction. The Grand Trunk Railway company should be able to find in England, after the war, sufficient support to help amalgamate those companies.

I want to repeat that while the war lasts we are facing formidable problems. We are absolutely in the dark as to the morrow, and we should not take a leap in the dark when we may defer the fatal step. I have so far spoken of the general policy to which the country is committing itself if the Bill now before us for consideration is adopted. I should like to examine for a moment the method adopted by the Government for taking hold of the system. We are presented with a Bill which provides for obtaining possession of the system by the purchase of 600,000 shares that remain in the hands of the shareholders of the Canadian Northern railway, representing 60 per cent of the issue, by arbitration. The statement has been made that Messrs. Mackenzie and Mann own 51 or 52 per cent of that stock. Now, the position taken by the Government clearly leaves the inference that that stock has some value. The honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) has just asked if the Government will not fix a maximum amount beyond which the arbitrators will not be able to go. The answer is in the affirmative; but we have not been told what the maximum amount would be. Can it be contended that that stock is worth anything? There is no question that in 1914 our debtors, the Canadian Northern Railway company, admitted that they could not proceed further—they needed $45,000,000. The legislation of that year gave them that amount, and the Government took from the company a blanket mortgage covering all that was known of the assets, but covering at the same time mortgages to the amount which I have mentioned. The owners of the stock agreed, in consideration of the $45,000,000 loaned to them, to give the Government 40 per cent of the shares with the right of absolute foreclosure if the company failed to meet its obligations. The Government now claims that it is acting, in a certain sense, under the Act of Parliament of 1914; but it interprets that Act, particularly section 24, as giving the debtors a right to claim compensation

for their equity. It seems to me that section 24, which would become operative in case of failure, does not support such a contention. It reads as follows:

If authorized by the Parliament of Canada, the Governor in Council may on such terms and conditions (if any) as Parliament may prescribe, at any time while any event of default shall exist and be continuing, by order declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed, and thereupon the equity of redemption of the Canadian Northern (and of such other persons) in the mortgaged premises and every part thereof shall be and become absolutely barred and foreclosed, and the same shall thereupon be vested in His Majesty in right of the Dominion of Canada, any statutory enactment or any rule of law or equity to the contrary notwithstanding.

The Government emphasizes the first part of the clause as giving to the parties the right to take into account the value of the equity. The first part of the section says:

If authorized by the Parliament of Canada, the Governor in Council may on such terms and conditions (if any) as Parliament may prescribe.

If the section is followed and read in its entirety, I am convinced that no such interpretation can be placed upon it, and that the words "such terms and conditions" do not imply the giving of a further consideration by the Government to the owners of the stock which was not transferred to the Government. If the words "terms and conditions" apply to a further bargaining with the parties, is it not apparent that something would be mentioned in the Act to that effect? The clause has for its object purely and simply a foreclosure, and that is what the Government itself understood when the Act was under discussion in the House of Commons. The honourable the Minister of Finance declared that this Act of 1914 had been drafted by the Hon. Mr. Meighen. Here is the interpretation which the Hon. Mr. Meighen gives to section 24. I quote his speech as appearing in Hansard of May 13, 1914, page 3693:

Then the right honourable gentleman has another distinctive feature in his railway policy. Under the present Bill we have a summary method of taking over the road, a summary method which in effect gives us as security the other sixty per cent of stock. We know we have the ordinary right which any mortgagee has, and the right which any guarantor of a mortgage has, the right by subrogation of getting into the shoes of the lender and in the event of default exercising the rights of a mortgagee and taking possession of the road as a receiver; we know we have that right, but we have the additional summary remedy of proceeding by mere Act of Parliament to take over the road as the property of the people of this country and eliminate once and for all, all other parties interested in that railway. And we have not only so arranged it that the interests of the Canadian Northern and all other persons whatsoever in the Canadian Northern system shall be eliminated, and that in the event of default all shall be the property of the Canadian people, but furthermore, the ten million dollars of stock in the townsite and the ten million dollars bonds are put into hotch potch, although they are the property of Mackenzie and Mann, and although Mackenzie and Mann alone made investment in them, and in the event of our foreclosing and taking over the enterprise we ourselves get the whole benefit of the townsite. That summary method is given us. It is true Parliament has to act. The Government did not think it wise to in any way tie the hands of Parliament in days to come. We provide though that Parliament in days to come, should there be default, shall have in its own hands the power to put in directors of the road, and we clothe the directors so appointed with full power to sell that road to any corporation established by the Parliament of this country for the purpose of taking over the road. Or, if we choose, we can ouselves, by Act of Parliament legislate that that road is the property of the people of this country and that the interests of all persons whatsoever outside of the people of Canada are eliminated. The idea of that is that we are at this time making the interested parties and all stockholders parties to this contract, and we say to them: We now and here bind you that should the day of default come you shall not appeal to the Parliament of Canada on the ground of your road being confiscated in any way whatever, but you here and now leave the Parliament of this country free from any such question and untrammelled in every way to deal with the property of the Canadian Northern as it may be advised in the interests of the people of this country. That is the summary procedure outlined here for taking over the road.

That is the explanation of the working of the Act of 1914, as given by the gentleman who drafted the Act, the Hon. Mr. Meighen. This explanation is clear, and it is borne out by the context of the Act, and borne out by the contract entered into between the Government and Messrs. Mackenzie and Mann.

I put a question to the honourable leader of the Government as to whether money had been paid into the treasury when those shares were issued. He answered quite candidly and correctly that they were given to Messrs. Mackenzie and Mann in consideration of the work they were doing in superintending the development of the system, and that that was their sole profit as contractors of the road under the name of Mackenzie and Mann, Limited. The contracts which appear in one of the schedules to the Act of 1914, are signed by Messrs. Mackenzie and Mann, and state explicitly that if any default occurs, they shall put up no claim as contractors or otherwise for services rendered, commissions, etc.

But in order that the Act of 1914 may become operative there must needs be default. Has there been default? Although the honourable leader of the Government in this Chamber (Hon. Sir James Lougheed) has said so, and has stated that the insolvency of the company is notorious, honourable gentlemen will be surprised to hear that the Prime Minister of Canada in the other Chamber emphasized the fact that there was no default. I can quite understand why. Here are his words, at page 4657, August 14. Referring to the statement made by the preceding speaker, Hon. Mr. Graham, the member from South Renfrew, he said:

> Then he came down to the legislation of 1914, upon which he based his chief argument. He endeavoured in the first place to distort the statements of the Minister of Finance into a declaration that default has actually occurred. The statements of the Minister of Finance bear no such construction, and if my honourable friend examines them carefully I am sure he will agree with that.

Having said that there is no default, and emphasising that fact, the Prime Minister is much more free to explain that he is entering into an agreement with people on an equal footing with him, to purchase their shares through arbitration. Denying default, he feels that he is entitled to express himself as follows:

> Would any hon. gentleman in this House say that the interests of this country would be advanced by any action in this Parliament that would take away from any man or any group of men in this or any other country, his property against his will without giving him a reasonable hearing for the purpose of determining its value? We cannot do that, and I shall come in a moment to the statute of 1914 and shall demonstrate very clearly, if not to my hon. friend, to any reasonable man in this House, that the proposal which we are placing before Parliament is based on precisely the same principle that Parliament would have been obliged to follow under the legislation of 1914.

At page 4659 he returns to that point and, in answer to Mr. Bennett of Calgary, he says:

> I will repeat, for the information of my honourable friend, if he did not understand me before: that any Government, of whatever political party would not, as I understand the matter, ask Parliament to confiscate any man's property without giving him the right to put forward and support his claim.

We have this situation: the representative of the Government here stating that the company is notoriously insolvent, and the statement of the Prime Minister that it is not in default. Now, is not this an extraordinary situation? The question has been put in the other House: "What statement have you to bring before us to substantiate your affirmation that the company will be in need of help?" The answer was: "Conversations between some members of the Government and some representatives of the company."

Is it not time that we should have a statement in writing from the company? Have we not had, outside of these negotiations, a statement from the company that it was in default? And should not the Government have exacted that statement, because if it had, as it had a right to—and the company could not refuse to give it, or it might have knocked at other doors for help—then we could apply to the company the Act of 1914, with all that it implies. We are now presented with a Bill which is based on the assumption that the company is unable to continue to finance its own enterprise and meet its liabilities; and yet the company has not said so officially, and is not officially in default. Although not officially in default, everybody in both branches of Parliament takes for granted that the company is at the end of its tether, and the Government claims to act according to the spirit of section 24, by lending itself to an arbitration in which arbitrators may be enabled to grant compensation to the shareholders of the company, the pledgees who are in the position which everybody knows.

The Prime Minister and the Minister of Finance both stated that they did not proceed to foreclose the mortgage under section 24 of the Act of 1914, because under that section they would be taking the physical assets of the company and transferring them into the possession and ownership of the Government, and the railway would have to be operated by a department of the Government, while they preferred to maintain the company as an entity and have the railway operated by the present organization. The Government could easily have implemented the legislation of 1914 to maintain the company as a going concern. It had nearly completely done so by taking steps to substitute its own directors for the directors of the company.

The reason given by the Minister of Finance was that the company would be able to finance as it had done before, and that the Government would not be assuming all the liabilities of the company. Well, I cannot see that there is any force in that argument. The Minister of Finance repeated more than once on the floor of the House that under this legislation the Government would not be assuming all the lia-

bilities of the company—that they were simply becoming the shareholders, and that as shareholders in a company their responsibility ended with the loss of their interest in the company. But why is the Government resorting to the purchase of the shares of this company and the taking over of its administration, if not to preserve it from the receivership? If this is the end in view, and undoubtedly it is, what advantage would there be in proceeding in that way if it is the intention of the Government to refuse to pay certain debts of the corporation? The company will remain as it is, a separate entity. It will have debts secured and unsecured. Those unsecured debts can be sued for and the company can be brought into liquidation if it does not honour its signature and meet its liabilities. So I do not see the force of the argument of the Minister of Finance when he says that it is not true that the Government is assuming the whole of the liabilities of the Canadian Northern company. It is not legally doing so by buying shares in that company. But, when it has all the shares of the company, and when it declares its intention of not allowing the company to go into liquidation, to go into the hands of a receiver, does it not imply that the country will have to foot the bill? Otherwise the company will go into the hands of a receiver.

The honourable the Prime Minister said: "Shall we in this Parliament recognize the principle that we can confiscate a man's property without any indemnity?" No one will disagree with the Prime Minister when he makes such a general affirmation. But is that the case to-day? If the company is not in default—and the Prime Minister has declared that it is not—then we have only to stay our hand and it will be. As a matter of fact it is. The Government, I understand, has allowed certain financial institutions to advance money to the company to enable it to meet the interest on its debts. The Government advanced money to it last year. The company is not in default because the Government has not allowed it to be in default. But should we not treat the situation as though the company were in default? And if the company is in default, or, as the honourable the leader of the Government has said, is insolvent, then are we confiscating the property of our debtor if we simply apply to it the clauses of the pact which the company signed, by which foreclosure happens from the moment of the default.

Hon. Mr. TANNER: Do honourable gentlemen contend that if the automatic foreclosure provided for by section 24 went into operation, and the Government took possession of the physical assets, and if the company asserted an equity of redemption, that nevertheless this Parliament should refuse to recognize that claim?

Hon. Mr. DANDURAND: The company is debarred under that very agreement.

Hon. Mr. TANNER: If I borrow $1,000 from my honourable friend and give him an absolute deed of property, although it is an absolute deed there is nevertheless an equity of redemption.

Hon. Mr. DANDURAND: I draw the attention of the honourable gentleman to the fact that the Government is face to face with a report of its own commissioners, which goes into the operations of the company and shows that not only is there no equity, but that there are vast sums for the Government to pay in order to maintain the railway in operation, to meet yearly deficits and to complete the whole system. We are face to face with a company that is not only in default, but is notoriously insolvent; and under these circumstances, when we heard the Government in 1914 explaining that this property would become the property of the country, if there were default, it seems to me there is no ground for speaking of confiscation.

Hon. Mr. TANNER: My honourable friend has not answered my question. I should like to know whether, under the circumstances stated, if the company asserted that an equity did exist would my honourable friend refuse to consider that claim?

Hon. Mr. DANDURAND: If I have a document signed by that company stating that it will set up no such claim—

Hon. Mr. TANNER: You have not got that?

Hon. Mr. DANDURAND: I think the contract signed by the parties will show that there is an abandonment of any such claim.

Hon. Mr. TANNER: You had better read it.

Hon. Mr. DANDURAND: I cannot read the whole of the covenants signed by the parties; but those covenants must be taken in relation to the Act itself, section 24 of which gives an absolute right to enter upon the property and foreclose absolutely. The contractors themselves, Mackenzie and Mann, Limited, say in the covenant, page

Hon. Mr. TANNER: My honourable friend knows that every mortgage ever

written has that clause in it—that the equity shall become barred and foreclosed, but it is not barred and foreclosed until the court says so.

Hon. Mr. DANDURAND: Parliament is the court to-day; and can act judicially.

I did not intend to close my remarks without speaking of the compensation that can be given to those gentlemen under certain circumstances. I affirm that the minister who drafted the Act of 1914 gave the interpretation which I have read to the House, in which he said that all safeguards surrounded the contract, and on the day of the default the Government could lay hands on the whole property of the Canadian Northern railway. Now, if Parliament decides to abandon wholly the question of receivership and to proceed on the lines laid down in this Act, why did not the Government follow the recommendations of the Royal Commissioners whom they themselves appointed? After stating that there was no equity, the Royal Commissioners have come to this conclusion:

> We conclude, therefore, that the shareholders of the—have no equity either on the ground of cash put in, or on the ground of physical reproduction cost, or on the ground of the saleable value of their property as a going concern. If, then, the people of Canada have already found, or assumed responsibility for, the bulk, the capital; if they must needs find what further capital is required; if they must make up for some years to come considerable deficits in net earnings, it seems logically to follow that the people of Canada should assume control of the property. We return later to the Canadian Northern company in order to set out our recommendations as to its ownership and management in the future, and as to the terms to be offered to the existing shareholders.

Now, what are those terms? At page 62 I find the following:

> Under these circumstances, have the Canadian Northern shareholders any claim to compensation? Not, we think, as of right. But governments in the past have not taken a stand on strictly legal grounds in their dealings with other companies.

And further on—and I call the honourable gentleman's attention to this statement:

> We think that, on the whole, the equity of the case would be met, if the Canadian Northern shareholders were permitted to retain a moderate portion of the $60,000,000 of shares which they now hold.

What proportion of the Canadian Northern stock may fairly remain to the present holders? The commissioners suggest that 5 per cent of the Canadian Northern shares should remain the property of the existing holders. When in 1914 we loaned those gentlemen of the Canadian Northern $45,000,000 we took 40 per cent of the stock. Suppose to-day we were obliged to advance to them a certain amount, I do not know how much, could not the Government do as it did in 1914? If the parties, being in default and needing money to pay their pressing liabilities, came and asked for $10,000,000 or $15,000,000 to bridge over their difficulties for another year, could not the Government proceed on the same lines as it did in 1914, and say: "Out of the 52 per cent of stock that you hold you will give us another $40,000,000 of stock," thus leaving to Mackenzie and Mann about the face value of $12,000,000 worth of stock? This would be following the precedent of 1914, and it would be what is generally done between man and man. In your daily life have you not often seen a debtor coming to his banker, or to one who had advanced to him funds, and to whom he had given a certain proportion of stock, for whatever value it might have in the future, and saying, "You are my second mortgage creditor; I am falling down; I cannot meet my liabilities; you will have to advance more money; I need so much more." What would the creditor answer? If he were in the mood, would he not say: "You will give me a further interest in the company; you gave me 40 per cent interest when I advanced to you a certain amount three years ago; you are asking me to continue to add good money to what may be bad money; should I not receive a further interest in your company?" What would the creditor say to the proposition that, besides helping to finance the company, he should pay to that debtor cash for the stock which that debtor held in the company, when the amount already advanced was in peril? The offer would be so preposterous that no one would think of making it. If there is anything in the future for the shareholders of the Canadian Northern, should they not assume the risk and take the advantage, if there be any? To give them cash in view of the situation as it has been disclosed to us would seem to be preposterous. We should leave them a certain interest in the company, and, as the honourable gentleman from De Salaberry (Hon. Mr. Béique) said, force them to retain an interest in the company, since it is said that their experience may be of service and advantage to it. But surely we should not give them further money compensation when we are faced with the obligation of assuming hundreds of millions of responsibilities. The Government of Canada has assumed responsibil-

ities amounting to $119,000,000, but ahead of those are $107,000,000 from the provinces. This is quite a load. The Government will have to assume further responsibilities; and yet it is proposed that we should go into an arbitration in which we shall be made to pay tens of millions to shareholders who paid nothing for their stock.

The honourable leader of the Government has said, "Yes, but we intend to limit the amount which the arbitrators may in their discretion be disposed to allow the shareholders." But why not arrange to give them stock? The day after the Government announced its policy in the House of Commons, Sir William Mackenzie declared to the press that the stock was worth par. Well, if Sir William Mackenzie has such confidence in the potential value of that stock, why should he not gladly accept a few millions of it? If it is worth nothing he will be no worse off than thousands of men in Canada who since the war have seen everything swept away, after having built up a considerable estate in large undertakings. I know a number of such men, who had by their own spirit of enterprise, their own energy and intelligence, built up quite a fortune. I know of one man in Montreal who had succeeded in building up a fortune of about a million dollars, but who, in his optimism, had gone into many enterprises which seemed to be good, and which would have been good but for the war, and had assumed such large obligations, that the war broke him. But he did not turn to the Government and ask, "Could yon not give me something for my equity?" He could not turn to anybody and ask anything for his equity; he was wiped out. Thousands of men from the Atlantic to the Pacific who had amassed wealth by their own spirit of enterprise, have been wiped out; they had not the provincial or the Federal treasury to draw upon, and have been left practically penniless. The case of the two gentlemen who have built up this system by the help of municipalities, provinces and governments, is very different. They deserve considerable credit for having developed that system in the West. They did wonderful things, and they did them during their lifetime in a big way. But no one can say that they have not benefited by what they did in building those railways. To-day they are interested in numberless enterprises—tramways, water-powers, all kinds of companies which bespeak prosperity; and I simply put their case in contrast with those of the thousands of men in Canada who have borne the whole risk of their ventures, and who have not had the advantage of drawing upon governments, but who have been wiped out. I say, let us do the fair thing; and this is my answer to my honourable friend from Pictou (Hon. Mr. Tanner): the fair thing would be done between man and man if we left them some stock instead of giving them cash.

I have stated that it would be better, in my opinion, to advance a certain amount to the company to help them over their difficulties for the present. We would be no worse off than we are to-day if we advanced the company $10,000,000 or $15,000,000, should they need that money to bridge over their difficulties, as the Bill itself authorizes the Government to advance money to the extent of $25,000,000 to meet the company's liabilities. But, besides this $25,000,000, we know that there is a floating indebtedness to the amount of $98,000,000. Is it not better to gain time while the war proceeds for another twelve or perhaps twenty-four months, by advancing to the company a certain amount, without shouldering here and now the whole load? If wo do that, and the Government takes a further block of the stock and takes control by majority rule, it will be in a position to appoint directors on the board of the company who will study at close quarters the inside working of this complicated system, and will enable us to obtain progressively all the information that we have been denied up to this day.

I close by saying that this is a most important step that we are called upon to take; it is a final and perhaps a fatal step; why not postpone that step for twelve months, when we shall be in a better position to know where we stand, and whether it is opportune for the Government to saddle itself with such an enormous responsibility?

Hon. ALEX. McCALL: I rise to make some observations on the Bill before the House, and, so far as I am able, to advance arguments in favour of its adoption. I agree with the honourable gentleman who has just concluded that this is a most important financial question—perhaps as great a problem as Canada has had to deal with for a long time.

It is observable that the gentlemen across the floor, who have spoken at length upon this question, have shown a very great anx-

iety to serve the public interest, and to offer the most careful and prudent proposition that could be made on a question of this importance. It is unfortunate that the spirit and wisdom they have displayed was not used for the country's advantage at the time the Grand Trunk Pacific scheme was offered to the country. The gentlemen who have spoken, and their friends in the country, offered to the people of Canada a transcontinental railroad scheme that was so imperfectly safeguarded that the contracting company could not be compelled to take over the 1,600 miles at its enormous cost when it was ready and offered to them. Perhaps in another year, when the Grand Trunk Pacific railway will be before the country for adjustment, we shall have a development of the same wise care over and the same intense interest in the welfare of the country; and I am wondering how honourable gentlemen will be able to argue upon that question, when it comes before us, upon the lines of their argument of the last two days. The Grand Trunk Pacific and the Transcontinental railway have involved and will involve the country in twice or three times the amount of liabilities that we have to undertake in disposing of the question now before the House.

I will not attempt to follow the arguments; I am unable to do so; but the discussion seemed to have narrowed itself down to this: will the country allow the Canadian Northern to go into bankruptcy, with whatever may follow, or will the whole question be referred to the Exchequer Court, or will it be dealt with as proposed under the present Bill? The average mind finds it hard to distinguished between a reference to the Exchequer Court and an arbitration. The latter would be clothed with all the powers exercised by the Exchequer Court, and either body would be sufficient to deal with it; but an arbitration would give to all the parties concerned and all the various interests the consideration that their claims deserved. The question referred to arbitration will be largely the acquiring of the $60,000,000 stock of the Canadian Northern. It seems to me that as long as that stock is on the market it is a danger to the interests of Canada. That stock might be acquired by a corporation holding large railway interests in this country. The majority of it might be acquired by an American company. Bear in mind that the Northern Pacific and the Great Northern, two enormous corporations, lie alongside our great West. I know of no power in this country which could prevent them from acquiring a majority of that stock and taking possession of the road, if they paid all the claims against the Canadian Northern, including that of the Government. I know of no legal objection to their entering Canadian territory and handling the traffic of the country, which they might perhaps run over their own lines. Bear in mind that those two lines join with the Canadian railway systems at a great many points. The possession of the Canadian Northern system by those companies would be a condition to which, I am sure, we would all object. But with the stock in the hands of the Government of Canada, the Government can deal with all the interests as they choose.

If one of us had made advances to a trading company or a manufacturing concern and they were confessedly in arrears and could not pay their liabilities, what would be done? The ordinary course is to obtain possession of the stock of that company, out their directors, put in directors favourable to the claimant, and deal with the various interests of the company through the stock controlled. In my judgment that is the wise course, and the one that the country should adopt.

However, that is not the whole question. Honourable gentlemen who have preceded me have pointed out that the country is today facing a great crisis, one which I am sure we would all have liked to avoid if possible, or defer until a period when the country would be free from the enormous burdens imposed upon it by reason of the war and when we could deal with our entire railway problem. Unfortunately, this particular problem cannot wait. It can be dealt with now and it must be dealt with, for the reason which I have given—the danger that if the outstanding stock were acquired by hostile interests there would be another railway problem before us for adjustment. If I may use the term, the finger of destiny points to the amalgamation of all the railroad interests in this country other than those of the Canadian Pacific railway and the Grand Trunk railway. There is no other course open. As honourable gentlemen have said, that course has been outlined by the Prime Minister as one of the early possibilities.

I think we can all understand, then, the importance of the Government of Canada acquiring upon the best possible terms the possession of the Canadian Northern. The Grand Trunk Pacific and the Transcon-

tinental are already finished, and undoubtedly when the question of amalgamation comes before us we shall have all the difficulties now confronting us and shall hear much the same arguments as are being offered on one side of the House or the other. With the taking over of the Grand Trunk Pacific and its incorporation with the Intercolonial, there will be in this country a system of railroads comprising 16,000 miles and covering all parts of Canada other than the portions now occupied by the Grand Trunk railway and the Canadian Pacific, particularly in the West, where these railways have their largest mileage. Honourable gentlemen can readily see that by the combination of all these roads in one system a saving can be effected in the cost of operation. I shall later touch on the question as to how the system shall be managed. It will be seen that by merging all these systems into one, important terminals owned by one system and not by the other can be utilized. To illustrate: The Canadian Northern have a very important line from Sudbury to Toronto, which reaches all of the trade of western Ontario and supplies the products of the West to that large region. It takes the manufactures and production of that portion of Ontario to the West. There is a large volume of traffic. The volume of traffic that goes into the Northwest over that line is, I venture to say, larger than any other. The traffic from Ontario to the West exceeds that of Quebec and the Maritime Provinces.

The Montreal terminal owned by the Canadian Northern is in a similar position. The promoters of the Grand Trunk Pacific, for some reason, passed by Montreal. They have no connection with Toronto except by the route now open over the provincial road and the Grand Trunk. But that is of no value to Montreal. So far as the relation of the Grand Trunk Pacific or the Transcontinental to Montreal is concerned, Montreal has scarcely the position of a tank station. But with the development of the Montreal terminals for the use of both systems, a connection would be established between the province of Quebec and the whole Northwest. I will say further that the development of the Canadian Northern under the proposed government management will bring an immense volume of trade by at once completing the terminals to Montreal. Montreal is in the happy position that the three transcontinental lines make it their terminal at the seaboard.

Another advantage that appears is that less rolling stock would be required for the united system than for the three separate system, the Intercolonial, the Transcontinental and the Canadian Northern. The rolling stock, under one control, could be utilized where it is most needed. There would be no question of borrowing or lending cars. The rolling stock of the whole country would be available. Looking at the future of the country, we trust and believe that when the war is over we shall obtain a large immigration. We must have it. The ability of seven or eight million people to hold this country, which is large enough to provide homes for eighty million people, will be challenged. Immigration and development in the West and Northwest are absolutely necessary, and I can conceive of no better method, no better policy, than the union of all these roads for the development of that country, for bringing in the immigration which will be needed, and for carrying the much greater production of the West to the seaboard. The direct route leads to the Montreal terminals by the Transcontinental and the Canadian Northern, and to the present Quebec terminal by the Transcontinental.

There is in the West a source of revenue which perhaps may not be known to many honourable gentlemen. There is on the Pacific slope a forest growth which I claim, in presence of the honourable gentleman from Rideau (Hon. Mr. Edwards), is in extent and in quantity the largest block of valuable timber, for the same area of land, that stands upon the continent. I could not estimate its value in billions. There is a stretch of timber 600 or 700 miles in length by from 100 to 250 miles in width. That timber must come to the railways, largely, to be marketed. That portion which lies along the Pacific coast or a short distance inland may be taken out, converted on the coast and shipped by water. We are going largely to the Pacific coast for lumber and timber to-day. Shipbuilders on the St. Lawrence, at Quebec, Montreal, and, I think, at other points, are drawing their timber from the Pacific coast. It is only there that they can get the quantity and sizes required. The production of that timber is marvellous. The timber is two feet square and 120 feet or more in length; not only is it valuable for construction purposes, but the better grades, the clear-faced lumber, is a splendid finishing wood. It is used largely now, and will be used to a greater extent in the future,

because it is cheap and when finished gives an excellent appearance and answers all the purposes for which interior finished lumber may be required. Bear in mind that the entire shingle consumption of Canada, except at small local mills, comes from British Columbia. British Columbia shingles are the standard article in the market. Now, that trade could be developed greatly but for the excessive rates that are charged by the railways for their transportation from the coast to the East. I am sure that the Canadian Northern and the Canadian Pacific railway are working under joint traffic agreements with the American roads farther south. The freight rate on the production of that country to-day is 68 to 72 cents per 100 pounds, from the point of production to Ontario and Quebec points. For some grades of lumber the cost would be $10 a thousand, and the freight upon it, to Ontario points, will be $20 or $22. I am assured that under the combined system of railways, which may be termed "the Canadian Government Railways," occupying their own territory, free from all traffic combinations, not under the control of the Interstate Commerce Commission or any other body except our own Railway Board, the rate would be much reduced and the trade would be developed to a much greater degree. I have had considerable experience in shipping from the Pacific slope to eastern points, and I am assured by railroad men that the freight rates, averaging 70 cents per 100 pounds, could be reduced to 50 cents if the products were moved in large volume—if they were moved in trainloads instead of single carloads. With the reduction of freight, that would be quite possible and the proposed system of Canadian Government railways would be within the borders of Canada and would facilitate a traffic which, to all appearances, would furnish a very valuable business for those roads for many years, besides giving to the homebuilder, whether upon the plains of the West or in Ontario, an article most valuable in the construction of houses and buildings and at very moderate prices. All of this would go to build up and help the development of the West. It is the duty of the Government of Canada to see that all its interests are preserved, and, in my opinion, it can be done in the way that I suggest.

Sometimes we have difficulties with regard to the movement of coal. Dealers have to transact their business with different companies. At junction points congestion occurs. Coal may be plentiful at one part of Canada and yet people may be freezing in another part of the country. I think it can be seen that with a system of railways serving the people of Canada, the difficulty of joint freight, the difficulty of congestion and of supplying a deficiency, could be largely overcome. To my mind, the matter is the most important question we have to deal with, and one that might be safely dealt with under the proposed resolution as a starting point. With the acquisition of the Canadian Northern, the question of settling with the creditors and all of the difficulties that have been raised here will adjust themselves through arbitration, and, as we hope, in mutual fair dealings between the Government and the present holders of the railroad. The railway problems of the country will be settled for all time to come.

The government-owned system would deal with extensions wherever they were needed. Millions of dollars would be required for extension into productive points, particularly when we get the immigration, which, as we expect, will fill up the country.

I attach a great deal of importance to that question of developing the timber supplies of the West. At present they are being worked only along the Pacific coast, with the exception that the Canadian Pacific railway have several lumber establishments in the interior; but the vast country to the north which is touched by both the Canadian Northern and the Grand Trunk Pacific is to-day scarcely worked at all. Development would result if the rate were made satisfactory. But until rates are reduced or prices are advanced very materially there will be no very great development there.

The difficulty that we all meet at this stage of the discussion is the condition of the Intercolonial. That question has been dealt with by both Houses of Parliament for many years. The failure of the Intercolonial to earn interest on its cost is always used as an argument against government ownership of public utilities. That difficulty is due largely to the road being under the control of the Minister of Railways and Canals. I can understand that politics would get into that system and would be utilized by the local politicians, and that the road would be expected to do much more than it ought to do, and to do it for a much lower rate than it ought to have. Unless Canada can be assured that a board of trustees could be constituted who would be strong enough to manage the entire system independent of

political influence, the proposed step would be a very dangerous one to take. The eminent specialists to whom was referred the railway situation, in discussing this question of government control or ownership, suggested a board of trustees, the members to be appointed for different periods, from three to seven or ten years, and to retire as their respective terms expire. Possibly that might be a good policy; but I think I can suggest one that would be better. I say that modestly. I will outline it as briefly as I can.

We will assume that nine directors or trustees are necessary to protect the various interests of the country. Two should be appointed from the Maritime Provinces; two from Quebec; two from Ontario; two from the three western provinces, and one from the coast; or more might be appointed from the western provinces as their population increased. Those men should not be selected by the Government of the day. They could hardly be selected jointly by the leaders of the two parties. I am afraid that political leanings make the selection difficult. But it would be possible to appoint a selecting committee of men from the Bankers' Association, the boards of trade of the different cities, and perhaps the universities might be asked to name some men, so as to get highly specialized ability. A large committee of thirty or forty men would meet together and select the men to form this Government Railway Board. If only nine men were needed, then the leaders make a list of three times nine, say twenty-seven names—men well known in business—and those names would go before the committee which would make the selection. Those men should be selected for a long term of office. There might be a direction that they should be on the sunny side of life, men of under fifty or sixty. Of course, the ability of the men would be more important than their age. If a member of this board resigned or died, the remaining members would select his successor; because, if the vacancy were filled by the political party in power, we would at once introduce politics into the matter and impair the usefulness of the board. I am sure that if such a board of management, you may call them trustees, were obtained—a board that would impress the country with its honesty and fairness, as the present Railway Commission has done—it would be absolutely free from political influence, and would be able to conduct this enormous system in the same way that directors of a bank conduct the business of that bank. The men appointed to this board should give their whole time to its work, and they should be well paid for their services. They might be given a retiring allowance similar to that which the judges receive upon retiring from the Bench. I am not offering this as a perfect scheme; but I do not like to hear it said that we cannot manage this great enterprise ourselves. I believe the public is growing away from the idea that a public position is one in which men are only allowed to advance the interests of themselves and their friends. I believe the temper of this country is growing better every day, and that every one is getting a higher conception of public duty. I believe that this country can enter upon a scheme of railway ownership that will produce desirable results.

To go back for a moment, it is of the greatest importance that we should settle our railroad problems as quickly as we can, and to prepare for the development that we expect and that we must have after the war, when we enter upon the period of reconstruction.

This is my first attempt to address this House, with the exception of an occasional "Hear, hear," or "Carried," in which some honourable gentlemen excel me. I have offered these imperfect remarks in a proper spirit. I do not take very serious objection to the remarks of the honourable gentleman who preceded me. He admitted that this problem was one which attracted him, and that he thought that we were approaching the time when it must be entered upon. I believe that the people of the country are prepared for this proposition, and for the larger scheme of taking over new railroad systems which are beyond the territory already organized and have their own fields of operation. I believe that we can settle these problems for all time to come. I will not discuss the financial responsibility involved, except, perhaps, to say that it will not be beyond the resources of the country. With the two lines of railway under discussion, and the Intercolonial railway, which is paid for, we shall have assets of over $1,000,000,000. The Canadian Northern railway is apparently within a very short distance of being able to earn its own fixed charges. With the development of the Pacific coast traffic, with the completion of the terminals in Toronto and Montreal, with the growth of the Northwest, it is a fair guess that in a very few years this will be a paying concern. It cannot be regarded altogether as a liability. So long as

it will pay its fixed charges it will take care of itself. But suppose that the earnings of this system fall short $8,000,000 or $10,000,000, a population of 8,000,000 could be taxed one dollar a year for the common good of the country, and the shortage would be made up. The greater portion of Canada would be served by this system, and any earnings beyond the fixed charges would go back to the people in the way of further extensions and better service.

I will not take up the time of the House to say anything further. I have given my views as they have occurred to me, and I hope they will commend themselves to the members of this House.

Hon. H. J. CLORAN: Honourable gentlemen, the study of this Bill and its provisions, and of its effects on the welfare of the country, has involved recollections of the past in regard to similar matters of railway legislation. The Bill at the present stage of Canada's development is no stranger than the presentation of a similar Bill thirty-two years ago by the Government of Sir John Macdonald, when a similar enterprise, known to-day as the Canadian Pacific railway, made application to the people of Canada for loan of $30,000,000. The Canadian Pacific Railway company had been abundantly supplied by the governments of the day, both Liberal and Conservative, with funds with which to build that railroad. From its very inception the Canadian Pacific railway, through its directors and its financial powers, had sufficient money to contribute to the election funds of the Conservative party in 1872. I think my right honourable friend the senator from Hastings (Hon. Sir Mackenzie Bowell) will remember the incident. At that time it was considered an important project for Canada, with a population of about 3,000,000 or 4,000,000, to build a transcontinental railway. But there were men at that time who were sufficiently courageous to undertake the project. They undertook it. That is a long time ago, but I remember it well. These courageous projectors had doubts about receiving the support of the Liberals at that time. To make sure that they would have true friends in the Government they started subscribing money to the Conservative election funds of 1872. Unfortunately for themselves, they had not subscribed a sufficient amount, and one fine afternoon, as polling day was coming on, the Prime Minister of the day wired Sir John Abbott—he was not Sir John then; there were very few sirs then—he wired John Abbott, "Another $10,000 is required," and of course John Abbott, who afterwards became Prime Minister, although he had previously signed a requisition and demand for anexation to the United States, sent Sir John Macdonald the $10,000, with the result that Sir John Macdonald was able to carry the election. Of course, at that time Sir John Macdonald did not have to buy Alberta, Saskatchewan, British Columbia, and so on; all he had to buy was Ontario and Quebec, "those shreds and patches of Confederation," as Sir Richard Cartwright called them.

Hon. Mr. TANNER: What was the rate per head?

Hon. Mr. CLORAN: The House was in session only a few days when Lucius Seth Huntington rose to the floor of the House on a point of order. He said to the Prime Minister of the day: "You are holding a seat through corruption and by corrupt means." He was challenged to prove this. He risked his head. He made the charge on the floor of the House of Commons that the Government was taking money from the company to which the charter was granted to build this road. He was defied. He brought the charges forth. He produced the original documents and the original telegram of Sir. John Macdonald himself to the attorney of the company, asking for $10,000 more. What was the result? There was consternation in the camp in that famous session of 1873. How could it be possible? How did Lucius Seth Huntington get hold of the original telegram? How did he get hold of the correspondence? We all know. History, I suppose, has related it. He got hold of it through a clerk in the telegraph office. It was a question of thief finding out thief. Lucius Seth Huntington held the documents in his hands which finally destroyed the Government of Sir John Macdonald. It is wonderful how human phenomena will repeat themselves in the course of human events.

Hon. Mr. TANNER: What year was that?

Hon. Mr. CLORAN: The election which was stolen from the people of Canada was in 1872, and it was the first session after that—

Hon. Mr. TANNER: B.C. or A.D.?

Hon. Mr. CLORAN: It was before you were born, I guess because you do not seem to know much. I was saying that it is strange how human phenomena will repeat

themselves in the course of human events. The old saying is that history repeats itself. Well, history is repeating itself to-day.

May I venture another comparison? Lucius Seth Huntington drove the Tories from power in 1873. There was another man in this Parliament who drove the Tories from power in 1896, because he held incriminating and damning documents against the Conservative Government, its ministers and its officers. Can any gentleman on the other side tell me who he was? He was not one of ours. He was one of your leaders in the province of Quebec.

The most prominent, the most able, the most efficient, and the most acute leader of the Liberal party held documents incriminating the Conservative Government from 1881 to 1886; he called them his little papers, but he produced enough papers to send ministers in disgrace out of public life and to send members of Parliament and contractors of the Government to the penitentiary; with the result that the people rose in arms in 1896 and drove that Government from power, just as they had done twenty-three years before, in 1873. This is all in regard to railroad legislation. Do you know your own history? If you do, you ought to be ashamed of it.

Hon. Mr. CROSBY: The honourable gentleman ought to tell us about the election of 1878 before he gets to 1896.

Hon. Mr. CLORAN: Poor Mackenzie did not have a cent to spend on the election.

Hon. Mr. CROSBY: Laurier must have had plenty in 1896, then.

Hon. Mr. CLORAN: We never had; we did not have a contractor or a manufacturer behind us, and we only came to power on the honest, unpurchased vote of the people of Canada.

Hon. Mr. CROSBY: That is the only time they were not purchased.

Hon. Mr. CLORAN: Where did we have money in 1896 after being in opposition eighteen years? Where did we have money in 1878, when Mackenzie stood like a watchdog over the treasury and would not let a cent be spent, as the Tory Government has been doing, allowing everything to be stolen from the treasury for their own use and benefit and elections?

Hon. Mr. DENNIS: He had to have a shotgun.

Hon. Mr. CLORAN: Well, you would not be able to fight.

Hon. Mr. CROSBY: Tell us what Mackenzie said about that.

Hon. Mr. CLORAN: I am telling you what he said—that he stood as a watchdog.

Hon. Mr. CROSBY: Watching the Liberals.

Hon. Mr. CLORAN: And there are mighty few watchdogs in the Tory camp.

Hon. Mr. CROSBY: We never go near the treasury.

Hon. Mr. PLANTA: We don't need a watchdog.

Hon. Mr. CLORAN: You don't? That is how so many of your people are millionaires.

Hon. Mr. CROSBY: All the millionaires are over on the other side.

Hon. Mr. TANNER: Will you tell us how much of a fund you got out of the Grand Trunk Pacific in 1904?

Hon. Mr. CLORAN: We got so little that they were not able to finish what they had built, and they could not give anything. Does that satisfy you? That is railway legislation, which has always been a source of anxiety to Parliament, and the cause of a good deal of expenditure and loss of money to the people. I quoted to you two celebrated occasions; now I will give a third. By 1885 the Canadian Pacific railway had received some 600 miles of constructed road from the Mackenzie Government, had been granted 25,000,000 of the finest grain lands on the earth, some of them to-day from $10 to $1,000 an acre in town lots, and had received bonuses from municipalities, provinces, and so on; but that enterprise did not have the support of the Liberal party of that time, through its leader, Mr. Edward Blake, who said the country was undertaking a scheme to build a railroad into a sea of mountains. The company had to face all those conditions and obstacles common to such enterprises, and the result was that one fine day George Stephen, then president of the company, now Lord Mountstephen, came up to Ottawa, and I think my right honourable friend, Sir Mackenzie Bowell, Senator from Hastings, was a member of the Cabinet at the time and ought to remember it.

Hon. Sir MACKENZIE BOWELL: You give more titles than I have a right to.

Hon. Mr. CLORAN: Well, you cannot have too many as far as I am concerned,

because I think there is no nobler citizen in Canada to-day than yourself.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: I beg your pardon for saying so, but I had better tell the truth before you die than after, and that is my opinion of you.

Hon. Mr. CROSBY: We will forgive you for everything now. Go on.

Hon. Mr. CLORAN: I know that charity covers a multitude of sins. George Stephen came to Ottawa; he was president of the Bank of Montreal at the time—and what I am going to recite was told me by Sir John Macdonald's best trusted friend, Sir Frank Smith in the Russell House three weeks before he died. Mr. Stephen interviewed Sir John Macdonald and said: "The Canadian Pacific railway is in difficulties, we need money"—just as is claimed in this Bill—"to pay interest on stock, to pay other disbursements and expenses." Sir John said to him : "Do you want to ruin the Government? We have given you abundantly out of the treasury already, and how can I face Parliament and ask them for a loan of $30,000,000?" George Stephen said: "Well, if we don't get that money we will have to go into insolvency; you will have to appoint a receiver." Sir John said: "I would rather that the company had a receiver and went into bankruptcy than that my party and myself should be hurled from power," and he there declined the loan of $30,000,000. What happened? That very evening George Stephen came down, disconsolate, broken-hearted, to Sir Frank Smith, who was a great friend of his. Sir Frank said: "George, don't be discouraged." Stephen said: "I am leaving here to-night by the next train, and I don't know if I will be alive to-morrow." Those were the solemn words uttered by George Stephen, and, as Sir Frank Smith told me: "The statement struck me as an awful one, and I thought, what did he mean by those words, that to-morrow there would be no more talk of George Stephen or of the $30,000,000 loan? After a second or two I said to him: 'George, now you go straight to your room; I will take this grip from you,'" and he forced him to his room. The very next morning Sir Frank Smith, who was minister without portfolio in Sir John Macdonald's Government, went to the Premier and said: "Sir John, I know the financial conditions of this country probably better than you do, and if you refuse this loan to the Canadian Pacific railway, the banks and the financial institutions of the country will go to ruin and be wrecked within twenty-four hours." Sir Frank's statement to Sir John had its effect. Sir John said: "Sir Frank, do you mean to tell me that the situation is so serious as that?" Sir Frank, who was greatly interested in financial concerns, said: "Yes, Sir John, this money has got to be loaned." Sir John yielded; George Stephen left, and the Canadian Pacific railway was built, and afterwards paid back every cent of that money.

Hon. Mr. CROSBY: Hear, hear.

Hon. Mr. CLORAN: Did the Canadian Northern ever pay anything back?

Hon. Mr. CROSBY: Oh, they will pay it back.

Hon. Mr. CLORAN: Where will you be then?

Hon. Mr. CROSBY: I hope in heaven.

Hon. Mr. CLORAN: In limbo or somewhere else.

Hon. Mr. PLANTA: Will my honourable friend tell me who it was that said the Canadian Pacific railway would not pay for the axle grease after it was built? And yet they repaid the loan. Was it a Liberal or a Conservative who said that?

Hon. Mr. CLORAN: Certainly it was a Liberal.

Hon. Mr. PLANTA: Yet they repaid the loan.

Hon. Mr. CLORAN: Yes, but that was said ten years before the road was in operation, when Edward Blake said it was running through a sea of mountains, and he was perfectly correct, because it is nothing but a sea of mountains for 500 miles.

Hon. Mr. PLANTA: It is paying, is it not?

Hon. Mr. CLORAN: No, not paying anything.

Hon. Mr. POIRIER: What about the water stretches?

Hon. Mr. CLORAN: Well, some of the fish got out and they are here now. After Sir Frank Smith's interview with Sir John he went down to the Russell House and met his friend George Stephen, and said: "Stephen, everything is settled; you are going to have your loan of $30,000,000." George Stephen became a new man. He went back to Montreal as a saved financier, as a man who was not obliged to bankrupt the Bank of Montreal. These are things

that happened in connection with railway legislation. That was 32 years ago. To-day we have history repeating itself. It is not Mr. Stephen; it is Sir William Mackenzie and Sir Donald Mann. On behalf of Canada, I wish to pay as warm a tribute as I can to those two men for their enterprise, their energy, their business acuteness, and for their ability to pull the wool over the eyes of the men who handle the treasury of Canada. If I were not such a good Christian, believing somewhat in honesty regarding the public, I would like to be one of the trio; I would like it to be Mackenzie, Mann and Cloran, and I would be a richer man than I am to-day. I have not a word of blame to utter here to-night against Mackenzie and Mann; I admire their energy too much. I am only sorry that I was not linked up with their enterprises, for then I would not have to work so hard to get a few dollars; I would come to the Government and choke them, and put my hand in the treasury and take the money out. That is what they are doing to-day. They are choking the Tory Government. I do not blame them. Five years ago, when they came before this honourable House and Parliament for one of their loans, I think it was $25,000,000, I had sized up those two honourable gentlemen, knights of the Empire, to be the two ablest financial fakers in America. To-day, after looking over their career and seeing what the Government has done for them, and what it is prepared to do, I have come to the conclusion that those two men are the greatest pirates of the high financial seas of the world, in taking from Government treasuries and other institutions all the money they required either for themselves or for their enterprises. I have no blame to them, but I blame the captain and officers of the ship of state, one of whom is here to-day, who allowed the ship of state to be scuttled.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. Mr. CLORAN: Honourable gentlemen, when the Senate adjourned at six o'clock it was for the purpose of allowing the honourable members of the House to go and take a hearty copious meal. I am afraid that during war conditions, under the dictatorship of the food controller, you did not have a hearty meal, as this is a meatless day. Therefore I beg, in continuation of this debate, to offer you a little dessert, coffee and cognac, on board the ship of state, which I said was about to be scuttled when this debate adjourned at six o'clock.

Before entering on the discussion of the measure proper, I have a slight correction to make, a clerical one, in regard to the statement which I made, that Sir John Macdonald had telegraphed to Sir John Abbott, attorney at the time, for another $10,000. The statement should have been that Sir John Macdonald telegraphed directly to the president of the company, Sir Hugh Allan. That telegram, of course, was submitted to the attorney of the company, who was then Hon. John Abbott. The telegram came into the possession of the public through the Liberal party at the time. I am not going to condone or discuss the means whereby those documents came into the possession of the public, but I must confess that, notwithstanding the origin of their procuration, it helped the country a great deal in regard to public morality and ministerial responsibility. There is no doubt that the documents were stolen from the safe or the desk of the attorney of the Canadian Pacific Railway authorities at that time, and thank God for the stealing. Felix culpa, as they say of Adam's fault—a happy fault. Theologians will tell you to-day that the fall of Adam was a happy fall, because it brought about a new generation, a new resurrection of the human race. So did the fault of the man who stole those documents bring about a happy resurrection for the people of Canada in 1873.

With these explanations on that point, which, I believe, is the only error—and it is only a clerical one—that I committed—I submit to honourable gentlemen opposite, or even to honourable gentlemen on this side of the House, that if I made any other statement which is not based absolutely on facts, I am prepared to explain, or withdraw, or rectify it. I am open to correction by the highest or the humblest member on the other side, or by any of my friends on this side. I cannot be fairer than that in the discussion of a public matter. I do not wish to advance a single argument on the floor of this House, any more than I ever did on a public platform in this country, that I think in my soul and conscience is wrong, and I will not consider it an affront or an insult if any honourable gentleman can interrupt me at any moment and say, "What you are saying, Sir, is not

correct." That is a privilege which I give in every public meeting which I address, and to every elector in this country, and it is not your privilege but your right to interrupt a speaker who is stating what is not according to fact. That is one of the reasons why I am so little in dread of interruptions. I like them, especially when they are well founded. If they are not well founded, well, the other fellow gets it.

At six o'clock this Bill had arrived on board the ship of state which was about to be scuttled by high financiers—enterprising men of Canada. That is a kind of crime, but the greater crime and the greater responsibility lies on the officers of the ship who connive at that. Connive at that? Oh, they go further; they support the pirates in scuttling the ship of state. I am not going to attach blame, although I can, to Mackenzie and Mann and their associates. I am going to attach blame, and the people of this country will attach blame, to the officers of that ship of state for allowing pirates to scuttle the ship. There is the difference. This company, this combination of three or four financiers directly interested in the company, with associates outside comprising presidents, directors and managers of banks, men in insurance corporations and other large financial institutions—these men are doing their work, and they are doing it cleverly; for how otherwise could any one, two, three, four or five men during the past 25 years accumulate a fortune of millions and millions? When they started in business 30 years ago they did not have a cent to their name. Sir William Mackenzie was a good, honest teacher in Elgin county some thirty years ago, and had probably $8 or $10 or $12 a month, which was paid to teachers at that time. Sir Donald Mann was a good hard worker in a lumber camp as foreman of a gang. That was only thirty years ago. To-day these men are millionaires or multi-millionaires; and they came to the Parliament of Canada, the representatives of the people, to ask for another hundred millions.

During the past five or six years we gave them close on to that amount. Clever and astute as they are, they do not come this time and ask for a straight gift of $45,000,000, $25,000,000, or $10,000,000. They come to the people of Canada through their representatives and say: "Look here, we have $100,000,000 of stock, of which you have already $40,000,000; we have $60,000,000 left; it is stock that nobody paid for, never contributed a cent towards; we want the Parliament of Canada to give us par value for that stock, and in case you do not do that we are prepared to accept the ruling of an arbitration commission." There is the plain proposition before Canada and before Parliament. What does the Senate think of the proposition? The stock is not worth the paper it is written on. I myself am a shareholder, and hold thousands of shares of stock—

Hon. Mr. POWER: In the Canadian Pacific railway?

Hon. Mr. CLORAN: No, I would not have to come to Parliament if I were in the Canadian Pacific.

Hon. Mr. POWER: In the Canadian Northern railway?

Hon. Mr. CLORAN: I guess that some of my honourable colleagues, some of whom have died recently, are in the same company. Would we come to Parliament and say: "Here is a railroad, we have 100,000,000 shares of stock; it is true that we did not pay a cent for it, and no one else did; it was distributed; pay us the full par value." The thing is simply preposterous, it is an outrage on the people, and Parliament is called upon by the Government of the day to sanction, approve and adopt such outrages upon the taxpaying power of the poor people of Canada, just as if they were not paying enough to-day to keep their sons alive at the front. What does this Government mean? What does Parliament intend to do? I appeal to you in all honesty, in all fairness, to respect the rights of the taxpayers of this country. Now, my 10,000 shares are in the Canada Central railway, and I will give them to the first comer for ten cents.

Hon. Mr. SHARPE: Sold.

Hon. Mr. CLORAN: And if I were a stockholder of that $60,000,000 in the Canadian Northern railway, I would give it for nothing, because I would not have the dishonesty to come to the people of Canada and say: "You have to pay me 100 cents on the dollar, or you have to pay whatever the arbitrator proposes." I am man enough to say that. Are there enough men on the other side of the House to say the same? I ask the question. People will judge you by your acts and by your votes.

Mackenzie and Mann are two men whom the public have to admire, but much more to dread. Mackenzie and Mann are worthy of admiration, but look under their cloak of ability for their cleverness to bamboozle the Government, to pull the wool over the eyes of the Government. They may be ad-

mired, but they must be feared and dreaded. The fear that they have of us will not diminish their wealth. They are millionaires now, multi-millionaires, and if we refuse them the $60,000,000 it will not make them any poorer. It may have the effect of not making them much richer. If we put the whole company into bankruptcy to-day, these knights of the Empire and their Allies can live on the fat of the land without turning a hair for the balance of their lives. Why should Canada bleed itself to death to add more to this fortune which has been acquired under such conditions? These are things which will appeal to the people. I am not going to follow my colleague in regard to the financial details of the measure; it would be useless. What the people want to get at is what they are going to get for the $60,000,000 that the Government is going to pay.

Hon. Mr. NICHOLLS: I do not wish to interrupt the honourable gentleman. I do not wish to be discourteous, but he says the Government has undertaken to pay them $60,000,000. I have not noticed that in the Bill, and I have not heard it in the Government utterances. Perhaps the honourable gentleman will give his authority for the statement.

Hon. Mr. CLORAN: The honourable gentleman asks a question which he ought to be able to answer himself, but since he asks me to answer it I will. Under this Bill the Government proposes to establish a board of arbitration in regard to $60,000,000 of stock. Does not the honourable gentleman know that? What has he been here for during this debate?

Hon. Mr. NICHOLLS: The honourable gentleman said that the Government had undertaken to pay $60,000,000. My understanding is that the Government had submitted the matter to arbitrators, who are to decide what amount they will award.

Hon. Mr. CLORAN: The honourable gentleman is under a misapprehension. I did not say point blank that the Government was going to pay $60,000,000. What I said was that the company came to the Government and was going to demand $60,000,000, and they said: "You will get the value of the stock."

Hon. Mr. NICHOLLS: I would like to ask what is the honourable gentleman's authority for the statement that the company went to the Government?

Hon. Mr. CLORAN: The president of the company said the stock was worth par.

Hon. Mr. NICHOLLS: I am asking for the authority for the statement that the company went to the Government and demanded $60,000,000. The honourable gentleman made that statement, and I am asking him for a straight answer.

Hon. Mr. CLORAN: He will give a straight answer. Although I am not in the counsels of Mackenzie and Mann, as the honourable gentleman is and, although I do not know, I am told that he is interested in the company. I have no interest in the company. I am only interested in the people.

Hon. Mr. NICHOLLS: The honourable gentleman has not answered my question. He has asked another.

Hon. Mr. CLORAN: That is an Irishman's way of answering a question. I am not going to identify Mackenzie and Mann; they are no more guilty than their allies and associates; there is no more blame to be attached to them than is to be attached to the directors or managers of banks or other institutions; probably they are less to blame than the men who are backing them. When the company laid this proposition before the Government there was the $100,000,000 of stock, of which the Government had already acquired $40,000,000, and the $60,000,000 was put up to the Government. Will the honourable gentleman tell me that the company went to the Government and said: "Pay us only five cents on that stock?"

Hon. Mr. NICHOLLS: Will the honourable gentleman tell me if they went to the Government and asked $60,000,000?

Hon. Mr. CLORAN: Asked the value of the stock which the president of the company said was worth par value. Can the honourable gentleman deny that?

Hon. Mr. NICHOLLS: There is no use in arguing with the honourable gentleman at all. I see that I cannot get a straight answer. I will let the matter drop.

Hon. Mr. CLORAN: I am giving as straight an answer as can come from a bow and arrow. I say that when the company went to the Government with this proposition, they produced a stock-list of $60,000,000 and they wanted value for the same. Does the honourable gentleman deny that?

Hon. Mr. NICHOLLS: I have not as much knowledge as the honourable gentleman I am not aware that the company did come with that agreement to the Government.

Perhaps the honourable gentleman can tell us whether they did or not.

Hon. Mr. CLORAN: Then I will take the word of the honourable gentleman, and I will relieve the company of all responsibility. I say that if the company did not demand value, and the present Government has offered either to give it to them, or to submit the question to arbitration, it has done a damnable outrage to the country of Canada.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: The word "damnable" is English. If the Government has done this, it is all the more to be condemned. What has the honourable gentleman to say to that? He is putting the Government in a worse light than I wanted to do. The very fact of the Government proposing a board of arbitration is sufficient proof that the company wanted full value for the stock. Now, what does the amendment moved by the leader of the Liberal people of this country in this House ask for? You have read it time and again. It says:

> That the further consideration of the said Bill be deferred until the following information has been communicated to the Senate:
>
> "The production of the report made to the Government by the directors of the Canadian Northern Railway System including the directors appointed to the board by the Government under section 16, chapter 20 of the statutes of 1914."

Through the Senate, the people of Canada are asking for the report submitted to the Government in regard to this transaction —that report made by the directors; and by a hostile vote in this Senate the people are going to be refused that information and be made to assume the debt under the provisions of the law. Is the Senate acting in its good, honest sense regarding the welfare of this country? In this amendment we are simply asking for the report submitted to the Government in this matter, and we are told that we cannot get it. Does the Government intend to have the ship scuttled in the dark? That is the question. Are they going to have the ship of state, the treasury, scuttled, robbed and pilfered, without giving us the information required? That is the question which honourable gentlemen on the other side of the House must decide for themselves. The position is more serious than some honourable gentlemen take it to be. I for one am always in favour of promoting public enterprise for public welfare, but I am one of those who is not prepared, and never will be prepared, to support public enterprise for private gain. I am prepared to vote not only $60,000,000, but $600,000,000 to the Canadian Northern railway if it is in the interests of the people, if there is no squandering of the national money; but I am certainly opposed to legislation of this kind which involves expenditure applicable only to private gain. The shareholders of this company who have the balance of the $100,000,000 of stock in their names are not entitled to one cent from this country.

Now, is Parliament going to vote this money to them, whether it is 10, 20, 50 or 100 per cent of the stock. It is up to honourable gentlemen on the Government side to fix their consciences in this matter, and to say to themselves that it is all very well to stand by the party, but it is better to stand by the people. How many honourable gentlemen on the other side of the House will take that attitude? How many will say: "We have been sent here to vote for Conservative interests, Conservative policy and Conservative measures"? But how many men will undertake to stand before their country, and say: "It is true that I was nominated by my Prime Minister to serve the interests and the purposes of the Conservative party, but when it came to a showdown on a tremendous steal from the people of the country, I stood aloof and said, 'No.'" We shall see how many will do that. Let the country examine the vote when it takes place. This railway matter was very thoroughly gone into by the leader of the Government, who had control of the Bill, in submitting in to the House. He very devotedly lamented the fact that if this company was allowed to go into insolvency or into the hands of a receiver, it would have a bad effect on the interests of the creditors, the guarantors, and all the other people. His argument at first sight seemed to be plausible, but the more you weigh it and examine it, the more you see that there is very little foundation for it. For instance, he said that this road was not a unit, but was composed of some five, six or seven, companies; that there were six or seven branches, some running in Ontario, some in Quebec, some in Alberta and other provinces; and that if the company had to throw up the sponge it must go into the hands of at least six receivers. I am not going to dispute that, but I will point out that there are really no six companies. All the roads, subsidiary or otherwise, of the Canadian Northern system are held by the same peo-

ple, with the probable exception of one or two of the shareholders. Every road is in the hands of Mackenzie and Mann and their associates. So that this argument is put forth simply to blindfold and hoodwink the people, that there will be at least six receiverships and that chaos will exist. The fact is that all those roads are under one organization, and though they have different charters, all those charters are under the control and in possession of the same men. That statement cannot be disputed; so that the honourable leader's argument on that point cannot hold water. Another point is that the Canadian Northern has already obtained from the treasury of Canada hundreds of millions in money and lands; I am not going to say how much they got from the poor municipalities or from the different provinces. But I will say that if this deal goes through, the province of Quebec must be protected against any liability assumed by this Government for the purchase or acquisition of this road. The province of Quebec has paid all its liabilities as subsidies to branches of roads held by the Canadian Northern, and we owe the system not a cent. Other provinces have bound themselves to pay many millions to this same system. Let those provinces pay their own liabilities; but we from the province of Quebec do not want this Government to undertake liabilities which will be distributed over all provinces equally after the deal is put through. That is a fair proposition and a fair warning. What has the province of Prince Edward Island done to make itself liable in any respect to the Canadian Northern? Absolutely nothing. What have the provinces of New Brunswick and Nova Scotia done to any extent to involve themselves in indebtedness to the Canadian Northern, or to the Government, if this Canadian Northern proposition is taken over? Those provinces must be protected against a joint liability; and when the Government assumes the duties and responsibilities and liabilities of the Canadian Northern system it does so on the ground that all the expenses incurred in that deal shall flow only from the province responsible for the same; otherwise you will be dealing unfairly by the taxpayers of this country and by the province of Quebec.

There are honourable gentlemen here who remember the strenuous times in 1885, when Sir John Macdonald had under consideration the demand of the Canadian Pacific railway for the loan of $30,000,000 to enable the Northwest to have the Canadian Pacific Railway construction finished. What happened? The members from the province of Quebec formed what we call a "cave," and established a house in Ottawa where they met day after day and night after night, and that house is known to-day in political history as the "chambre des Bleus"; and, if I mistake not, the honourable Speaker of this House to-day was a representative in that chambre des Bleus, with Langevin, Sir Adolphe Caron, McGreevy, Ouimet and the others; they were all there. At that time Quebec was thoroughly Tory; I do not think the Liberal party had thirteen members in that whole province. We were under the thumb of the clergy at that time, and under the thumb of several different things, but the Tories had all the clergy with them in those days. Forty or fifty members from the province of Quebec met in that house, for what purpose? Sir Frank Smith and Sir Adolphe Caron, who were great friends of Sir John Macdonald, brought him to consent to granting the $30,000,000 as a loan to the Canadian Pacific railway. Those fifty members from Quebec rented that "maison bleu," I think on the corner of Slater and Metcalfe streets, and gathered there sulking in their tents, and sent word from time to time to Sir John Macdonald saying that his Government could not put that vote through unless the Conservatives of Ontario and the members from the West would consent to Quebec getting a fair share of the money that was going. And what was the demand? It was that the Government, in granting the loan of $30,000,000 to the Canadian Pacific railway, should at the same time compel that company to buy from Quebec the North Shore railroad running from Montreal to Ottawa. The province of Quebec had spent some $20,000,000 in building that road, and had to accept $7,000,000 or $8,000,000 for it. That cave of Conservatives insisted on Sir John Macdonald granting thereafter cash subsidies to roads at $3,200 a mile—because you must remember that in those days while railroads were being built in Ontario and the West with cash subsidies and land grants, there was very little that came to the province of Quebec, with the result that the Provincial Government of Quebec had to subsidize roads with tremendous amounts of land —6,000 or 8,000 acres per mile. Quebec got tired of that business, because at that time the province was not flourishing as it is to-day, and was not able to cope with the financial situation as it existed. I do not blame those Tory

members who formed that cave; I believe that is what we ought to do here to-day; we ought to form another cave. Were their demands granted? Yes, they were. That shows what a good solid kick can do. That North Shore railway from Montreal to Ottawa was taken over from the Quebec Governement at a small figure, but there was an awful nigger in the fence at that time. The road was sold by the Government to one of its friends for between six and seven millions. Mr. Senecal, the man who bought it, had not had it forty-eight hours when he sold to the Canadian Pacific railway for $8,000,000. Those are the facts; I saw the champagne drank in the Windsor hotel over the sale; I was looking on; I was too young to get a snip at it. After that, money was voted to railroads constructed in the province of Quebec, and God knows how much we gave to the Saguenay road, Sir Rodolphe Forget's road. That gentleman carried two Liberal constituencies in the province of Quebec, and he forced the Government to give him millions on millions of money. That is the history of railroad legislation all along, under Liberal and Conservative regimes. We are going through the same process of unwarranted expenditure, unjustifiable in every respect. Now, I appeal to members of the Senate who have any respect for past traditions or any hope for the future of the Government to call the Government to time, and say that the experience of Canada has been too lamentable in this respect for the past forty years, since 1872. That is not too much to ask even from strong party men on behalf and in the name of the people of Canada and the taxpayers, who are going to be ground to the earth for the next fifty or a hundred years owing to the tremendous burden this war is putting upon their shoulders. In the name of Heaven, do not add a useless and unfair burden. If the Government wants to take the road over, let it do so without paying cash into the hands of men who never earned a cent in regard to that road. If the Government is going to enter into the ownership of railroads, let it do so on the cheapest basis possible. I am not opposed to the Government taking over the system; all I am opposed to is the giving of unfair advantages to individuals as against the people at large. I think I have done my duty by the people I represent in putting these statements before this honourable House.

Hon. A. B. CROSBY: I intended to speak on this subject, but several gentlemen who have spoken are not here, and I will be very glad to speak when they are present. But as we are here, we do not like to go away without doing something. This subject was introduced by our leader so lucidly, and so perfectly put before this House, that there did not seem to be any reason why I or any other gentleman should use any time in dealing with this question, the situation being such that there is no room, as no honourable gentleman on the other side of the House except the honourable member from De Lorimier (Hon. Mr. Dandurand) has for a single moment touched the principle of the Bill before us.

The honourable leader of the Opposition (Hon. Mr. Bostock) spoke for a long time, and I have no doubt his desire and intention were to get past a situation which he did not find very satisfactory to himself. That is, he tried to get by the Bill that is before this honourable House. He moved a resolution which I shall take the liberty of repeating. I do not know just what his intention was in moving it. It seems to contain nothing but a request for some information. As I have said, he discussed the Bill for about an hour and a half without touching upon the principle of the Bill or the policy to be adopted. Not a single minute of his time was devoted to the principle of the Bill. Then he moved this amendment:

> That further consideration of the said Bill be deferred until the following information has been communicated to the Senate. The production of the report made to the Government by the directors of the Canadian Northern railway system, including the directors appointed to the board by the Government under section 16, chapter 20, of the statutes of 1914; the names of the stockholders of the Canadian Northern railway company; the names of the pledgees of this stock.

Etc., etc. That is the kind of amendment proposed by the honourable gentleman. I do not know why it should be accepted by the House. It does not seem to have any beginning or any ending. The principle involved in the Bill which is now before the House is, to my mind, the question whether we shall continue to contribute to the Canadian Northern every year, when they apply for money to keep their railway system in operation, or whether we shall stop those payments. The policy of the Bill involves the question: What is the means to be adopted when we decide not to pay over any more money? We are interested to a very great extent in this road. We own a considerable portion of the stock. We are

confronted with the problem, what policy are we going to adopt? When we come to consider that aspect of the situation we find that three courses are open to us: liquidation, government ownership, or allowing the road to go into the possession of the Canadian Pacific railway. Now we must decide on some method in dealing with the situation.

I would like to ask my honourable friend the leader of the Opposition (Hon. Mr. Bostock) if he would say that we should hand over to the Canadian Northern the money which is required at present, amounting to a sum between $15,000,000 and $25,000,000. I would like to ask him if he would favour the policy of continuing to give money to the Canadian Northern Railway company in order that they may keep the railway in operation? If he says: "I would do that," then we shall know the position which he takes on the question. If he says: "No," then what is his policy? I think it is the decision of the people of this country that the present system shall not be maintained. Personally, I feel that the position of the Canadian Northern people is a difficult one. Nevertheless, we must deal with the matter.

Some men talk of the Canadian Northern as if the Government or the people of this country had no interest in it; they talk of it as if it were similar to the railways in the United States. We know very well that the United States Government is not interested in the railways, and never was, further than to give them a franchise in the best interests of the people. But in this country transportation is of vital interest. Without transportation facilities of the very best, we cannot develop this country as it ought to be developed?

We must therefore decide whether we are going to allow this road to go into liquidation, whether it is to be brought under government ownership, or given to the Canadian Pacific railway. I would like to ask my honourable friend, the leader of the Opposition, to what policy he is going to adhere—what part he is going to play. Is he in favour of liquidation? Honourable gentlemen know very well that if we allow the railway system to go into liquidation, our interests will be immediately jeopardized. Not only that, but the transportation interests of the country will be endangered. What would become of this railway, of the great traffic it is now carrying on, of the great assistance it is now rendering in connection with the supplying of our overseas lines? What would happen to all that? What would happen to the 11,000 or 12,000 men who are employed on that railway, and to whom the sum of $15,000,000 or $20,000,000 is paid annually? On the other hand, suppose we allow the Canadian Pacific railway to take over the road. If we want to let it go into liquidation, there is no corporation in Canada that could touch the Canadian Northern system except the Canadian Pacific Railway company. What would the Canadian Pacific do when they had taken over this road? They would acquire those branches which are of advantage to the Canadian Pacific railway and the rest of the road might go to rust for all they would care about it. The main line from Port Arthur to Fort William they would use; the branches in the West they would use; that is all they want. We have had information with reference to the branches of the Canadian Northern system, and on that subject I need not give you my own opinion, but can refer to the opinion of the best engineering authority in this Dominion, that the branch lines of the Canadian Northern are equal in every respect to those of the Canadian Pacific railway and are in many respect better.

There is another point with reference to the Canadian Pacific railway. No man in Canada has higher appreciation of the Canadian Pacific railway than I have. No man has been a stronger follower of the Canadian Pacific railway than I have been. As a Conservative I am proud of Canada and proud of the Canadian Pacific railway. I am proud of the men of Canada who constructed that railway and made it what it is. The Government of Canada has helped the Canadian Pacific railway, and the Canadian Pacific railway has helped considerably to develop Canada.

I do not want to take up the time of this honourable House in touching upon the ground covered by the honourable gentleman who has preceded me (Hon. Mr. Cloran); but may I refer for a moment to the loan which was made by the Canadian Government to the Canadian Pacific Railway when it was in a condition similar to the present condition of the Canadian Northern. What would have happened to the Canadian Pacific railway if the Government loan had not been made? We know very well that on that occasion the money markets of the world were closed to the owners of the railway. We know that the financiers in the country to the south of us, and the railway and transportation men, were against the Canadian Pacific railway and used every possible means to prevent

that company from getting money anywhere. The money markets were closed, not because the railway did not have plenty of good security, but because it was desired to drive that company out of existence, in view of the posibility that it might become a disadvantage to the traffic of the United States railroads. But the great men who had charge of the affairs of this country at the time gave to the Canadian Pacific the assistance they required. The company continued its operations ,and it is needless to say what has happened since.

I have a great deal of sympathy with the Canadian Northern to-day, because I am quite satisfied that if it had not been for the outbreak of the war in 1914 the Canadian Northern would probably not have been under the necessity of coming back to this Parliament for assistance; and I am confident that when they came here in 1914 to ask for a loan, and when the Government granted that money, they really and truly believed that it was all the assistance that would be necessary. But the situation has been entirely changed by the war. In the interests of the people of this country, and in the interests of transportation, the Dominion Government have been forced by the existing conditions to take over, for the present at least, the ownership of that road. I have no hesitation in declaring that I am a believer in public ownership, to some extent at least, and I do not think there are many men in this Dominion who have not a little of that belief. The point I want to make, honourable gentlemen, is that the taking over of this road is not a matter of choice; it is a forced condition and cannot be helped. For the time being we must take over the railway system, and the Government has so intimated and in this Bill has so provided. My honourable friend the leader of the Opposition (Hon. Mr. Bostock) will note that the Government propose this arrangement simply for the present and leave to the next Parliament the rest of the problem—the formulation of a policy and the adoption of a method by which the road may be acquired, or otherwise dealt with in the future. That, I think, is clearly and distinctly the situation.

A great deal has been said with respect to the method of acquiring the road. I am not a lawyer, but if I were going to acquire a great property or to deal with a matter of this kind personally, I should certainly employ the best legal talent I could find. Now, where do I look for advice with regard to the best method of taking over this road? In the first place, we have in the Premier of Canada a lawyer of the very first rank. No man in this country will say that the Prime Minister of Canada does not stand in the very foremost ranks of the legal profession of Canada. Then we have the Minister of Justice, and no man will say that he does not stand in the front ranks of the legal profession. Then we have in the Solicitor General a man who has proved beyond the shadow of a doubt that he stands in the first rank of the legal profession. There is also the great Finance Minister, of whom every man in this country should be proud, and who, with his colleagues, has accomplished so much that he has surprised not only the people of Canada but the people throughout the world whose eyes are upon Canada. He also is a lawyer. Those four men have been investigating and studying the situation, not for a few hours, a few days, or a few weeks, but for years, and when they have come to the conclusion that the best way, without interfering with vested rights, is to take over the control of the railway system by acquiring five-sixths of the stock, I am bound to feel, notwithstanding the references made to the Act of 1914, that I have the very best advice that can be given anywhere in this country.

Now, it having been decided that the best course is to take over the road, we come to the question of the equity. My honourable friend from De Lorimier (Hon. Mr. Dandurand) was the only membre on the other side of the House who touched at all on the principle of this Bill, and what did he say? He made a very wearisome argument, though we know that the honourable gentleman is able to make good argument and a good speech, no matter what the subject may be. But he could not speak well this afternoon. The honourable leader of the Government had told him something—I do not know what it was, but I think it was some information in connection with the Canadian Northern—and that seemed to knock out of his head the whole speech that he had prepared. At any rate, he made up his mind that he could not use it. Consequently he got himself into difficulties. He argued for over an hour and a half that the company had no equity at all; but he had not argued very long before he encountered the fact that there was an equity. He wanted the Government to pay for the stock with stock in place of letting the question go to arbitration and having the arbitrators decide how it should be paid. When you read his speech you will find that he argued against

equity. My honourable friend from Pictou (Hon. Mr. Tanner) questioned him on the subject of the equity, and asked him, in regard to mortgages, why there was always an equity, no matter what the situation was, and he denied it, and tried to argue on that point; but my honourable friend from Pictou must have convinced him, for before he got very far he said that there was an equity—that there was no question in his mind about the equity. He said, "We will pay that equity by giving the Canadian Northern some more stock, and if it does not become valuable they will be no worse off than they are now." That is the admission of the equity. What did the honourable gentleman say on the principle of the Bill? I am sorry that he is not here; it is to my disadvantage to have to speak in his absence. He said: "I would rather give the Canadian Northern the money; I would rather loan them the money and let them go on." He said that he was not in favour of the Bill, but that he was in favour of giving them money, as has been done before, and letting them go on. The Bill does not say whether we are going to pay for the equity or not. We do not say that there is any equity; but in considering this question we must remember that there is always an equity in a franchise; therefore, I say that the Government could not in honesty take over the ownership and control of this railroad without giving the company a fair opportunity of placing its claim before the proper tribunal.

Honourable gentlemen do not object to arbitration, but they say that the senior judge of the Exchequer Court should be the arbitrator. What is proposed in the Bill? The Government names Chief Justice Meredith as its arbitrator, and allows the Canadian Northern to name one and the two gentlemen thus chosen are to select a third arbitrator. If they do not agree as to who shall be the third arbitrator, the question is referred to the senior judge of the Exchequer Court, who may name any one he wishes. Can any one say that is not fair, or can any one suggest a better way of appointing the arbitrators? I think that answers once and for all the argument that we should have asked the senior judge of the Exchequer Court to act in the capacity of arbitrator.

The only difference between the proposals contained in the Bill and those of the honourable gentleman from De Lorimier (Hon. Mr. Dandurand) is that he says: "We will take the money out of the treasury and give it to the Canadian Northern to keep it up until after the war is over," whereas the Bill says we will take over the ownership of the road. The road will continue its operations; the officials will continue to run it; we will become the receivers. If a receiver were appointed, the creditors would be coming in and asking for their money, and every man in this House knows that what would take place would be a calamity. If such a thing happened, the Government would have to come in and take over the bonds that have been issued by the company, the majority of which bear interest at 3, 3½ and 4 per cent.

My honourable friend from De Lanaudière (Hon. Mr. Casgrain) talked a great deal about the interest that we would have to pay for money, but in spite of that he said to let the road go into bankruptcy and into the hands of a receiver. If this road went into the hands of a receiver, we would have to pay eight per cent for money to take up the bonds. I ask any honourable gentleman in this House, or anybody in this country, if under the circumstances any better policy can be adopted than the policy which has been adopted by the Government. The only reference my honourable friend from De Lanaudiere (Hon. Mr. Casgrain) made to the policy of the Government or to the Bill was when he said that he did not know what was going to be done with the $25,000,000 which is mentioned. He was not told. It is apparent that the honourable gentleman has never read the Bill, because section 3 of the Bill says:

> So soon as the said five-sixths of the said shares have been transferred as aforesaid, the Governor in Council may assist the Canadian Northern railway company, or any company included in the Canadian Northern railway system, in paying and settling any indebtedness of such company or postponing the payment thereof on such terms as may be agreed upon, and for such purposes may make advances out of the Consolidated Revenue Fund: provided, however, that until authorized by Parliament, the total of such advances shall not exceed the sum of twenty-five million dollars. A statement of any such advances, showing in detail the purposes for which they were applied, shall be presented to Parliament by the Minister of Finance within twenty days after the opening of the next ensuing session thereof.

That explains what is going to be done with the $25,000,000, or whatever portion of it is necessary to continue the road in operation. In the Senate we vote Estimates for the Intercolonial railway and for public works of different kinds. The Estimates are made up and are passed by the House of Commons and by this House a year before the money is to be expended, so my

honourable friend will see how unfounded and how unfair it is for him to stand up here and make such a complaint as he has made. The Bill before us is a very short one, and contains particular and exact reference to the $25,000,000. The Bill does not say that the whole $25,000,000 must be spent. We are providing that amount, and that is all the money that can be used for that purpose until the further authority of Parliament is obtained.

My honourable friend said that we would have to pay out a great deal of money. There is no more money to be paid out than we would have to hand over to the Canadian Northern in order to keep the road going. The Canadian Northern must be carried on or the country will lose the advantages in getting foodstuffs from the West and which are so badly needed by our Allies in Europe.

My honourable friend the leader of the Opposition suggested that this Bill be referred to the Railway Committee. I do not know whether he remembers making such a suggestion or not. I do not think he really meant it. I leave it to honourable gentlemen to imagine for themselves how such a plan would work out. I leave it to any member of the Railway Committee to imagine what would happen if we had a witness before that committee and honourable gentlemen on the other side of the House and honourable gentlemen on this side of the House were all trying to get answers to the question which they had in their minds. I would remind the members of what has been going on at the last four or five meetings of the committee. Just imagine trying to get information in this way. I am sure that the honourable the leader of the Opposition did not make this suggestion seriously, and I will forgive him for making it if it was not done seriously.

Hon. Mr. CLORAN: The honourable gentleman is quite considerate.

Hon. Mr. CROSBY: He has to be sometimes. To my mind the only alternatives are national ownership or national disaster. It is for this Parliament and the Parliament that succeeds it—and that will suit my honourable friend from Victoria (Hon. Mr. Cloran)—to deal with this matter. This is not a hard and fast bargain, the next Government can decide upon its own policy and carry it out. This Government does not bind the future Government, it is just doing what it is compelled to do for the time being under the circumstances. My honourable friend must admit the fairness of that. I know that my honourable friend (Hon. Mr. Cloran) wants to be fair. As I said to him this afternoon, I do not know how he ever got so far astray when he was such a great friend of the late Sir Frank Smith. There may be hope for him yet. The honourable gentleman must admit that the present Government might have gone ahead and made a definite and distinct bargain; they might have made whatever arrangement they liked, and they might have bound the next Government by it. They did not do that, they only made provision to carry on this undertaking for the time being, and, as has been said in the House of Commons, they leave it to the incoming Government to settle the question.

Hon. Mr. CLORAN: It is quite a load to leave to the next Government.

Hon. Mr. CROSBY: The last Government left quite a load. I do not think this Government will leave very much; it cleans things up pretty well.

Hon. Mr. WATSON: There will not be much left for anybody.

Hon. Mr. CLORAN: Mr. Rogers said they were very undecided.

Hon. Mr. CROSBY: I regret that the member for De Salaberry (Hon. Mr. Béique) is not present, because it may seem unfair for me to say things when he is not here, and I have some questions I want to ask him; because, though he made a very long speech, like the honourable leader of the Opposition, not one single moment of his time did he give to discussing the principle or policy of the Bill. Some one accused him of being a member of the Canadian Pacific railway, and I was very glad he did, because otherwise he would not have said a word about the Bill at all. However, he pledged himself to this, that the railway should not go into the hands of the Canadian Pacific. I was glad to hear him say that, because that was proper and right. Although no one has greater faith in the Canadian Pacific railway than I have, I must say that if they had control of all the roads in Canada it would be impossible to make the people of this country believe that they were getting fair treatment, because there would be an appearance of monopoly, and the people are down on that. The people must be treated fairly, and they must be kept content; they must have fair play. But if we do not let this road go into the hands of the Canadian Pacific, where will it go? If the Government of this coun-

try does not take it over, and it does not go into the hands of the Canadian Pacific, where is the corporation in Canada that can take it over? Not one. And what is left? There is no choice in the matter. The Government is bound to come to the rescue of the people of this country. Financially involved as we are in that great undertaking, we are bound to come in and take it over. So much for the principle, and so much for the policy that we have adopted in this matter.

Now I propose to show that in taking over this road we are obtaining a valuable asset. The honourable member for Wentworth (Hon. Mr. Smith), who made a very practicable speech here yesterday, read from an able authority on railways, and I compliment him on doing that, for it is an authority worth quoting. I propose to quote from the same authority to show that we are getting a railroad that has been built for less money than any other in Canada, which I think is saying a good deal. I read from a paper by W. F. Tye, resident engineer, and formerly chief engineer of the Canadian Pacific railway. That would be a sufficient recommendation of him any where. He is to-day consulting engineer in Montreal, and one of the leading engineers on the continent of America, and that includes everything. In regard to the Canadian Northern he states:

A consolidation of the Grand Trunk, the Grand Trunk Pacific Trascontinental railway and the Canadian Northern railway would give a well-balanced system. The Grand Trunk has an excellent system in the east, and has terminals in all large and important centres; the Canadian Northern has not. The Canadian Northern has a good system of feeders in the West; the Grand Trunk has not. Each is strong where the other is weak. Combining them must of necessity be the most economical way of handling the situation.

He goes on to say:

Such a combination would not require more than $100,000,000 to provide it with sufficient rolling stock and put it in proper physical condition to compete with the Canadian Pacific—

And that is saying a great deal.

The saving in the capital cost would be at least $300,000,000, and at the present rate of interest the savings on the fixed charges would be at least $15,000,000.

When you consider the fact that the fixed charges on the Canadian Pacific are $10,800,000, you will see what an advantage there would be in this, when it makes a saving of $15,000,000 by that combination. He goes on:

The Transcontinental cost $100,000 per mile. The parallel Canadian Northern cost less than $50,000 per mile.

Now, if this report is true, and there is no doubt that it is, the Canadian Northern has been built for half the money that the Transcontinental cost, and this same authority tells you that in the Canadian Northern you have a railway equal in every respect to the Transcontinental line.

Hon. Mr. CLORAN: Nobody questions that the Canadian Pacific is just as good a railroad as there is in North America.

Hon. Mr. CROSBY: I am glad to hear my honourable friend say that. My honourable friend sometimes tries to talk about cost, but his arguments do not amount to much. I am not here to raise any question of cost. It is not a question of cost. There is not a dollar spent that we can get back, except by conserving the identity of the road and keeping it going. We intend to keep it going, and when the war is over and things go on as they must under normal conditions, we will get our reward, and we will feel all the advantage this Government has gained in taking over this road by the proposed policy, and saving the calamity which would have come to the country if it had been allowed to go into liquidation. Why talk about $600,000,000? You might as well say $7,000,000 or $8,000,000 or $1,000,000,000, for $600,000,000 has no more to do with the cost of this road than $7,000,000 or $9,000,000 or $1,000,000,000.

Hon. Mr. McSWEENEY: What do you give the cost at?

Hon. Mr. CROSBY: I do not give the cost at all, because when I speak I do so with authority, and there is no man who has as yet spoken on the other side who can give the cost of this road. But I do tell my honourable friend this, that an authority worth quoting says the Canadian Northern road cost $50,000 a mile, while the Transcontinental cost $100,000 a mile—a road for the construction of which he voted—and he surely should be satisfied with that. If the Canadian Northern cost half the money, then we cannot be getting much the worst of the bargain. I am not complaining of the cost of the Transcontinental road at $100,000 a mile, for we will have to take over that road and link up those roads so as to give Canada the transportation which the country needs and must have. Every honourable member who is interested in the public affairs

of this country must come to the conclusion that it needs two transcontinental roads. No country in the world is so dependent upon transportation as this great Dominion, in which we have the honour and privilege of living. What must that transportation be? Can we afford to let it go into the hands of anybody and everybody? We must take great care of it. One member of this House said to-day that if we had to resort to direct taxation to pay the deficit on those roads he would be willing that should be done.

I have some questions to ask the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain), who is a great authority on railways, or at least thinks he is, and I want to have him here so as to learn something from him; and as I have some doubts about things he said, I wish to put some questions to him. When he talks so much about money, is he going to ask us not to pay any deficit on the Grand Trunk Pacific road, which is in trouble? We have to pay that money. I would also like to ask him what he is going to do with that road. I will wait until he is here so as to have the opportunity of asking him, because that matter is important. As I said the other day when discussing transportation and shipping affairs in this House, I am not going to quarrel with what the Transcontinental road cost. It has been built and we have paid for it. What is the use of worrying ourselves over spilt milk? Let us go on and make the best of it. I do not want to make any party capital out of matters of that kind. I know that my honourable friend from Victoria (Hon. Mr. Cloran) is going to give us that practice from this night on, because I can tell from his looks that he has changed his mind to-night. In the other House it may be reasonable to expect some partisan speeches from men who are compelled to go before their constituents, but our call to this House is the call of the King for the purpose of advising the King without any hesitation, and without any doubts in our mind, and doing the best we can for the people of this country. My honourable friend frequently says that in the other House they sit longer than they ought. But what matters it so long as we have the control? We will see that everything goes straight and right until the new Parliament comes in. My honourable friend must not forget that he is here and we are here, and we are going to see that the public affairs of this country are carried on properly, no matter what is the inclination of the other House, and if my honourable friend and others on that side of the House will give up partisan speeches and partisan affairs we will get along a great deal better, and when we have a Bill before us as to the principle or policy of which not a single honourable gentleman on that side of the House can raise a question, what reason have they for opposing it by their votes?

Hon. Mr. CLORAN: There is no principle to the Bill.

Hon. Mr. CROSBY: The principle of the Bill is this: shall we keep on giving the Canadian Northern money to carry them along, or shall we stop?

Hon. Mr. CLORAN: That is not a principle; that is a matter of closing down on the purloiner.

Hon. Mr. CROSBY: Well, then, I cannot find what is the principle of the Bill.

Hon. Mr. CLORAN: There is none.

Hon. Mr. CROSBY: Then the Bill is a good deal like my honourable friend.

Hon. Mr. CLORAN: I am glad you admit that.

Hon. Mr. CROSBY: There is no use in discussing it with him.

Hon. Mr. CLORAN: If you withdraw the Bill I will withdraw; then there would be two no-principles go out.

Hon. Mr. CROSBY: I have nothing to withdraw. We have a Bill with a principle in it; therefore you may withdraw, but I have something I do not want to withdraw. My leader has given me permission to move the adjournment of the debate, and I would be very glad to do that, so that I might conclude my remarks when the honourable gentlemen are present to whom I have alluded. I therefore move the adjournment of the debate.

Hon. Sir JAMES LOUGHEED: Adjourn until Monday morning. I see no good reason why we should not proceed with the debate on Monday morning.

Hon. Mr. BOSTOCK: So far as I understand, there was no intimation given that there was to be a sitting on Monday morning.

Hon. Mr. WATSON: The honourable gentlemen who have gone to Toronto and Montreal do not expect the House to meet until three o'clock.

Hon. Sir JAMES LOUGHEED: I was about to give notice of motion. It is de-

sirable that we should go into committee on Tuesday, assuming that we have a vote on this Bill. The motion could lapse between the second reading and our going into committee. If my honourable friend is willing that we should go into committee on Tuesday we will dispense with the Monday morning sitting.

Hon. Mr. BOSTOCK: I could not exactly pledge myself to that, because there might be another amendment to be moved to the Bill.

Hon. Sir JAMES LOUGHEED: That would make no difference.

Hon. Mr. BOSTOCK: If there was, the House would not go into committee on Tuesday.

Hon. Sir JAMES LOUGHEED: It was understood that we would dispose of the second reading of the Bill on Monday evening.

Hon. Mr. CLORAN: Would dispose of the amendment.

Hon. Sir JAMES LOUGHEED: Not the amendment.

Hon. Mr. CLORAN: I may have other amendments.

Hon. Sir JAMES LOUGHEED: Does my honourable friend (Hon. Mr. Bostock) take that view?

Hon. Mr. WATSON: I understand that there is to be a vote on Monday night on this amendment.

Hon. Sir JAMES LOUGHEED: Not on the amendment at all.

Hon. Mr. WATSON: Certainly; that is the only thing before the House.

Hon. Sir JAMES LOUGHEED: We will go on with the morning session if that is the case. It was distinctly understood—every member on this side of the House who has left for his home to-night understood that he was to return not later than Monday night for the vote on the second reading of this Bill.

Hon. Mr. WATSON: That is right.

Hon. Sir JAMES LOUGHEED: Now, if that is the understanding there should be a vote on the second reading of the Bill.

Hon. Mr. WATSON: On the amendment.

Hon. Sir JAMES LOUGHEED: Not on the amendment. I am concerned with the second reading of the Bill, not the amendment.

Hon. Mr. BOSTOCK: I think there is a misunderstanding in this matter, because the question was about the vote on the amendment before the House, and there was no understanding that after this vote was taken an honourable gentleman would not be privileged to move another amendment if he wanted to do so.

Hon. Sir JAMES LOUGHEED: If that be the case, it is quite clear—I will not say that there was deliberate misrepresentation; but I do say that every honourable gentleman on this side of the House who went to his home to-day went with the intention of returning on Monday night, and he is coming here with a view to voting on the Bill. The representation made to me was that the Bill would be voted on Monday night. I have deferred, since giving notice of it, my motion for morning sessions. Had I known that that was the case, we would have arranged to sit to-morrow. If a series of amendments are to be moved to the motion for the second reading, then it must be quite evident to my honourable friends opposite that we have no alternative but to avail ourselves of the motion of which I have given notice, and sit daily.

Hon. Mr. BOSTOCK: I do not think my honourable friend is fair in taking that stand in the matter. I think he will admit that no proposal was ever put to me that there was to be no other amendment moved. I am not saying at this moment that another amendment is to be moved, but I cannot speak for the honourable gentlemen who have gone, and I certainly do not propose under present conditions to give a pledge that no other amendment shall be moved on the second reading of the Bill.

Hon. Sir JAMES LOUGHEED: Then why should the House not continue to sit until the Bill is disposed of? Is there to be no finality to it? If my honourable friend is under the impression that amendment after amendment will be moved, so that no date may be fixed for the second reading of the Bill, then my honourable friend cannot reasonably expect that I should consent to the adjournment of the sessions of this House, skipping to-morrow and skipping Monday morning, when we have a right to sit. That is not the way to dispose of public business at this time of the session.

Hon. Mr. WATSON: I had something to do in the arrangement with the honourable gentleman from Leeds (Hon. Mr. Taylor), the Chief Whip on the other side, and also with the honourable leader of the

Government in this House, that, as I thought, for the convenience of the members, we should have no sitting on Saturday and that a vote on the amendment before the House should be taken on Monday evening. That time was fixed for the convenience of members who were leaving town in order that they might be here in time for the vote. The question of the business of the House was also discussed, and there was no intention on this side, so far as I knew, to have any obstruction. We have not been long debating this important Bill. But it was pointed out that there was nothing else to come before the House except the Military Voters Bill. When there is no rush with the work before the Senate, it seems to me there is no necessity for crowding the work by meeting on Saturday or at 11 o'clock in the morning. There is very little on the Order Paper, and it can all be disposed of before we receive any more work from the House of Commons. We shall not receive the Franchise Bill before some time next week in any case, and it seems to me this Bill can be disposed of in very short order. I quite appreciate what the honourable leader of the Opposition has said, that his attention was not called to the question of having no other amendment moved to the Canadian Northern Bill. As a matter of fact, I heard there were to be some amendments coming from the other side of the House. I do not know whether that is correct or not. But that is the position in which we are placed, and I know that honourable gentlemen on this side left with the intention of coming back to vote on the amendment on Monday evening; in fact, I know a number of gentlemen on the other side of the House who have made pairs with other members until Monday evening.

Hon. Sir JAMES LOUGHEED: I do not propose to have the vote take place before then, but I want to know whether it is to be a vote on the second reading of the Bill or not.

Hon. Mr. WATSON: I do not think my honourable friend is justified in accusing the honourable leader of the Opposition of breaking faith because he states that he was not approached on the question of other amendments to the Bill.

Hon. Sir JAMES LOUGHEED: I venture to say that every honourable gentleman sitting behind me is under the impression, and the well-founded impression, that it was on the second reading of the Bill that the vote would be taken on Monday night; and I undertake to say that every member left here with that understanding.

Hon. Mr. CLORAN: There is every possibility of the vote being taken on Monday night. What is the use of wasting our time discussing a trivial matter of this kind? The amendment will be voted on, then the alternative will be immediately the second reading—unless I, who am not responsible to either the leader of this House or the leader of the Opposition, offer a new amendment. If I feel that the interests of the country demand that I submit a new amendment, it is my business to offer it. I am not going to tie myself up in a trivial matter of this kind.

Hon. Sir JAMES LOUGHEED: I would suggest to my honourable friend (Hon. Mr. Bostock) that the Bill go into committee the session after it receives its second reading. That would dispense with the moving of the motion to sit on Monday morning.

Hon. Mr. BOSTOCK: Yes.

Hon. Mr. WATSON: That is all right.

Hon. Sir JAMES LOUGHEED: Then the debate will be adjourned until Monday.

Hon. Mr. CLORAN: At three o'clock.

Hon. Sir JAMES LOUGHEED: At three o'clock. It will be the first Order of the Day, and it is understood that the Bill will be referred to committee the session after the second reading.

Hon. Mr. CLORAN: The hour after, if the honourable gentleman desires.

The motion for the adjournment of the debate was agreed to.

MILITARY VOTERS BILL.

On the Order:

Second reading of Bill 127, the Military Voters Act, 1917.—Hon. Sir James Lougheed.

Hon. Sir JAMES LOUGHEED: I observe that this Bill has been on the Order Paper for some time. Has my honourable friend any objection to our proceeding with it?

Hon. Mr. BOSTOCK: My honourable friend does not propose to take it up tonight?

Hon. Sir JAMES LOUGHEED: To give it a second reading.

Hon. Mr. BOSTOCK: Honourable gentlemen may want to discuss this Bill.

Hon. Sir JAMES LOUGHEED: It is practically the product of a conference that

took place between both sides in the House of Commons, and, that being the case, I assume that it would be unnecessary to discuss it here, particularly as it has to do with the other House. However, if my honourable friend—

Hon. Mr. BOSTOCK: All I can say is that one honourable gentleman, who left this afternoon, told me he understood this Bill was not to be taken up to-night.

Hon. Sir JAMES LOUGHEED: No one ever spoke to me about it. If honourable gentlemen take certain liberties with regard to Bills of this kind without saying anything to me, who am charged with the responsibility of dealing with them, it is a rather strange procedure.

Hon. Mr. BOSTOCK: He certainly wanted to speak on the subject.

Hon. Sir MACKENZIE BOWELL: A practice followed in the House of Commons when I was there, in cases of this kind, was that when it was necessary, in order to facilitate the passage of a certain Bill, to permit the second reading to take place, it was understood that the principle of the Bill might be discussed in committee. We know that the rules of the House are that the principle must not be discussed in committee, but the Bill must be considerd clause by clause. The practice followed in the House of Commons might be adopted in this case, in order that time may be saved. Honourable gentlemen opposite who desire to discuss the general principle of the Bill would then have an opportunity of doing so in committee. An amendment could be moved in committee just as well as upon the second reading. That is the course may not forget, as the Irishman says, to gentlemen want to keep repeating the same argument over and over again, so that we may not forget—as the Irishman says, to "insense" it into your minds.

Hon. Mr. BOSTOCK: All I can say in reply to the honourable gentleman is this. Of course, I understand that practice is sometimes followed, but an honourable gentleman who left this afternoon asked me whether I understood that this Military Voters' Bill was to be proceeded with or not, and said that he particularly wanted to speak upon it on the second reading.

Hon. Sir MACKENZIE BOWELL: He can do that in committee just as well.

Hon. Mr. CLORAN: No, he cannot.

Hon. Mr. BOSTOCK: This Bill comes to us from the House of Commons, and, as I understand, there is at present plenty of time and there is no danger of the Bill being strangled, or delayed, or affected in any way that I can see, by allowing it to stand.

Hon. Sir JAMES LOUGHEED: The reason I am desirous of having it passed is that the machinery is complex and the Act has to be put into operation overseas. It is necessary to print a very large number of copies of the Bill. It is necessary, in fact, to make provision at once to put it into operation so far as concerns the preliminary steps. My honourable friend will appreciate the necessity of that. That is the reason I do not want to delay the Bill. It is purely a matter of details; there is no principle involved except that of giving the military forces both in Canada and overseas the vote, and I fancy honourable gentlemen will not contest a principle so obviously fair as that.

Hon. Mr. BOSTOCK: I quite understand that we really adopted the principle of this Bill in 1915.

Hon. Sir JAMES LOUGHEED: Yes. This Bill takes the place of the 1915 Act.

Hon. Mr. BOSTOCK: As I understand it, the Bill is on similar lines, and differs only as to details from that adopted in 1915. I would probably have no objection to the House proceeding with it but that an honourable gentleman who spoke to me about it this afternoon told me he understood it was not to be taken up this evening. I do not want to obstruct.

Hon. Sir JAMES LOUGHEED: Cannot the honourable gentleman speak to it in committee?

Hon. Mr. BOSTOCK: I would prefer if the honourable leader of the Government could let it stand.

Hon. Mr. DANIEL: Anything to delay.

Hon. Mr. WATSON: I would just like to suggest that if my honourable friend's (Hon. Mr. Bostock's) wishes are complied with, I think this side of the House would not object to the suspension of the rule, so that the Bill may be advanced a stage.

Hon. Sir JAMES LOUGHEED: I do not see very much evidence of that. I have given notice for a suspension of the rules—

Hon. Mr. WATSON: I beg pardon. The honourable gentleman has done so.

Hon. Sir JAMES LOUGHEED: —and, as my honourable friend very well knows, we can carry that motion. I have avoided

giving any evidence to my honourable friends on the opposite side of the House that we could carry that motion. At their request I have allowed it to remain on the Table. Consequently I do expect that reciprocal courtesy will be tendered to this side of the House in assisting us with our legislation at this late period of the session.

Hon. Mr. SPROULE: It seems to me that there would be really a substantial advantage for any honourable gentleman desiring to discuss the principle of the Bill in doing so when we are in Committee of the Whole, if the same latitude is allowed for moving amendments in committee as is given on the second reading. I cannot see any possibility of prejudicing in any way the wish or the purpose of any honourable gentleman who desires to discuss the principle of the Bill; and he would have the additional advantage that in committee he could speak as often as he liked, whereas on the second reading he could speak only once.

Hon. Sir MACKENZIE BOWELL: This is another illustration of what occurs very often. The business of the country is delayed in order to accommodate members of the Senate who desire to go home. My only point is that it is about time to put a stop to this. I have been advocating it for a good many years. It is the desire, particularly of those who live near the capital, to go home to attend to their own business, or for their own convenience, at the expense of those who have to remain here—

Hon. Mr. CLORAN: There is no place like home.

Hon. Sir MACKENZIE BOWELL—and the sooner we put a stop to it the better. I would like to see the Government prevent this practice. If a gentleman accepts a position in this Senate let him stay here and attend to the business; or, if he desires to neglect it, let him take the consequences.

Hon. Mr. BOSTOCK: I quite agree with the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell). I do not think he can accuse me of not attending to the business of the Senate, and I think that if we could get honourable gentlemen to attend more closely to the work before the House, we should do better work and get along more quickly, and conditions such as that which has now arisen would not occur.

Hon. Sir JAMES LOUGHEED.

Hon. Sir MACKENZIE BOWELL: Then we agree for once.

Hon. Sir JAMES LOUGHEED: My honourable friend (Hon. Mr. Bostock) does not desire the second reading of the Bill tonight?

Hon. Mr. BOSTOCK: I have told my honourable friend that I was specially spoken to about this Bill, and I should prefer that he would allow it to stand.

Hon. Sir JAMES LOUGHEED: Under the circumstances I will let it stand till Monday; but after Monday we shall have morning sittings and suspend the rules. I do not propose that we shall delay the public business if we can expedite it, and I do not propose to consider the convenience of honourable gentlemen who go to their homes every week and refuse to attend here when other members are attending to the public business. I therefore hope that honourable gentlemen on the opposite side of the House will appreciate the views which I hold upon the subject and will assist me in getting the business done.

On motion of Hon. Sir James Lougheed, the order was discharged and placed on the order paper for Monday next.

SUPPLY BILL NO. 3.

SECOND AND THIRD READINGS.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 128, an Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st of March, 1918.

He said: The Supply Bill now before the House consists of two schedules, "A" and "B," and contains portions only of the main and supplementary estimates brought down during the present session for the fiscal year 1917-18, amounting in the aggregate to $56,503,089.70.

Schedule "A" is composed of seven-twelfths of that portion of the main estimates not wholly included in the two preceding appropriation Acts (excepting votes 70, 79, and 285 still standing), which passed the House of Commons on the 6th of February and the 6th of July last, and amounting to $51,681,871.90. Schedule "B" is composed of a portion only of the supplementary estimates voted by the House of Commons during the present session, amounting to $4,821,217.80.

Hon. Mr. BOSTOCK: Are those the supplementaries for the year 1917-18?

Hon. Sir JAMES LOUGHEED: Yes. The estimated expenditure for the year 1917-18 as shown by the main estimates amounts to $203,472,765.94, and by the supplementary estimates to $50,542,372.35, making a total aggregate estimated expenditure of $254,015,-238.29. Of this amount $200,721,146.06—including $74,691,001.24, which is statutory and therefore uncontrollable expenditure—is chargeable to Consolidated Fund, and $53,294,092.23 to Capital.

Hon. Mr. BOSTOCK: I am not prepared to go on and discuss this Bill at the present moment. Of course, it does not go to Committee, but there will be a third reading of it. We are asked to vote an enormous amount of money, but as I understand that there will be a further Supply Bill coming along later, I will reserve my remarks until that time. I presume that if I wish to discuss this Bill on the third reading my honourable friend will permit me to do so.

Hon. Sir JAMES LOUGHEED: Inasmuch as this is a Supply Bill, which manifestly we cannot interfere with unless we reject it—and I fancy that, notwithstanding the very critical mind of my honourable friends opposite to-night, they do not propose to reject the Bill—I was about to move the suspension of the rule that it might be given a third reading. It is manifest that nothing can be said which will influence the Bill in any way unless my honourable friends are prepared to throw it out, and I do not think they are prepared to assume the responsibility of that action.

Hon. Mr. BOSTOCK: I do not know of any intention on this side of the House to attempt to throw out a Supply Bill; but when we are voting such large sums of money, and spending money in the way in which we are, possibly it would be in order for the Senate to express some opinion as to the condition of the country. But, as I understand that a further Supply Bill is coming up later, I am quite willing to agree to the request of the honourable the leader of the Government and allow the Bill to go through.

The motion was agreed to, and, certain rules having been suspended, the Bill was read the second and the third time and passed.

The Senate adjourned until Monday at three o'clock in the afternoon.

THE SENATE.

Monday, September 10, 1917.

The Senate met at Three o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

LT.-COL. H. ST. G. LINDSAY.

INQUIRY.

Hon. Mr. LANDRY inquired of the Government:

1. Does Lt.-Colonel H. St. George Lindsay receive any pay for the position he occupies in the Canadian militia, and what amount has he drawn on that account from his appointment to date?

2. During the same period, has he received any other remuneration? To what amount, and for what services?

Hon. Sir JAMES LOUGHEED: So far as the Department of Militia and Defence is concerned, the answer to questions Nos. 1 and 2 is: No.

BUSINESS OF THE SENATE.

SUSPENSION OF RULES.

Hon. Sir JAMES LOUGHEED moved:

That during the remainder of the session the Orders of the Day shall be called immediately after the calling of notices of inquiries and motions; that Rules 24a, paragraphs 5 and 6 of 19, be suspended in relation thereto.

Hon. Mr. BOSTOCK: I realize that the honourable the leader of the Government may wish to keep the control of the Orders of the Day in his hands, but I think it is hardly fair to ask the House that no inquiries and no motions for the production of papers be allowed to come before the Orders of the Day. I would call my honourable friend's attention to what is done in another place, where I think the rule is not so stringent with regard to these matters. On looking at the Votes and Proceedings of the House of Commons—of the 18th of May, 1917, I find the following:

On motion of Sir Robert Borden, it was resolved, that on Monday, the 28th day of May, and on subsequent Mondays until the end of the session, Government notices of motion and Government orders shall have precedence after questions and notices of motion for the production of papers.

That gives any honourable gentleman an opportunity of asking the Government a question. I do not exactly understand the procedure with regard to a notice of motion for papers, but I presume that is a motion that is not discussed. I think the honourable gentleman should be willing to amend this motion to that extent, that inquiries shall come in their regular place on the Order Paper.

Hon. Sir JAMES LOUGHEED: Under the rules of the House of Commons there is provision made for the submission of questions to the Government. We have nothing akin to that in this House. On the other hand, there is nothing in the House of Commons analogous to our proceeding known as "inquiries," which might possibly take up the whole afternoon, and this is the only thing that I ask should come after the Orders of the Day. If papers are wanted, they can be brought down on motion, or notice of motion given. I do not disturb the priority which those two items of business take, and there is no desire to suppress anything like an ordinary question.

Hon. Mr. BOSTOCK: As I understand the motion, it would cut out the proceedings which we have just gone through on the Order Paper to-day.

Hon. Sir JAMES LOUGHEED: It would put them after the Orders of the Day, that is all. Surely the Orders of the Day are more important than inquiries, important though inquiries may be. It is not intended to cut them out at all except to give precedence to the others.

Hon. Mr. LANDRY: I think there is a way to get out of the difficulty. I think that what the Government wants is to make Government measures the first Order of the Day. We could do that during the remainder of the session.

Hon. Sir JAMES LOUGHEED: Under the rule Orders of the Day are entirely different from inquiries and motions and notices of inquiry. If my honourable friend means that the first order of business for the day, after the doors are opened, shall be the Orders of the Day, I am content.

Hon. Mr. LANDRY: No, the honourable gentleman is too cute. What I mean is that the Orders of the Day are called there are some motions that have been postponed —take, for instance, the motion which I made the other day on the bilingual question. The debate was adjourned.

Hon. Sir JAMES LOUGHEED: That is on the Orders of the Day.

Hon. Mr. LANDRY: Yes, but what I understand the honourable gentleman wants is to have the Government measures brought up first, after the Orders of the Day are called.

Hon. Sir JAMES LOUGHEED: I want them to take precedence of inquiries, not notices of inquiries and motions.

Hon. Mr. LANDRY: If you take all the time for a government measure, when will we have time for an answer?

Hon. Sir JAMES LOUGHEED: We will not take all the time for that.

Hon. Mr. LANDRY: Suppose I gave notice of motion for Thursday, that motion would never come.

Hon. Sir JAMES LOUGHEED: That is not disturbed. We only disturb inquiries.

Hon. Mr. LANDRY: Yes, you disturb any motion that may be made.

Hon. Sir JAMES LOUGHEED: Notices of inquiries and motions, then Orders of the Day.

Hon. Mr. LANDRY: Will the honourable gentleman strike out the words "and motions"?

Hon. Sir JAMES LOUGHEED: I am willing that, after the calling of notices of inquiries, Orders of the Day shall be called.

Hon. Mr. LANDRY: With the understanding that it does not interfere with motions. I want to make it clear. Do we understand that it gives motions precedence over the Orders of the Day.

Hon. Sir JAMES LOUGHEED: Yes, it only postpones inquiries.

Hon. Mr. LANDRY: With that understandng I have no objection. I want to make a motion for the nomination of a committee.

Hon. Mr. CHOQUETTE: In order to be very clear—

Hon. Mr. LANDRY: I take the word of the honourable gentleman. The more the honourable gentleman explains the more I am confused.

Hon. Sir JAMES LOUGHEED: I will cease, then.

Hon. Mr. LANDRY: Just to illustrate, I give notice of motion to-day. The honourable leader of the Government says the Orders of the Day come before this. Well, if the Orders of the Day come before this they come before any motions that you will find on the paper.

Hon. Sir JAMES LOUGHEED: We will couple notices of inquiries with motions.

Hon. Mr. LANDRY: In the opinion of the honourable gentleman, the inquiries are struck out.

Hon. Mr. THOMPSON: Until after the Orders of the Day.

Hon. Mr. LANDRY: But the motions come before?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. LANDRY: That is understood.

Hon. Mr. CHOQUETTE: That means that the orders of the Government will be the first Orders of the Day after inquiries and motions.

Hon. Sir JAMES LOUGHEED: Notices of inquiries and motions.

Hon. Mr. LANDRY: No, no; not after inquiries and motions—after notices.

Hon. Mr. CHOQUETTE: That is what I just said.

Hon. Mr. LANDRY: I think the motion should be changed.

Hon. Sir JAMES LOUGHEED: To satisfy my honourable friend, if he has any doubt, and if the House will permit an amendment, I will move that my motion be amended to read that the Orders of the Day shall come before inquiries.

Hon. Mr. LANDRY: Before inquiries? That will be too late for a motion.

Hon. Sir JAMES LOUGHEED: No; because notices of inquiries and motions.

Hon. Mr. LANDRY: But inquiries come before motions.

Hon. Sir JAMES LOUGHEED: I have given my honourable friend (Hon. Mr. Landry) a very wide range of choice.

Hon. Mr. LANDRY: If I am given my choice let me choose. If Orders of the Day come before inquiries, they come before the thing which is after inquiries. And what follow inquiries? Motions.

Some Hon. SENATORS: Carried.

Hon. Mr. LANDRY: No. I think we can come to an understanding. The honourable gentleman (Hon. Sir James Lougheed) gives me the privilege of making a choice. I am making it.

Hon. Sir JAMES LOUGHEED: So that the House may understand what I mean, let me explain. Rule 19, as to order of business, remains as it is down to No. 4, namely, notices of inquiries and motions. I propose that we should then proceed with the Orders of the Day, and then, following the Orders of the Day, should come "Inquiries, motions," etc.

Hon. Mr. THOMPSON: That is all right.

Hon. Mr. LANDRY: Yes, I understand that; but I do not want that.

Hon. Sir JAMES LOUGHEED: It is simply a question whether inquiries and motions are more necessary than the business that really calls us together, that of putting through the Orders of the Day.

Hon. Mr. LANDRY: There will be plenty of time for dealing with those. This motion is to change our rules.

Hon. Sir JAMES LOUGHEED: No, no; it is suspending them.

Some Hon. SENATORS: Carried.

Hon. Mr. LANDRY: Wait a minute. Honourable gentlemen ought to be a little more generous than that.

Hon. Mr. DENNIS: We do not want to waste the afternoon on the question.

Hon. Mr. LANDRY: I do not want to waste the afternoon; I want to make the matter clear. I understand what it means. Of course, if the honourable minister (Hon. Sir James Lougheed) does not want to grant what I am asking, I will do without it.

Hon. Sir JAMES LOUGHEED: I will assist the honourable gentleman in any way I can.

Hon. Mr. CHOQUETTE: Do not suspend the rule until to-morrow.

Hon. Sir JAMES LOUGHEED: What is it that the honourable gentleman (Hon. Mr. Landry) wants?

Hon. Mr. LANDRY: I want our rules to remain as they are. I have given notice of an inquiry for the purpose of calling attention to a certain matter. I give that up, you see; but if I have a motion to make, I want to have a chance to make it.

Hon. Sir JAMES LOUGHEED: I will assist the honourable gentleman in that.

Hon. Mr. LAVERGNE: This motion is against our rules, and the proposal to defer any discussion of inquiries or motions until after the Orders of the Day is arbitrary. We have no further opportunity of making a motion or discussing it if inquiries and motions are placed after the Orders of the Day.

The motion was agreed to.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

DEBATE ON MOTION FOR SECOND READING AND PROPOSED AMENDMENT.

The Senate resumed from September 7 the adjourned debate on the motion of Hon.

Sir James Lougheed that Bill 125, an Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway company, be now read a second time, and the motion in amendmend of Hon. Mr. Bostock.

Hon. A. B. CROSBY: Honourable gentlemen, when I had the privilege adjourning this debate on Friday evening I had been discussing the principle and the policy involved in the Bill. From the statements made by the honourable leader of the Government in connection with the same and also the speeches made by the honourable gentleman from Kingston (Hon. Mr. Richardson), the honourable gentleman from Sydney (Hon. Mr. McLennan) and the honourable member for Wentworth (Hon. E. D. Smith), I feel that sufficient arguments have been advanced, if arguments were required after reading the Bill, to convince every honourable gentleman that no Bill has ever come before this House more entitled to the unanimous support of the members than the Bill now before us. We had decided that the principle and policy involved in the Bill were the principle and policy of stopping further payments to the Canadian Northern, and we had also decided that that was the only way to deal with this question. We had decided, by referring to the situation which exists throughout the Dominion of Canada, that the people would not be satisfied to give further aid to the Canadian Northern Railway company in order that they might keep their system in operation. We had decided also that one of the principles involved in the Bill was the question of equity, and that that matter should be arbitrated upon by the very best means which we could find in the Dominion of Canada. I am sure there is no honourable gentleman in this House who would deny that the Government have adopted the very best method of arbitration. They have named, as arbitrator to represent the Government, Chief Justice Meredith. The Government have provided that our arbitrator and the arbitrator to be appointed by the Canadian Northern shall confer, and, if they fail to agree upon the third arbitrator, his appointment shall be in the hands of the senior judge of the Exchequer Court of Canada.

If I have heard, in this House or anywhere else, a word in any way reflecting upon the method of this arbitration, or suggesting something better, it has been in the direction of saying that the matter should be referred to the Exchequer Court. Well, honourable gentlemen, if we give a judge of the Exchequer Court the opportunity of naming the third arbitrator, he may name himself. Thus would be removed the only complaint which has been made with regard to arbitration, if complaint has been made at all. But if the judge of the Exchequer Court does not name himself, he will nominate some other gentleman who, in his opinion, will be capable of filling the position probably as well as himself. So I say that is all that can be desired. We have decided also that, in the interest of this Dominion the road shall not be permitted to go into liquidation; that it would be disastrous to allow such a thing to occur; and therefore we must continue the road in proper operation, in order to maintain the traffic facilities which are essential to the best interest of the country, as well as to our overseas battalions and our Allies. An additional reason is in order that every man who is employed on that road shall continue his work as if nothing had happened, and in order that the $12,000,000 to $15,000,000 which are yearly paid to those men shall continue to be paid.

Then we come to discuss, more or less in detail, the other advantages that will come to the Dominion. Everybody who has been following this matter knows that all the provinces of Canada are interested in this Bill, and very many municipalities are interested. It has been said here by some honourable gentleman that the province of Quebec has not contributed anything in the way of subsidies or bonuses to the Canadian Northern railway. If that be so, the province of Quebec is much better off; but I do say here, and say it in the presence of honourable gentlemen representing that good old province, that the continuation and proper equipment of the Canadian Northern, as provided for in this Bill, are going to be of the greatest possible advantage to the province of Quebec as well as to the other provinces. Every province of Canada is interested in the question, as well as many municipalities. The provinces in the West are interested to a considerable degree. For what reason? Because in the West the branches of the Canadian Northern are of the very best; they go in all directions and provide facilities for the farmers and producers of that country equal to, if not greater than, those offered by the Canadian Pacific railway. Those products of the West are brought to the main line, and must be transported to the East. We shall be further interested when the railway is completed to Quebec and linked up with the

other government railways. Honourable gentlemen understand, as I do, that when it is connected with the Transcontinental, communication will be established with the province of Nova Scotia, that old province by the sea. The people of the Maritime Provinces are very much interested in having this Bill go into effect. The honourable gentleman who, the other day, named me as the member of Cape Breton—perhaps the junior member for Cape Breton did me a very high honour indeed. He knows that I have lived in Halifax for some time and am a citizen of Halifax. He knows the Halifax and Southwestern railway, which by this Bill will be made to serve the province of Nova Scotia, and the great respect which we have for that road in the East. He knows, as every honourable gentleman knows who has followed the situation, that road has a very great financial interest in Nova Scotia and that it will get relief, in being taken over with the Canadian Northern system, and will be conducted to the satisfaction of the people of that province. Anything which will benefit the Halifax and Southwestern will be a benefit to the people. While there has been some complaint of that rotd not being as good as it ought to be. or not giving as good accommodation as it ought to give, I can assure you, honourable gentlemen, that the people of the province who are very much interested in it, will be greatly interested and pleased to hear that this whole system has been taken over by the Government of Canada.

Some have said, with regard to the management of the road, that it should be kept free of politics. If ever there was a time when the Government was out of politics in this respect it is to-day, and I defy any man who has followed the career of the present Minister of Railways to deny that if ever a man has made a strong and honest minister, and has succeeded in taking that road out of political influence, the honourable Minister of Railways is that man. There is not a man, I do not care from what part of the province of Nova Scotia or New Brunswick he comes, or even a man from the province of Quebec, who can say otherwise. There may have been, there may be, and there always will be, some matters of personal desire. There are always cases of men who think they are more competent to run a railway than somebody else. I have no doubt there are hundreds of men in the various provinces of this country who think they are very much better fitted for a seat in this Senate than many of the present members. So it is in all important matters, such as railway affairs. There are many men who claim to be more competent than the Minister of Railways; but I do say, without fear of contradiction, that the Minister of Railways has, by every possible means, in that honest, determined way of his, taken the Intercolonial and the other government railways out of the hands of politicians.

Hon. Mr. McSWEENEY: Has the Minister of Railways succeeded in taking it out of politics?

Hon. Mr. CROSBY: That has nothing to do with the point I am trying to make; but he is doing the best he can, and I would ask the honourable gentleman if he does not feel that is the case. I do not think the minister has succeeded as he would desire to succeed, but he has gone a long way, he has taken the proper means, and he is going to succeed. There are no two ways with the honourable Minister of Railways and Canals, and no man can swing him from what he considers to be fair, honest, and just. Where can we find better evidence of his desire to take this road out of politics than his appointment of Mr. Brady to supervise the western part of the Transcontinental road? Every honourable gentleman in this House knows Mr. Brady though I am not competent to judge a railway man, I believe and I know that Mr. Brady is a very good railway official. But if the honourable minister had intended to allow political leverage to be used, he would not have appointed Mr. Brady to manage the Transcontinental. If the honourable Minister of Railways had wanted to leave the Intercolonial railway in politics he would have appointed a man with a political record when Mr. Gutelius, the late manager of the road, got an appointment elsewhere. I believe Mr. Gutelius is an excellent railway man, and I sometimes think it was perhaps a pity that he did not remain. But, from my information as to Mr. Hayes, he is an excellent man, and my honourable friend from Moncton (Hon. Mr. McSweeney) cannot say that Mr. Hayes has any politics; at least, I never heard anybody say that he knew what Mr. Hayes' politics were or that he had left a political record anywhere. Therefore it is reasonable and fair for us to assume that the honourable the Minister of Railways has taken the government railways out of politics as far as he has been able; and from what any of us know at the

present time, there is no politics in the management of those railways.

In the splendid Island of Cape Breton, which I have the honour to represent here, and to which I feel incompetent to do justice, there is great need for railway construction. We have a road there running from St. Peters to Inverness which I understood to be part and parcel of this system, but which I have not heard mentioned in that connection. If it is not a part and parcel of this system I hope it will be made so, because it is necessary for binding up that beautiful country on the northeastern side of the Island of Cape Breton, a country that is exceedingly fertile, and at present has no way of getting its products to the markets at certain seasons of the year. Then, the Orangedale road must be constructed when the war is over to give the people in that part of our province the accommodation they have been so long deprived of. Then, the road from St. Peters to Louisburg should be taken over and built, and no doubt will be taken up in the nationalization of this great system, for we feel that those places in the eastern as well as in the western part of this Dominion should have branches and get the assistance they require, and which must be given in order to make our transportation system a success. Then, there is the road from Halifax to Musquodoboit and from there to Guysborough, and on to the strait of Canso, joining again the Intercolonial. These feeders east and feeders west are of great advantage to the railway.

Our people are looking to see this Act put through, because they feel that they can depend upon the Government of this country, but not always upon the corporations. The last thing the Liberals should do, in this House or any where else, is to talk about railways, for they cannot point to a single case in which they have carried a railway to success. In the first place, we know their attitude towards the Canadian Pacific railway, and we need not elaborate what that railway has done. They have been opposed to everything in the line of railways. In 1903 they came along and said they were going to give us a transcontinental railway. The leader of the Opposition in this House asked the other day for more information about the roads mentioned in this Bill. The discussion has been going on for months, yet he does not seem to know anything about it, and asks us to lay some information before him, and give him the resolution incorporating this company. But what did my honourable friend from De Salaberry (Hon. Mr. Béique) say when they were putting through the Transcontinental scheme? He said: "We don't want any information; we are not looking for information; this is the time when we must act; what information do you want when the Grand Trunk Railway company is liable for everything? This is not a contract with the Grand Trunk Pacific; it is a contract with the Grand Trunk." I would like my honourable friend to look up that speech and find what he had to say about the situation, and then ask anybody to take his advice on contracts or on railway matters of any description. The Liberal party in this country should not for a moment attempt to interfere with any railway legislation, because they have always been wrong in regard to that or any other national project. On the other hand, the Conservative party never was wrong in connection with any great national undertaking, as history will prove, for the facts are there. We have honourable gentlemen, on the other side of the House telling us we should be careful and look into this matter; but we find that in connection with the Transcontinental railway they said the very opposite. Their position then was: "This is not the time to wait, to consider; you must not say anything, but go along with the scheme; we don't know anything about the railway, but we will plunge into it;" and the situation you have to-day sadly shows the result of that attitude. The honourable member for De Salaberry told this House that the Transcontinental railway could not cost this country more than $15,000,000, and that there was no possibility that the construction of that line and the Grand Trunk Pacific could cost Canada a single dollar more than $30,000,000. Yet now we are paying $13,000,000 a year in deficits on the Grand Trunk Pacific and the Transcontinental, the deficit on the latter alone being $6,000,000 or $7,000,000, without regard to the original cost of $200,000,000. That is the situation in which we find ourselves. Yet you have honourable gentlemen who were connected with those railway projects trying to tell us in this House what we should do in railway matters. I think that whatever they discuss they should never deal with railway matters.

I had hoped, before concluding my speech on Friday night, to have put some questions to the honourable gentlemen who are not here, as I should like to get their answers; but I must conclude without having that opportunity. I assert that the whole Dominion is benefited by the method of taking over the Canadian Northern system

which is proposed in this Bill. It is the only way in which we could take it over. Whatever may be done in the future in connection with this road is being allowed to stand, and what we are doing to-day is just for this particular time, because we could not prorogue this House without making provision in some form for the Canadian Northern, or that system would have gone into liquidation. Every schoolboy from the country knows that. Therefore I say we could not let it go. I would ask any man who will speak on this subject, to suggest some other better way in which provision could be made than the one we have adopted. In adopting this plan, the Government has not decided for the future at all, but simply for the time being; and the Government which comes in and takes charge of affairs after the election, which must take place very soon, would have the opportunity and the responsibility of settling a policy and arranging a way by which this can be carried out. I do not think there could be anything fairer or more honest done in connection with such a large and important problem, and one in which this country is so much interested. Canada is interested doubly and trebly in having this road continued for the benefit of the people of Canada, the plain people, who are entitled to the consideration of this Parliament; because not only has the Dominion advanced money and granted land to the Canadian Northern system, but every province in the Dominion is involved, and municipalities from one end of the Dominion to the other are interested, many of them having given free right of way for the construction of this road through their lands. But I believe that the people of this country are getting the very best consideration of this Parliament under this Bill which we are about to put through.

Hon. W. C. EDWARDS: I feel compelled to say a few words on this subject. Perhaps I occupy a position different from that of several members who sit here, and if the conclusions at which I arrive may be somewhat divergent from those of the honourable gentlemen with whom I generally co-operate, I believe I shall be able to give fairly good reasons for them. One thing I wish to say at once that the matter to which I have referred does not in the slightest degree affect my judgment on this question, as I believe that my conclusions are in the best interest of the people of Canada, regardless of any institution whatsoever.

The question with which we are unfortunately confronted is probably the most difficult which Canada has ever experienced excepting that of the great war in which she is now engaged. There is no question of doubt whatever that Canada has overbuilt in railways, and the great question now is, what are we going to do in the matter? My judgment is that there should be a great limitation of existing lines. Canada has duplicated her railway building in a manner not at all in the interests of the country, but in a such way as very seriously to overburden the present and perhaps the future of the country. Each party is disposed to blame the other for the present condition. So far as I am concerned, I blame the people of Canada themselves; they far overestimated their possibilities. If the governments of Canada had known the country east of the Great Lakes as I know it—for I do know it—those railroads, or a great portion of them, never would have been built. Honourable gentlemen may think that I do not speak with any authority as to knowledge of the country; but my firm has explored almost the entire country from Behring Strait to the Albany river. My firm spent three winters and a large amount of money in exploring Labrador and Ungava, supposing of course that it belonged to Newfoundland, though we found ultimately that it belonged largely to the province of Quebec. We have explored every river from Behring strait to this end of the island of Anticosti. From that portion to the Rouge river we know thoroughly what the country is, though we have not made an actual exploration of it. From that portion to the Albany river we have explored the entire country; and I want to show you briefly how the people of Canada are misled as to a great part of its possessions, or supposed possessions, and also to show you something of the value of government reports on which our various Governments act. The Dominion Government explored the Albany river for mineral purposes, and at the same time reported that there was a vast amount of spruce and other timber suitable for pulpwood purposes. The Ontario Government made a special survey of that country, and the report is in the archives of the province of Ontario, to the effect that there are 300,000,000 cords of pulpwood upon that river. Just figure what that means when I tell you that a 100-ton pulp mill requires some 30,000 tons of pulpwood annually for its operations. Upon reading the report of the

Ontario Government and believing that this might be a very fruitful field for pulpwood operations, we explored the river right down to James bay, and what did we find? On the fringe of the river there was a considerable growth. Our men—and I may say they were the very best explorers on the Ottawa river—travelled 20 miles inland every 10 miles for the entire length of the river, and just a few acres back from the banks of the river, there was no pulpwood at all. They found the country valueless for any purpose whatever. They had guns with them, but they never saw a bird to shoot. It is evident that previous explorers never went any distance out of their canoes, that they simply multiplied the area of the small fringe on the river by the large area of that country, and thereby arrived at the conclusion that there were 300,000,000 cords of pulpwood on the territory. It is consequent upon such reports as this that the country has such an erroneous idea of the value of its assets. I merely give this instance to show that that country north of the Ottawa and St. Lawrence rivers is enormously overestimated, and that no railway should ever have been built in that portion of Canada.

Now, in dealing with the history of Canadian railways, we have first the Grand Trunk railway. The Grand Trunk was the first great railway built in Canada. It was built at the expense of British investors, and Canada put but a comparatively small sum into its construction. The old original Grand Trunk railway is not in the position of the railways generally in Canada.

Every one knows the history of the Intercolonial railway: it was built with public money and is owned by the Dominion of Canada. The Canadian Pacific railway, like most other railways in Canada, has been built by means of land grants and other assistance, financial or otherwise, from the Dominion Government. Generally speaking, the Canadian Government or the provinces of Canada fix the basis of credit on which railways are built; and if any more are built this must be the case, because this country, with its sparse population, does not render it possible that private capital can for a long time to come engage in the building of railways in Canada. The Canada Atlantic was the next railroad, and it occupied a rather peculiar position. One man, John R. Booth, built that road, which is four hundred miles long, with his own capital and on his own credit. He afterwards sold it to the Grand Trunk Railway company. It occupies an exceptional position, and there is no parallel for it on the continent, except possibly a road built in Virginia by Mr. Rogers, vice-president of the Standard Oil company. Next come the Grand Trunk Pacific and the National Transcontinental. Every one knows how those two roads were built. The Government owns the National Transcontinental; the Grand Trunk company is behind the Grand Trunk Pacific, guaranteeing its securities, and so forth.

Now comes the Canadian Northern. There has been a good deal of discussion here as to whether the common stock of that company is the result of investment of money on the part of the individuals who built the road. Every one knows that that was impossible, and that the basis on which this road was built was the guarantees and aids of the various provinces, and of the Dominion of Canada herself, and a certain amount of money borrowed by the promoters in the British market without any guarantees. The inception of that road was in Manitoba. The two gentlemen engaged in building it were contractors in the construction of the Canadian Pacific railway, and finally entered into railway undertakings themselves. They built their first road under a charter that had existed for many years, with a grant of land attached to it. No one had undertaken the construction of the road. These two gentlemen finally undertook the construction, and that was the beginning of what is now called the Canadian Northern railway system. Manitoba guaranteed the bonds of the road for a very considerable sum—honourable gentleman all have the figures—which enabled them to finance the construction of the road. These gentlemen extended their operations to the other two western provinces of Alberta and Saskatchewan under similar conditions, each of those provinces guaranteeing their bonds. If those gentlemen had confined themselves to the operation of those railways in the three western provinces, they would be the greatest railway men in the world today, and would have been men of fabulous wealth; but they conceived the idea of building east and west from the prairie provinces, and of finally having a transcontinental line. This ambition was gratified, first by the Government of British Columbia, and afterwards by the Dominion Government.

The Grand Trunk Railway company committed a fatal error in entering into arrangements for the construction of the Grand Trunk Pacific, and entering into a contract for the leasing of the Transcontinental line; and the Canadian Northern made a mistake owing to the ambition of those two gentlemen, and that is the real reason why we are discussing this question here to-day. Again I say the people of Canada are primarily to blame. Both Governments, the present Government and the former Government, are to blame in not having a proper realization of the resources of this country. If they had such a realization, these roads would never have been built. But they have been built, and we have to deal with this very knotty and very difficult question.

Now, the Grand Trunk Railway company has repudiated its contract for the leasing and operation of the Transcontinental; but it is yet, of course, bound to maintain, if it can, the Grand Trunk Pacific. The Canadian Northern, with the carrying out of the construction of the eastern and western lines in 1914, found itself embarrassed and approached the Government to obtain the sum of $45,000,000 as an advance, or aid. A very considerable discussion took place at the time, but finally their wishes were acceded to, and aid to the extent of $45,000,000 was granted to them. Honourable gentlemen must perceive that this grant would possibly have seen that road through to the finish but for the financial condition almost immediately thereafter brought about in consequence of the declaration of war. It became impossible for the company to dispose of the securities which the Government had endorsed for them, and they were obliged to come back to the Government and deposit some of the securities and obtain $10,000,000. This circumstance shows that the general lending markets of the world were closed to them. The very considerable amount of money which Sir William Mackenzie was able to borrow in the British market without any security at all shows what an adept that gentleman must be in the matter of borrowing funds, and this guarantee of $45,000,000 would have enlarged those borrowing powers—but for the reason which I have given. The breaking out of the war curtailed at once all possibility in that direction. No one conceiving what a very large operation this is can feel otherwise or be at all surprised that the company finds itself in the difficulties which I have named, and for the reasons which I have given. Of course, both the Canadian Northern and the Grand Trunk railways were knocking at the doors of Parliament for further aid; and in 1915 the Canadian Northern returned and obtained further assistance from this Government to the extent of $15,000,000. I am not in the secret of the Government, nor of the Canadian Northern. I am speaking as an independent Canadian, just as the rest of honourable gentlemen are.

The Government then perceived, and perceived perhaps more forcibly, that something would have to be done with regard to these two railways. This was a very difficult question to deal with, and the determination of the Government was to appoint a commission to investigate the general railway situation in Canada and report thereon. That report you have in your hands, honourable gentlemen. It is not necessary for me to say very much pertaining thereto. I am sure that honourable gentlemen have read it. Three gentlemen were appointed—an English railway man, the Chairman of our own Railway Commission, and Mr. Smith of the New York Central lines. You will observe that they differed in their conclusions. The majority report suggests the taking over of the entire Grand Trunk Pacific, and also the Canadian Northern. Mr. Smith, in his minority report, does not go so far. He suggests certain changes in so far as a part of each road is concerned. He suggests that, if the Canadian Northern is put in the position again of having the prairie provinces to operate in, it can get along. He suggests that some interchange be made so far as the Grand Trunk railway is concerned—that the Government take over a portion of it, and leave a large portion of the road in the hands of the company. No doubt the Government has carefully weighed the two reports, and the conclusion is practically this: nationalization of the two great systems, beginning with the Canadian Northern; and as a consequence, honourable gentlemen, you have before you this Bill. To me personally, at first sight it would seem a desirable thing that the Canadian Pacific Railway company should become the owners not only of the Canadian Northern railway but also of the Grand Trunk Pacific system. A great saving would accrue to the entire people of Canada if the railway mileage of the country were much lessened. Our entire railway operations would be carried on much more economically, the people would be better served, and conditions generally would be better. The Canadian Pacific is unquestionably a great railroad and well managed, a credit to the proprietors and a credit to the Dominion

of Canada. The Canadian Pacific being such a strong organization, there is to my mind no question about the advantage that would result from its taking over the Canadian Northern. Most people think it would do away with competition. However, the idea of the advantage of competition is a mere fallacy. We have no such thing in Canada as railway competition except in slight and remote instances. Now, under an efficient railway board such as we have, the rates would be regulated and great economies would accrue to the people of the country.

But consider the question a little further. What a gigantic institution the Canadian Pacific railway would be if it absorbed the other two systems. It would practically become the Government of Canada.

Hon. Mr. DOMVILLE: It is now.

Hon. Mr. EDWARDS: It would actually own Canada and would therefore be a mistake. What is the situation? We are, in my opinion, in this difficult position, that, while government ownership may seem, theoretically, to be desirable, it has been found in Canada, by our experience with the Intercolonial, that government ownership is a mistake. I believe also, for the reason which I have already given, that the centralization of the three railways under one management would also be a mistake.

Under the peculiar circumstances and conditions, honourable gentlemen, what are we to do? If it is possible to consummate such an arrangement as would remove the operations of this road absolutely from political considerations or influence, then perhaps Government acquisition of the road may be under the circumstances the best thing. That is what is now suggested—that five men, I think, shall be appointed, representing various interests, who are to become the Dominion Railway Board. Is not that the name of the proposed body? If that can be accomplished and if political influence can be entirely and absolutely eliminated, it is, after all, what may be best to do.

We now come to the question of the taking over of this railway. I have read the Act carefully several times and have read of all the proposals that have been suggested, and it is quite true, I suppose, that the Canadian Government could step in and take possession of the Canadian Northern system; but to do so, I have no doubt, would involve a great many legal and technical difficulties. It appears to me that the simpler and better way, the way by which a large saving would be effected for the people of this country, is to adopt the means suggested, namely, to become possessed of the balance of the common stock.

If there is one thing for which I blame my own friends it is this: they have kept finding fault with what the Government suggests, but they have not offered a single alternative. They have not offered any suggestions, so far as I have been able to see, as to what might be done instead of that which is being done, with the exception of the suggestion that the Government might forcibly dispossess the gentlemen who are now in control and itself take possession of the railway.

Hon. Mr. BELCOURT: Liquidation has been suggested.

Hon. Mr. EDWARDS: Liquidation, or placing the matter in the hands of a receiver, would be a slow, tedious and expensive operation, and my opinion is that any sum which these gentlemen may get under arbitration would be small as compared with the loss to this country in the expenses entailed by the other process.

Hon. Mr. TANNER: If the honourable gentleman will permit me, may I point out that the right honourable leader of the Opposition in the other House has distinctly said that he is opposed to liquidation.

Hon. Mr. EDWARDS: The honourable gentleman refers to my leader in the other House. I have no leader anywhere.

Hon. Mr. CROSBY: I hope the honourable gentleman has some followers.

Hon. Mr. EDWARDS: Well, no. As a rule, people do not accept my views to-day, but in a few years hence they will.

Hon. Mr. TANNER: My honourable friend misunderstands me. I understood that the honourable gentleman from Ottawa (Hon. Mr. Belcourt) suggested liquidation. I did not understand my honourable friend (Hon. Mr. Edwards) to be in favour of liquidation. The right honourable leader of the Opposition in the other House is against liquidation.

Hon. Mr. BELCOURT: My honourable friend is mistaken. I did not suggest anything. When the honourable gentleman who is now speaking stated that no other suggestion had been made by anybody, I reminded him that liquidation had been suggested. As to the other statement, made by the honourable gentleman from Pictou (Hon. Mr. Tanner), I think he is quite

wrong. I do not think the leader of the Opposition in the other House has ever stated what my honourable friend says he did state.

Hon. Mr. TANNER: My honourable friend is absolutely incorrect, because if he reads the debate he will see that Right Honourable Sir Wilfrid Laurier has distinctly given his judgment against a receivership.

Hon. Mr. DOMVILLE: Go on with your speech.

Hon. Mr. EDWARDS: I have stated that, in the building of railways, excepting the two instances which I have named, the people of this country furnish the means or the credit by which our railways are built, and the common stock of a railway which may not be valuable to-day may have a very large prospective value. The Canadian Pacific Railway company authorized the issuance of a large amount of common stock. The gentlemen who built that road were not men of wealth; they were not men who had private means to put into the construction of a railway, and they did not do so. Their whole financing was on that which was afforded them by the Dominion Government and what further financing they could do, based on the Government's assistance. The common stock when issued did not represent any capital put into the construction—none whatever. But some time after the road was in operation they issued that stock, I think, at about 25 cents. Am I right in that?

Hon. Mr. NICHOLLS: Twenty cents.

Hon. Mr. EDWARDS: Twenty cents; and the large fortunes which were made out of that construction were made by that means. The president of the road at that time, and until he became engaged in the St. Paul-Manitoba road, was an ordinary merchant in Montreal, and not at all wealthy. He became a very rich man, so rich that he was able to buy an estate in England and has lived there ever since. All the other gentlemen engaged in that construction became wealthy, but, as I have stated, not out of the construction of the road, but out of the accrued value of the common stock after the road was built. In this instance it is suggested that Mackenzie and Mann might perhaps be accorded some of the common stock. That is suggested in the majority report on the inquiry into the railway situation. It has also been suggested in this House and in the other House. If Mackenzie and Mann were to participate in the management and operation of the road, that, I think—althought I do not know, but am speaking from my own standpoint—might occur to them as being reasonable. But they are to be dissociated entirely from the operation and management of the road. Therefore a more absurd proposition could not be made.

It is granted that the Canadian Northern is the most cheaply built of the three railroads in Canada. It is conceded that it is the best located road. It is conceded that in Manitoba and the other western provinces the Canadian Northern is provided with the most useful and the greatest number of feeders. These gentlemen have devoted the best of their lives to the construction of the work which is now to be taken over by Canada and to become part of Canada's possessions.

It is shown by the balance-sheet that there is an actual surplus to-day, apart from the question of the value of the stock, which I admit has not at present a market value. But the stock has a prospective value, and I am firmly of the belief that the future will determine that.

Two courses are open to-day: either that Parliament should adjudicate on the question and say that the owners of the company shall get a certain amount, if anything, or that the question shall be left to an independent arbitration. In my humble opinion, an arbitration by an independent party outside of Parliament is the best thing to have. A question that was very much discussed in another place was the character of the Government representative upon the arbitration board. My humble opinion is that there is the weakest part of the whole proposition, so far as the interests of Mackenzie and Mann are concerned, because that gentleman, while ranked as a Conservative, is not a Conservative and was not when he was leader of the Opposition in the Ontario legislature. He is a radical of the most extreme character, bordering on socialism, and if I were in the position of Messrs. Mackenzie and Mann, I would be decidedly afraid of the results so far as that gentleman is concerned. I think that if an injustice is done to Mackenzie and Mann, it is by that appointment. What are the conditions in Ontario to-day? Ontario has followed the lead given by that gentleman when he was leader of the Opposition in the Ontario House. The whole Government system of Ontario to-day is socialistic, highly radical. It is not Conser-

vative at all. The Liberal party, if they were wise, would constitute themselves the Conservative party in Ontario.

I am convinced, honourable gentlemen, that the taking over of the Canadian Northern, as has been suggested, would be in conformity with the wishes of the entire population west of this city; it would be entirely in conformity with the views of the people of Ontario and the four western provinces, because those provinces are all more or less socialistic and radical in character. But in the province of Quebec another condition prevails. That is an old, staid, careful, conservative province. It is governed by a Liberal Government, but at the same time it is a conservative, judicial and careful government. No such radical ideas would be entertained for one moment in the province of Quebec as prevail in Ontario and the western provinces; and I suppose that farther east a condition prevails similar to that in the province of Quebec; people down in that direction have more common sense. But the farther west you go, the more prevalent you will find the idea of public ownership and other socialistic principles. My firm conviction is that the majority of the people of this country will be in accord with the action of the Government in taking over the Canadian Northern Railway system, and eventually nationalizing the Grand Trunk Pacific, and there is no doubt that the Government will have to go a step further and nationalize also the Canadian Pacific railway. There can be no other outcome, whether we like it or not. I am not one of those who like it, and I frankly say so; but the die is cast, honourable gentlemen, and it is now determined, without any doubt, that all the roads of this country shall be nationalized and operated by the Government. I admit that good results may accrue, if political considerations can be kept out.

If government ownership had been the condition from the first, do you suppose, honourable gentlemen, that we should have had the unnecessary duplication of roads which we now find all over this country? Do you suppose that there would be three lines from Belleville to Toronto? Do you suppose there would be the present number of roads between Ottawa and Montreal? That condition prevails all over Canada simply because of the private building of roads, each company aiming to get the traffic in its district. The multiplication of railways over this country is a very great detriment indeed.

In England to-day, as I understand it, the railroads are practically under government control and there is a co-ordination among the various railways. I understand that in the United States also there is an arrangement of a similar character amongst the presidents of the different lines, and there is a good deal of co-operation.

I speak, honourable gentlemen, with very great difficulty. I have a trouble which makes it very difficult for me to speak, and I would not have spoken on this occasion at all but for the peculiar position which I occupy. I want to give reasons why I am acting as I do on this occasion.

The Dominion Government became part and parcel of this road in 1914, when they took over some $40,000,000 of its stock. At that time I thought it was a mistake for the Government to do so. I do not know the reason why it was done, but having done so, it is really a partner to-day in the ownership of this road. I want to ask honourable gentlemen if it would be a fair proposition on the part of the Dominion Government, being a partner in the ownership of this road, to deprive the men who have borne the brunt of the construction and carrying on of this work without any consideration whatever? I have not heard that proposition denied; all who have spoken, both commoners and senators, say they think Mackenzie and Mann should receive some consideration. and the important question is how that should be decided. There are only two methods, decision by Parliament or decision by arbitration. I believe that arbitration is the fairer system. I know nothing of and have not the remotest idea as to the expectations of Mackenzie and Mann. They may get nothing at all, or they may get something; it will be for the arbitrators to decide. An arbitrator will be chosen on the part of the Government, one on the part of the custodians or owners of the stock, and the third will be named by those two, or by the Exchequer Court in case of their disagreement. The decision of the arbitrators must be unanimous; if not, the question must be referred to the Supreme Court. To my mind there can be nothing fairer; and, as no suggestion of an alternative proposition has been made, I feel absolutely constrained to support the measure which is proposed by the Government.

Hon. WILLIAM ROCHE: A gentleman experienced in finance once told me the cardinal principles of high finance. He said: "First, get as many people as possible interested in your project; make it as large as you can. In the next place, get as large a commission as you can. Then, try to defer the payments as long as you can. Then, when you cannot defer them any longer, shuffle the whole thing off on the other fellow." Let us see whether any of those principles of high finance may be found in this project.

I listened very attentively to the honourable leader of the Government when he proposed this measure. He had none of his jocund and optimistic manner with which he usually presents Government measures and I may say that no person can present a more attractive display when he has the goods; but on this occasion my friend was entirely dolorous, quite clearly, and he stated the alternative to be liquidation or the Government proposal. The gentlemen who have spoken on the other side followed along those lines. There was an admission, almost—not in words, but in manner—that if this proposal were to be entered into by themselves privately, they would have nothing to do with it. Secondly, we could gather that if the Government were not embarrassed and encumbered already by what they had done, they would not support the measure for the giving of further aid or the wasting of further money. It was all Pandora's box: all the ills escaped, with only hope at the bottom; and it was the hope that in the future it may turn out better—that something may turn up in remote time which will make it profitable and reimburse the country for the money it has expended. My honourable friend who spoke this afternoon (Hon. Mr. Edwards) has caught the emotion.

It occurs to me that those gentlemen all founded their views upon the record of the Canadian Pacific railway; that was what ran through all their observations and was the foundation of their hope. That is, there had been diffidence expressed at the outset as to the profitableness of the Canadian Pacific railway, and that was falsified, and they hoped that for this railway in the future the same conditions might prevail, and that this one might turn out profitable and recoup the Government for the money. Now, let us look at the circumstances of the Canadian Pacific railway; we all remember them, because those events occurred within our own observation. The Canadian Pacific railway was commenced at a time when there was a lull in the war-fever of Europe. Wars had ceased, and the nations were convinced that they would not recur for a considerable period; that the time had arrived when commercial enterprises might be embarked in with safety; that it was time for the capital which had been held up in view of the possible event of war, to be embarked in commercial enterprises. That railway was undertaken about the era of the return of good times in Canada. Everybody was hopeful, everybody was optimistic; the Canadian Pacific had the favour of a large number of capitalists in Montreal and throughout the country; it had the support of the banks and moneyed institutions. It had the hopes of the people of Canada, because for a long time writers in the press and writers of pamphlets and of books, as well as public sentiment generally, favoured union of the whole of British North America, and that the union should be consummated and the settlement of the provinces in the Northwest should be effected through the connection by a trancontinental railway. The British Government favoured it. The British people favoured it, for they saw for this railway a mode of transit from the East to the West, a connecting link from their Asiatic possessions over the northern continent to England and Europe. So that there were many considerations that favoured the construction and success of the Canadian Pacific railway. It then received from the Government all the stock and material which had been used by Government effort previous to the railroad being attempted by the corporation. It had also a gift of money. What has made the Canadian Pacific railway successful in addition to its traffic returns, in addition to its business, was that, first of all, it had cheap money, because a large accumulation of capital was let loose at a low rate of interest. It had also an immense amount of cheap labour, which was then at a far lower point than it has been at since then. But, above all, and the culmination of all, was that it was granted a large block of the best prairie lands, which were brought into cultivation, and which sold at increasing prices, from $2.50 an acre up to the price reached at the present time. It was through the continuous influx of money from the sale of this government land which was handed over to them that the Canadian Pacific railway was enabled to meet its financial obligations, to establish

a good credit, and to become the successful institution which it is at present.

But what is this Canadian Northern railway? It was started in Manitoba. It went a considerable distance. It became a local road. But when the Government started the Grand Trunk Pacific line and it became probable that line should be carried through the provinces and reach the ocean, then the builders of the Canadian Northern began to expand and take on quixotic notions. Then they began to be optimistic far beyond their means and resources, and they used, and were intending to use, that road in opposition to the government road for their own profit. They intended to be its rivals; they intended to cut out, forestall, monopolize, all opportunities in opposition to the government railway. Therefore what sentimental right have they to come before this Parliament? Because the former Government represented the people of this country. What right have they to come before the Commons and Senate of Canada and ask aid in an enterprise which was intended to impoverish absolutely the Canadian Government's projected railway? Now, we know that either of those gentlemen, for whom I entertain the highest respect, or some people representing them, would go to one of the municipalities or towns and confer with some member of the town council perhaps. They would tell them that the managers of this road had seen with a great deal of interest this flourishing town of A, and intended to run a branch or the main line in the immediate vicinity or through this town, but that those benevolent intentions were somewhat frustrated by the fact that the right-hand town had promised a large bonus to the railway, and in the interests of the railway,—knowing that the land of that town was a little better that the land in A, and they always required money for the execution of their projects,—they might be compelled, notwithstanding their good will for the town of A, to go over and carry the railway extension work a little over to the right-hand town. Shortly after that, the theodolite would appear in the town and locate the railway at almost every citizen's back door; and in proximity to the town, where the town lots were eligible and select, a very large station would be located, quite near enough to the main walks of the town for the young ladies to promenade in the evening and see the incoming trains. Of course, this was startling. All the prospects of the town of A faded away; the right-hand town, its rival, was to come into prominence through the extension of the Canadian Northern. The town council was summoned. A bonus was immediately proposed. It passed the town council without a dissenting voice. Then a public meeting was called. The town council was present, the mayor presiding. A gentleman who was in the town council, and a prospective condidate for the legislature, come into the public meeting and proposed that a bonus should be given by the town of A, and that considerable portion of land outside, that was only fit for habitation by the coyotes and other animals up there, might be voted to this railway. The other candidate for the legislature, who might be supposed to have a counter-project, was invited to second the resolution, and it passed unanimously amidst the greatest applause, that the town of A should bonus the railway and donate a large portion of land for the extension so as to make the town of A a rival of Winnipeg or any of the other great cities. Perhaps some young man in the audience would perk up and ask: "Oh, but what will the taxation be after all this? When the bonus and bonus interest have to be paid, what will be the taxation on the town of A?" He was immediately hustled out, and a number of gentlemen got around him and put him a considerable distance from the meeting, and, when they returned, a vote of thanks was passed to the mayor, and the whole thing was consummated. The next day, perhaps, the tax-collector would go down to the poor man who asked about the taxation, and thrust in his hand a bill for last year's taxes and perhaps he had to go to jail for non-payment of them. But the whole thing was consummated, and the town of A has a connection with a transcontinental line. That was the history all over the country. Those municipalities voted bonuses and voted land; the provinces voted bonuses and voted land; and here we are with all those encumbrances on the transcontinental railway; and, like Oliver Twist, they come back asking for more. The first request that was made to the Parliament of Canada was for $15,000,000; I think I am correct in saying that that sum preceded the $45,000,000. That was thought not to be a very large sum. The revenue of Canada at that time was buoyant and expansive, and there was apparently no limit to the sums that could be taken from the revenue; the resources of Canada were great, and $15,000,000 was not supposed to be a large sum, relatively, at that time So the vote for

$15,000,000 was passed. Those who voted that—I believe I was of the number myself—thought: "This disagreable matter is ended; those gentlemen are assisted; the railway will go on, and everybody will be satisfied, and Canada will not suffer injury." It was not esteemed to be a very important matter. But it was thought to be a finality. The next proposal that came was for $45,000,000, and that was a serious matter. The $45,000,000 was then secured, the Government taking a mortgage which was to be foreclosed in case of default, or, at their option, and this apparently secured the continuous operation of the road, and also the expectation that there would be no more coming to Parliament for assistance. Then, again, there was $10,000,000 more. Now, where is the assurance and guarantee that this is a finality? Where is there any promise of that kind? When this money is expended is there any guarantee that these gentlemen will not go on infinitely until all patience is exhausted and all funds are exhausted? The question arises, can the present management carry on this road? It will be remembered that no Government guarantee of bonds or of stock or of assets will be available. The situation of this road is that cash must be had for payment. The running expense must be paid in cash; the salaries of the officials must be paid in cash; the repairs to the rolling stock of the road must be paid for in cash. Those who furnish the cars and locomotives must now be paid in cash, because they will not trust a road under these embarrassing conditions. The equipment and also the upkeep of this road must be paid for in cash. Traffic must go on in order to meet the bond interest. That traffic must be conducted in the winter time, and the upkeep of a road, constructed as it has been, must be kept up at a large expense and paid for in cash. The interest keeps steadily on; there is no let up to it. The money must be had, and all this must be available money—not promises, not guarantees, not assistance of any kind; but cash, to meet these obligations. The debts of the road must be paid, whether they are on the branch roads or on the main road. They must be paid in cash, because now that the road has got government assistance, the money is in hand and the creditors must have it.

Where is the Canadian Northern to get this assistance? It cannot get assistance in England. The money market is now bare; assistance will not be given to railroads in remote countries. England can no longer pay her obligations in gold. An enterprise like this cannot obtain from the public a large sum of money to help it when they are floundering and struggling. It is quite possible that the bondholders, if their bonds are not pledged, might meet together and consolidate them and raise a small amount of money on them, if they chose to continue the road—if they did not wish to dispose of it altogether by saying "We have lost it."

Another question arises: are the bonds of the Canadian Northern now in England? A large quantity of stock and bonds were sent to the United States and money raised upon them. A large amount of the stock of the Canadian Pacific railway company was sent to New York, and was there used as a means of liquidating the balance which was owed by England for munitions and provisions for the army. Now, if the stock is found by this valuation board to be of little or no value, all they will get is a very small amount of money. They will not have money to pay the debt, to run the road, to get equipment, to pay the salaries, and they will be more embarrassed than if they had got no assistance whatever. All this points to the fact that there will be very strong inducements to bolsters up the value of the stock. These people must get at least $25,000,000 out of this stock before they will be able to pay the obligations which have been enumerated; therefore their idea will be that they should get a sufficient amount to wipe off all those obligations and give them a clean sheet. Let us try to figure for ourselves what this appraisement and valuation is going to be. Who will come before the appraisers? Surely the representatives of the Canadian Northern will be very keen to get every dollar that they possibly can out of this arrangement. They will have the best of counsel; I think they have them now. They will have the most astute manipulators; they will have experts who will be able to prove to a demonstration that this stock is worth par; they will have railroad managers and others who will prove that the prospects of the road are excellent; they will quote the speeches of our optimistic friends in Parliament to show that the possibilities of the railroad are immense; they will quote the example of the Canadian Pacific railway; and the orations of my honourable friend from Rideau (Hon. Mr. Edwards) will be brought into court, and every dollar's worth of this optimism will go into this award to the Canadian Northern. If they

do not get 50 cents on the dollar out of this stock, all the benevolent Government interventions will be utterly nullified, and of no avail to them, it will be a positive injury to them. They must get a large amount in order to make the project successful, and every means will be taken to avail themselves of every resource to swell the magnitude of the sum of money which they are to get. Furthermore, the sympathy of the public will be with them. The Government will go complacently into this arbitration. It will not be severe with these men, or, as my honourable friend from Rideau (Hon. Mr. Edwards) stated in his panegyric this afternoon, any one who oppose dealing generously with these men by arbitration will be looked upon as an injurer; and it will be a difficult matter for the Government, even if it were so disposed, to bring that arbitration down to the level where it ought to be. Who has given any assurance that Mackenzie and Mann or the Canadian Northern will be satisfied with the maximum that has been put upon the stock? Will they be content with $8,000,000 or $10,000,000, or whatever has been fixed? No, they will go into the arbitration to win, and win they will, and this country will very probably, have to pay a large sum of money in order to acquire this stock.

Now, I should like to commend this observation to the mature judgment of honourable gentlemen opposite. Aid has been given to the Canadian Northern. How many more aids will they require? Does the situation of the country warrant that the Government should go on and on, and on and on, because, when they have once committed themselves, and when these trammels are around, when they must give more and more money to make this enterprise successful, the finances of this country will be embarrassed by the fact that they have committed themselves to and taken upon their shoulders the financing or the working of this railway.

I should like to say that I do not think a receivership is so very bad a proposition as an alternative. Let us look at it. My honourable friend who spoke the other day pointed out that 72 per cent of the railroads of the United States had been in the hands of receivers. I think the Erie railroad has been in the hands of the receiver. I think the Pennsylvania, or at least a subsidiary company, the Philadelphia and Reading company, has been in liquidation. The Union Pacific has been in liquidation. Many other railroads have been in liquidation. Some have delivered themselves, and some will continue in liquidation. What about the Great Northern railway? What about the Inverness railway? They have gone into liquidation. If one portion of the Mackenzie and Mann system goes into liquidation, what great harm would it do? What obloquy, what disgrace to Canada, or to her enterprises, if other portions of the Canadian Northern go into liquidation?

Some honourable gentlemen have contended that this railroad might be bought up by some American railways. I do not feel very much alarmed about that. If they bought up the western portions of the Canadian Northern, they might work them in connection with the railways of the United States; but would they buy the eastern portions of this railroad? They could not buy up one portion without buying the whole, and what railway in the United States would buy up the whole? What railway in the United States would buy up a portion of a system in Canada, when that system is covered by Government obligations and by the control of the Government? Furthermore, would that be such an awful prospect? Do we not go over the Canadian Pacific railway every day where it runs through the state of Maine? That portion of the railway is not ruined; the rails are not torn up, the Americans have not taken possession of it, because it is in the United States.

I think I may say that the Canadian Northern railway company at the present time cannot get money in England. Even if they could, the English financiers are so astute and so grasping that the little amount of money that they would pay in exchange for any securities that the Canadian Northern could offer, would never meet the obligations of the company, and would cause it extreme embarrassment. There is another consideration that perhaps may affect some people, that is, the failure of an enterprise in Canada and its effect on British investors and other enterprises in the country. Such an instance might be quoted when gentlemen went to England to ask for assistance to manufacturing, commercial, railroad or other projects in Canada. They might say: "There is your Canadian Northern, which had such brilliant prospects, and which was so belauded and supposed to be such a favourable investment for capital, and it has failed." That does not affright me. Other enterprises have failed. For a long time we shall not be able to get any English capital for enterprises in Canada. At the present time England is so embarrassed over her

war expenditures, over the immense sums she has had to give in subsidies to other nations, that she will not be able to afford aid; and the financiers of England will not be attracted by any proposition in Canada for some years to come. Canada cannot borrow money in England at the present time. I observed a speech by Lloyd George, in which he said that the British Government had already loaned millions of money to Canada to assist her financially. Canada went to J. Pierpont Morgan in New York, and borrowed $100,000,000 of money, I am told, because she could not borrow money in England. J. Pierpont Morgan is a very acute financier. The Americans are very sharp people at a bargain. They know that Canada is obligated to the extent of billions of dollars due to the war. They know that Canada will have to pay immense sums in the future for pensions, for interest, for all the expenses of government. They know that Canada has already borrowed $400,000,000 and more before the war. They will not take guarantees by Canada; they will not take promises to pay; they want securities that are immediately transferable into cash. Suppose we had to go to New York and pledge to those financiers the income of Canada from the customs——to give them an assignment upon our customs duties—would not that embarrass Canada? Would not that humble Canada? Would not that be a greater loss of the prestige and the honour and the prospects of Canada than allowing he Canadian Northern railway to be embarrassed or to go into the hands of a receiver, or any possible misadventure that could happen a private enterprise?

Hon. J. DOMVILLE: Honourable gentlemen, there have been good speeches made on this subject both in this House and outside; but it is the practical side of the question we want to consider. It is not necessary to condemn the Government or praise the Opposition. It is not necessary to make highfalutin speeches on the future. "Baccy I hopes, sugar I think," as the man said when he picked up the parcel—I have forgotten the rest of the phrase. But we must boast that we are the people. The people have not much to say. They do not know what these hundreds of millions are. An eminent statesman from New Brunswick, whom I will not name, went over to England in 1859 or 1860. He raised $100,000 in England. When he came back he was greeted with a salvo of artillery; a guard and picket were called out, and a salute was fired in honour of the hero who had been able to raise $100,000 in England on the credit of New Brunswick. That was at a time when the assets of New Brunswick were good and the liabilities short. But to-day we are talking of millions, hundreds of millions, billions, trillions almost. How can the people understand that? They will ask anybody who speaks to-day upon this question. "What do you know about this Canadian Northern railway?" Well, the answer is, I know it pretty well. The representatives of the company are in the lobbies all the time, lobbying, and we see them here. "I come to bury Cæsar, not to praise him"—you remember what Marc Antony said. "There is his corpse," as Cassius put the knife into it. "But you are all honourable men"—that is what Marc Antony said. Well, they are all dead men, as we shall be some day, when our descendants will be considering how we voted in this House or in the other House, and how short-sighted we were, so far as concerns the credit of Canada.

I have here the report of Sir Henry Drayton. a man who has been honoured by the Crown. I have the report of Mr. Tye. As you all know, there is not a better engineer in the world than Mr. Tye. He is a most clever railway man. Sir Henry Drayton and his colleagues were called upon to investigate the whole railway situation, and they report that the Canadian Northern started with great hopes. The Canadian Northern has done great work. I would not run them down with regard to the work they have done for Canada, but they were adventurers, and Canada was paying the bills. As an honourable gentleman stated the other day, it was a case of "heads I win, tails you lose." What did they care? They had the prestige. They were embarking upon various enterprises all over the world, out of which they may have made profit or no profit, but still it gave them prestige to be backed by the Government in their demands for capital for their various enterprises. However, they went too far and their financial embarrassment was the result. Now let us see what Mr. Tye says:

Canada's Railway Problem and Its Solutions.

After a great deal of study of Canada's railway problem, the writer of this paper has arrived at the following conclusions:

1. The National Transcontinental, the Grand Trunk Pacific and the Canadian Northern railways are unable to earn their operating expenses and their fixed charges. Canada has built, and is operating, the first of these roads,

and Canada and the various provinces have guaranteed the principal and the interest of most of the bonds of the other two. As the roads are unable to earn their fixed charges they must, of necessity, be paid by the country.

If such is the case, they have bitten off more than they can chew. Parliament, as the custodian of Canada, has the right to see what remedy can be applied. We are all differing now only on one point: who shall get possession of the system? I take no stock in their equities, because I turn to one of these reports, Sir Henry Drayton's I think, in which it is stated that they have no equities, that the stock is valueless, that it is all water. Yet, without knowing what we are going to do with it, for no information has been laid before Parliament as to the value of the bonds, we are asked to arbitrate with a debtor as to what we are to give him, instead of saying. "What are you going to give us? Render to Cæsar the things that are Cæsar's. What have you to give us for our money?" "We have nothing to give your but that stock," and that stock is to be hypothecated, melted or boiled down in some way, and we are to decide in some way how much the company are to have. The owners of the company have had their private cars and their yachts and have enjoyed a good living, such as few people have had; they have lived on the fat of the land. Now they have come to the end of their tether, and Canada has to ascertain what is to be done with the money of the taxpayers of this country which has been invested in that railway enterprise. That is the first consideration. So far as Mackenzie and Mann are concerned, it makes no real difference to the people of Canada whether their prestige is gone or not. They have been knighted. But why should we lose sight of the point that we are here to decide, what is best for Canada? It is all very well to deliver a beautiful speech in favour of Mackenzie and Mann, as kings in the world of finance, but we have nothing to do with that. What we have to consider is the proper action to take, and the people will expect to know why it was done, or what pressure was brought to bear to change my mind or the mind of any other man, or why the statement was made on the floor of this House that the Canadian Northern railway company should be assisted because they had done something for the country. Of course, when I go home I will not have to give an account to the people. I am not responsible to them beyond the fact that, being here, I should try to guard their interests by my advice or any suggestion I may make which may have some effect on this wild dance in which we are engaged. It is like Belshazzar's feast: you remember the golden goblet and the feast, and how the enemy came and destroyed it all.

Hon. Mr. DOMVILLE.

We have to provide for the expenses of the war, which is an absolute necessity. I do not think there is anybody in this House who will deny that we owe a debt of gratitude to England. We are descended from the Mother Country, who lent us a hand when this Dominion was in its infancy and who is perhaps helping us now. We must remember this part that this country must play in the great struggle. Is democracy to prevail, or are we to have the divine right of kings, as in the days of Moses and Aaron? Are we to have the apostolic succession? I am speaking now for my own denomination. Tell me, must I bow to the cocked hat and feathers? This earth is going like a ball through the air, and the great stars are still above us, and, after all, we are only poor, miserable creatures, worms, trying to believe that we are superior animals. So far as Canada is concerned, I can see only one point ahead. I can see only that this Canada will exist, that this ball will continue to go through the air when we have all passed away. I can only say that it should be the idea and the best desire of every man in this country to see how this Canada of ours may in the future be a bright star. We are bound up in the welfare of our country and its various interests—its crops, its manufactures, the children who will come after us. That is the great idea. Who shall govern this country, who shall get this plum or that plum that has nothing to do with the question before the people to-day. The question is whether wise statemen, be they Liberal or Conservative, be they for coalition government or otherwise, shall keep the higher view before them, a greater idea of that than the pecuniary interest of some railway corporation and what they may get out of a transaction. If public men fail in their duty, they must take the consequences. I would have no objection if we said to Mackenzie and Mann, "We will give you $500,000 a piece to relinquish the railway." They will be out of a job, but if they have done so well in the past and can now get $500,000 a piece, they will be well provided for. That amount of money at 6 per cent to-day would provide them with $30,000 a year to live on. For that amount a man can have motor cars and almost anything he wants if he is not too hard to satisfy. But we are

dealing with millions; yet the port of St. John, for instance, is left in need of a dry-dock. At Courtenay bay nothing is being done; the work has been cut off. Millions --$4,000,000 or $5,000,000— could have been spent for the general advantage of Canada and the whole trade of this country. What are we asked to pay Mackenzie and Mann who have got their road into financial difficulties? Do you suppose for one moment it would be right or prudent to let them have a say in the management of the railway? No. As honourable gentlemen have stated, they have been imprudent in going into this enterprise. They had great ambition and received great assistance in the advancement of their interests; but, as I have already stated, they have undertaken more than they can carry out.

Now, what are we to do with this railway? I do not think the Government know what is to be done. I think the Government would have been glad to get rid of the whole business. What would we do with it? It would seem at first blush that the road should be put in an independent position; that is to say, that a receiver should be appointed or something of that kind done. The whole question should be studied, with all the surrounding conditions, in order that it may be seen what should be done with the system, instead of the proposal to give this money for the stock, which the report says is water and nothing else, and of no present value. Why did we not know this before, when we were asked by the company for the loan of $15,000,000? Why did we not know it when we guaranteed them $45,000,000 more? Why was not the danger signal, the red light, put out? Why did we not ascertain the exact situation between last year and the present time, by the appointment of a commission if you like, to study the situation in all its details? Auditors cannot do so. All they can say is: "We have examined such and such an account; we find the vouchers correct; we find that according to the books the liabilities amount to so much and the assets are so and so; and we find nothing more." They do not know all the business. They have not been able to go back farther than the past five years in order to investigate and ascertain what was done with the money, and yet we are asked on that ipse dixit to agree that they are quite right and to give the Canadian Northern any money they want. I think we should have had full particulars, and we would have had the information, if there had been an independent investigation to get at the root of the matter, if it were possible. I do not suppose you would have got at it. My honourable friend says they would bring all the pressure to bear, that they would have myrmidons here and there; that they would base their claim on the country and on this Parliament by statements patched together like a quilt; that the pressure would be so great that the award might not be, and probably would not be, according to the merits of the case.

Now, we have a great debt to face, and it must be faced. The war debt now amounts to $600,000,000. In addition to that, there is the past indebtedness of Canada, which brings the total up to nearly $2,000,000,000. If you figure $2,000,000,000 at 5 per cent interest you will see what an enormous interest account it means, which must be borne by the 7,000,000 in this country. The farmer says: "I cannot pay it; I am paying all I can now." Where is the money to come from?

But that is not all; the matter does not end there, because the war is not ended yet, and we shall have more money to pay and more obligations to assume; and this in face of what the Finance Minister of Canada says. I bow to his ability. No doubt he has done very hard work. He says we cannot borrow any money from England. We find in Montreal shell factories closed down. Why? They cannot get financed. In the first instance, we rushed up factories everywhere. We said: "Go ahead; make shot and shell; this war will continue; we shall have pork and beans and everything else to sell to the Government; we do not lose our blood relations, or if we do lose any, they are somewhat distantly removed, but we are going to prosper out of this war." And they are prospering to the extent of millions and tens of millions. Is there anything in that of a Christianlike nature? Is there any patriotism in that? Is there any desire to build up Canada, to elevate all classes, to stop warfare between one province and another? All sorts of dodges are put up to breed ill-feeling. That is very small work indeed.

But how are we going to find this money? The common stock, it is of no use to bother about; it is worthless according to the report. And when we get a commission appointed, what are they going to do? Who shall compose the commission? I have so little faith in human nature that I cannot look for any great result except in propitiating somebody or their benefiting

themselves. Our credit, if the Finance Minister is correct—and I have not the slightest doubt that he is correct, and it seems to me he is very sound in what he has done—our credit is such, he says, that we cannot borrow any money. What are we going to do with the securities, then? We have undertaken to do something, but we have not the borrowing power or the money. How much harm would it do if this Canadian Northern matter remained in abeyance? Let the creditors wait. We should not vamp up the credit of that company in order to pay bondholders who went into the investment for a matter of profit. If they had not seen the interest they were going to get, those financiers would not have gone into that road. They were bolstered up with the idea that the Canadian Northern company had the Government in such a position that they could make them do anything they said. It was told me by one of those men themselves that they were going to have the Intercolonial railway in spite of anybody; they would kerwallop the country and take it. They did not get it, but we all know they exerted an immense pressure, and the unwritten history of that road would show that they made the most determined efforts; and if they had got that road for $100,000,000——

Hon. Mr. McSWEENEY: They wanted it for nothing.

Hon. Mr. DOMVILLE: Or for nothing—though I do not take extreme views; but if they had got it, they would have floated bonds in connection with their system and would have brought up the value for the investing world. We find them working to get hold of that railway with the sole intention of furthering their own ends. I hope the leader of the Government in this House, for whom I have great respect, will listen to our representation to amend this Bill so that the equities, whatever they are, would be got out of them without any bias or coercion. When I was running an election in Kings county once, my opponent said: "Mr. Domville has been milking the cow long enough; now I want a suck at the critter myself." Well, I say that the poor critter is so attenuated now that you can get no milk out of her. Mackenzie milked her, and there is nothing left.

Hon. Mr. McSWEENEY: But skim-milk.

Hon. Mr. DOMVILLE: No, it is down to strippings, and very little of that. I view all this with great alarm. We cannot alter it; we are not in power, and if we were, I am not prepared to say that we would have a much better chance than the Government of the day are getting.

Hon. Mr. McSWEENEY: Cannot you amend it?

Hon. Mr. DOMVILLE: That, I say, can only be done by the Government taking into their consideration the whole state of these affairs, not dressing the men up and vouching for them as honourable men, like Marc Antony. When the Canadian Northern managers gave that celebrated picnic out West, three telegrams came inviting me to go; but I said to my wife, "No, they are not going to bind my vote with two bottles of wine." They had a tour all over the West, and I did not go; therefore I am under no obligation to them.

How will this Bill be received by the taxpayers when they find the Government going into these vast expendiures and the country getting nothing out of it? We all know that the future of Canada must depend on what the soil will produce to feed the people. The hewers of wood are the people, because without them we cannot live or produce any revenue. We cannot depend on our knights and baronets, but must look to those who develop our minerals, our fisheries, and our other resources. As we develop those, we will be in a solvent position, and able to pay our creditors; but giving Mackenzie and Mann this money is not going to help us meet our creditors, or help us in our position in the world. We should bend all our energies to building up Canada and producing. Are we getting down to that point? We are patriotic and I am sure nobody would accuse me of not being patriotic; but we let cheap patriotism run away with us. Somebody in England said, "Patriotism is the last resort of a damned scoundrel." Who was that?

Hon. Mr. McSWEENEY: Ben Johnson.

Hon. Mr. POWER: No, Sam Johnson.

Hon. Mr. DOMVILLE: It doesn't make any difference who it was, the verdict was good; the idea was original, perhaps, and the result would be that those lip-loving patriots that are scooping this money are bleeding this country to death.

We complain that the farmer's prices for his produce are too high, but what does he get out of it? He has to meet all the interest on the municipal bonds, the interest on the provincial indebtedness, and everything around. How much better off is he to-day than he was ten or twenty years ago, when he did not have to pay all those things?

Before Confederation the expenditure in New Brunswick was less than $1,000,000 a year; we had not even a general commanding the army, though we had majors and quartermasters and all necessary officers. We had 43,000 men under arms, and Nova Scotia had 40,000 or 45,000 men that cost the country nothing. What is the cost to-day? The return brought down on the 21st of June shows thousands of dollars wasted, and the idle officers are walking around the streets of Halifax in uniform.

Where is the guardianship of this country? Are we looking after our interests? This question comes before us to-day, and it is our duty to call the attention of the people of Canada to our objections to this Bill. We may lose every vote on it, but we may point out to the people of Canada that we entered the strongest protest we could to stop this carnival of folly.

At six o'clock the Senate took recess.

The Senate resumed at eight o'clock.

Hon. Mr. DOMVILLE: Honourable gentlemen, I was trying in my imperfect way to draw attention to this proposed deal of Mackenzie and Mann. I am glad to see my honourable friend opposite from St. John (Hon. Mr. Thorne), because I am sure that he will endorse what I am going to say, that we in that part of the country are not going to benefit at all by this deal.

Hon. Mr. McSWEENEY: Hear, hear.

Hon. Mr. DOMVILLE: There is another gentleman on the floor of the Senate from St. John. If this money is expended, we have a right to know why we do not get any benefit, and what influences there are that keep us from getting any. No doubt, my honourable friend will enlighten us as to what we are going to get in this shuffle. I tried to point out that we were not discussing the details of the Bill now, but the principal only. We will not discuss the details until we get into committee. I am speaking of the principle that we should not go into this bargain the way it is. I wish first of all to read a letter from Lord Shaughnessy. I think he is known by some; he is worshipped by some. I am not a worshipper of any man. Lord Shaughnessy says that no organized opposition has been offered; that is, that there is no organization as to the Canadian Pacific railway taking any hand in the affairs of the country and blocking the Canadian Northern deal or manipulating on their behalf. The Canadian Pacific company is a very powerful company. Whatever they have done they have done well. Nothing that they have taken hold of has been a mistake. Therefore we have every reason to bow in deference to any expression emanating from such a great concern as they are, and especially from so great a man as Lord Shaughnessy. I think Lord Shaughnessy's appointment one of the best appointments of the day, it was a recognition of what Canada and what the Canadian Pacific Railway company had done. On the other hand, we are faced with the failure of this other concern. But Lord Shaughnessy has come out as a great Canadian organizer, and we have every right to take some stock in what he says and thinks. He says, in an open letter to the Montreal Gazette:

> I wish to deny most emphatically the statement published in a number of newspapers, and evidently inspired, that the Canadian Pacific Company is offering organized opposition to the Government proposals about the Canadian Northern. Up to the present time no effort of any kind has been made by the company to influence the vote of a single member of the House of Commons or the Senate upon the measure now before Parliament.

He brings forward the fact that, so far, he has not taken any step towards recognizing as he does afterwards, the question of the hour.

> This reference to the Canadian Pacific is the same old threadbare ruse to which resort has been had on more than one occasion, during the past thirty years, when railway schemes of one character or another were being considered by Parliament.
>
> It is true that the acquisition of the Canadian Northern by the Canadian Pacific was discussed by representatives of the parties concerned, but the discussion was at the suggestion of members of the Dominion Cabinet.

Any dickering or any by-play that was going on, was just like what we have had with regard to the coalition government and things of that sort. Lord Shaughnessy was called in so that he could be talked to. What took place at the lunch we do not know; but he says he was called at the suggestion of members of the Dominion Cabinet. They must have had some idea. They must have been considering the difficulties of the hour, and the urgency of protecting the country and making good their own position, while recognizing that there was a blanket over this country, recognizing that there was some drastic measure to be taken and trying to see how they could clear their skirts of it, and taking advice of such an eminent railway man as Lord Shaughnessy of the Canadian Pacific.

After a time it was evident that no transaction was possible, and negotiations were dropped.

Now, what were those negotiations and transactions? Why were they dropped? What was the object of them? There must have been something. The Government must have seen that what they were doing would not take before the country. They must have seen that they could not pull the wool over the eyes of the country—I will not say that, it is not parliamentary; but they could not induce the country to accept the same view that they did of the Canadian Northern.

The fate, or destiny, of the Canadian Northern is not a matter of special moment to our company as a common carrier, but the company, having enormous interests in Canada, naturally views with apprehension the possibility of the payment of an excessive price for the alleged equity of the holders of the majority stock, and feels that some less speculative and more direct means should have been used to fix the amount than the very uncertain process of arbitration.

Now, I am going to refer to the equity that these people claim they have and what it is worth. I quote from no less authority than Sir Henry Drayton. What he says chimes in exactly with what Lord Shaughnessy says. Of course, my honourable friend was absolutely charmed with the Canadian Northern, and made apologies for them, which will be used to good effect. He made apologies for them, and said that they had done some good, even if they were plungers. They were living in hope, and they had done good work for Canada. Therefore, they should be remunerated, not at a value set by themselves, but at a value set by Parliament, as to what they should receive.

It is to be hoped that if the transaction is carried out the country will not, in consequence, be saddled with heavy liabilities heretofore undisclosed, and that in fixing the amount to be paid under the arbitration proceedings, no consideration whatever shall be given to personal investments in unfortunate ventures such as coal mines, lumber mills, blast furnaces and other works alleged to have been undertaken for the advantage of the Canadian Northern enterprises, but being in fact private speculations of the promoters of the railway company.

The references to my own attitude on conscription are offensive and unwarranted. On this subject and on every other question or work connected with the prosecution of the war, I require no advice or inspiration from that little coterie of men who are engaged in fixing standards of patriotism, and whose catechism fails to distinguish between loyalty to the King and loyalty to their particular projects or interests.

That is Lord Shaughnessy's statement, a man who has been successful in railway undertakings, and whose name shines before the world to-day, not only on this continent, but on the other continents, a man whose word is considered. He cautions us—for it is a caution—to see what we are doing before we are carried away by any blandishments whatever. Sir Henry Drayton says:

Conclusion as to Canadian Northern. We conclude, therefore, that the shareholders of the company have no equity either on the ground of cash put in, or on the ground of physical reproduction cost, or on the ground of the saleable value of their property as a going concern.

Now, what does that mean? The head of the Railway Commission is a trusted man in Canada, a man of great ability, and when he says that, are we to take his scientific knowledge as against the expression of some honourable gentlemen here who think otherwise? We must have some authority. I discard all questions as to Liberals and Conservatives, all questions of Ontario bucking Quebec, or Lower Canada bucking Upper Canada. I want to see some higher ideal. Let us be statesmen if we can. Let us stand up for our country, fight anybody if it is absolutely necessary, and not be fooled or humbugged by every Tom, Dick and Harry, who has some little influence. Sir Henry Drayton goes on to say:

If, then, the people of Canada have already found, or assumed responsibility for, the bulk of the capital; if they must needs find what further capital is required; and if they must make up for some years to come considerable deficits in net earnings, it seems logically to follow that the people of Canada should assume control of the property.

I pin my faith to that. If it is moribund, if it is a financially broken-down company, let it go into the hands of a receiver. If the road is no good—I do not say but what it is a very valuable asset—do not tell them to take our money for the future and place it in some other concern. The road will bring its quantum meruit. Why have we to stand by them? I can understand opposing the Government or standing up to the Government; but why we should stand by these men who have sucked the country nearly dry, and bolster up their case for them in order that they may be remunerated to such an extent as they may see fit, is more than I can understand. The Drayton-Acworth report goes on to say:

We return later to the Canadian Northern Company in order to set out our recommendations as to its ownership and management in the future and as to the terms to be offered to the existing shareholders.

A little further on it says:

There is yet another reason, why we do not think that, even if it were possible, any attempt should be made to form a new company, either on the Mexican or on the New York subway model. Such company could not be Canadian. The capital would have to be found elsewhere, and the control would follow the capital. We think Canadian railways should be under Canadian management.

That is all very well. Now, according to Sir Henry Drayton, the money was to come here. When they come in forma pauperis and say they have failed in every way, is that any inducement for outside people to invest their money in the enterprise? No, I think not. Then he goes on to say that the $60,000,000 or $40,000,000 of stock—whatever it may be—has no consideration to correspond with it; there is no consideration for that large amount of stock that Canada has to pay for, wherever it may go, trusting to luck as to the disbursement of it. I do not say for one moment that it would be improperly disbursed. I am not going to say that there would be any humbugging about it, but I am pointing to the unfortunate position, the difficulty that in the handling of so much money improper management may occur. We should guard against that. I do not think there should be any personal feeling in the matter. I have none. I want only to let the country think. I want to place on record in every home in this country, that the country has already assisted the Canadian Northern to the extent of all that money. Then the people will have the chance of deciding what they should think. Any talk that takes place here is probably of very little service. Nobody reads what the senators say, and nobody cares; but if the senators can enunciate a doctrine which the people can approve of, then it will stand out bright and shining. The Senate should show to the country that it can rise superior to influence. This House should be similar to the House of Lords, not prejudiced by anything. You do not find that in the House of Lords the members complain because some one says something which they do not like. They are gentlemen and know how to behave themselves, and so should we. I do not say we do not, mark you, but we should show the country that, when the proposal came up to plunge this country further into debt, the Senate rose superior to the occasion by recording their view and their conviction that that should not be done.

We are all desirous of winning the war. We have some of our people in the fight. There are others who have not, but we are doing our best. Why should there be any remark from the other side, or anywhere else, that we are unpatriotic, that we are not standing up for the country, that all the loyalty that exists is over there, or amongst them? It is ridiculous. As I was saying at home the other day, get every Frenchman into line and every Irishman, and cut their throats and let United Empire Loyalists have the country. Yes, let them have it. Honourable gentlemen, we are all too big to go into that question. I shall place on record, and I think I can speak for everybody on this side of the House, that we are anxious to do everything in our power to win the war—to sacrifice everything in a legitimate way; but we desire to know that our money is not frittered away or thrown to the dogs, but that we are getting value for it. We tax the people, and the people are not unwilling to pay their share and will pay their share, when their money is not being wasted, as it would be in this case. We are now in the death throes of a war, and are using all our energy to try to raise money for the soldiers. The women are knitting socks, and everybody is doing something. Then we are confronted with this matter and are told, "We must have all this money to make our position." I say again it has nothing to do with making good the position of this country. We want to make it good. I am speaking for this side of the House when I say that we are ready to join in anything to make good the position of Canada in this war, but we are not willing to be led away by the nose, by false measures or false representations.

I do not know that I can say any more. I want it well rammed home so that the people may read and understand it. With the present difficulties and hard times, the farmer and the workingman and the producer of wealth are being taxed for the benefit of a railway that has already had hundreds of millions of dollars. That is what to place on record in order that the country may know. As to the question of loyalty, I pay no attention to it, because there are as loyal men on this side as there are on the other side of the House. I do not often take up the time of this House. I can remember a saying by a young man who had great expectations from an uncle. He asked: "Uncle, how long did I speak? An hour? Two hours?" "Yes, two hours, or perhaps three." "What did you think of it?" "Well," he said, "it would have been better if you had made

it in a quarter of an hour; but if you had any brains you would never have made it at all."

Hon. P. A. CHOQUETTE: As a great part of the Canadian Northern system is in the province of Quebec, such as the Canadian Northern Quebec and the Quebec and Lake St. John railways, and as the province of Quebec and the city of Quebec particularly have given large bonuses in land and money to these two lines of railway, I feel it my duty to say a few words on this Bill. I do not intend to go over all the arguments which have been put forward to show that this Bill should not pass. We have had forcible speeches made by honourable gentlemen on this side of the House. I would mention particularly the honourable gentleman for De Lanaudière (Hon. Mr. Casgrain), who is particularly well posted on this question, and I think that the reasons which have been given ought to prevail, if good reason is to prevail.

This House is supposed to sit as a court of justice or a jury to pass condemnation or approval on the measure which has been submitted to us. Perhaps our own personal opinion must not carry much weight on one side or the other, because it may be influenced by party politics or otherwise, as some people dare to say, but we have to take the facts as they are. It is well also to take into consideration the opinions of persons outside of this House and the views expressed by corporations or newspapers, and try to form an opinion upon the merits of this measure. The case before us, I may say, is that of Mackenzie and Mann supported by the Government against the people. Against Mackenzie and Mann personally I have nothing to say. Supported by the Government, they are asking the people, whose interests the members of this House are supposed to defend: "Will you buy our property, will you take over our interests in this big railway, will you assume the liabilities standing against us and be responsible for all our debts, and take the place of our company. The people, if they were called upon to vote on the question, would surely pronounce against the proposal, and it is our bounden duty to protect the interest of the people and to say that we cannot accept the bargain.

As I have said, our personal opinion may be prejudiced in some way. Some honourable gentleman on the other side—I do not know who—had the audacity to ask my honourable friend from De Salaberry (Hon. Mr. Béique) if he was honest in his opinions, because he was a director of the C. P. R. All who know the honourable gentleman from De Salaberry would regard that question as an insult. The honourable gentleman places his duties as a member of this House above all his personal interests. But that same member ought to have asked the honourable gentleman in front of me (Hon. Mr Edwards) if he was interested? It would have been also an insult to be asked that, though he differed from the honourable gentleman from De Salaberry and from his Liberal friends. It would be similar to asking the honourable leader of the Government if his partner, Mr. Bennett, director of National Service, is interested for if there has been a plea made, whether in this House or outside, or in the other House, against the bargain, it is that of the honourable member for Calgary, who is a professional associate of the honourable leader of the Government in this House, and who ought to know something of the deal. He made the most stinging attack and passed the severest condemnation on the Bill. As to the honourable leader of the Government (Hon. Sir James Lougheed), he made a good presentation of the Bill, in his usually clever style, but we saw that his heart was not in the measure any more than was the heart of the honourable gentleman from Sydney (Hon. Mr. McLennan), who stated that the Bill was distasteful to him. But he was pardoned for his opinion when he said: "I do not like the Bill, but my friends asked me to vote for it, and I will approve it."

Let us now consider the views of disinterested parties. I will not recall the forcible protests made against the Bill by leading friends of the Government in Montreal like the Drummonds, the Ekers, Chaput and some twenty others, if I remember correctly, who condemned in the strongest terms this proposed legislation which would burden the country with a liability of $600,000,000 or 700,000,000. At Kitchener, the other day, the municipal council passed a resolution condemning the Bill in the strongest terms. In the province of British Columbia Sir Charles Hibbard Tupper, who as everybody in this House and outside knows, is a good friend of the Government, has condemned the Bill, but he took the precaution to preface what he said by remarking that he is going to support the Government just the same: "In ordinary times," he says, "the Canadian Northern deal would bring shame, ignominy and defeat on the Government."

That is an expression much stronger than any which has been used in this House, and it has been by friends of the Government in condemning the Bill.

Let us now refer to a newspaper which is very friendly to the Government, the Montreal Star, of August 21. What does it say?

The bill now before Parliament intended for the relief of Mackenzie and Mann and their creditors is decidedly weak in some of its provisions and dangerous in the extreme. Under the Bill as introduced there might be a staggering award. Mackenzie and Mann know how to engineer their schemes; they must not be permitted to engineer the country into bankruptcy. It is too big a risk and there is danger that Parliament may be woefully negligent in this case, as it always has been with railway legislation.

So far there is no provision for securing honest surrender of the assets. Some have been left out of the official lists. For one of the largest subsidiary assets of the concern no adequate provision is made, and there are many other assets paid for by Government money that are not included.

Is it possible to accuse the Government more vigorously of not considering the interests of the country and of playing into the hands of Mackenzie and Mann ?

All this condemnation indicates how we ought to deal with this Bill. What is the opinion of the people of Canada regarding it? I do not say that we ought to defeat the measure without examining it, but I say that the amendment moved by the honourable leader of the Opposition (Hon. Mr. Bostock) calls for just the information which we ought to have in order that we may understand what is involved in the Bill—what are the assets and liabilities, what is the state of the railway, what has been the cost of the line. When all that information has been placed before us in committee, we whose duty it is to protect the interests of the people shall be in a better position to say why the people cannot buy that railway, cannot overburden the country with a railway with stock of no value.

Honourable gentlemen, I say without any hesitation that I will support the amendment, because when the Canadian Northern Bill came before us in 1914, when a loan or a guarantee of $45,000,000 was asked in order to enable Mackenzie and Mann to finish their road, I myself moved the following resolution :

That the said Bill be referred to the Standing Committee on Railways, Telegraph and Harbours, and that the said Standing Committee on Railways, Telegraphs and Harbours, be and are hereby empowered to send for such persons, papers and records, as may from time to time be required by the said Committee for the purpose of affording evidence under oath, as to any matter arising out of the examination by the said Committee of the Bill from the House of Commons, (No. 214) 'An Act respecting the Canadian Northern Railway System', and that the said Committee be and are hereby authorized to employ a shorthand writer for the purpose of said examination, and also legal advisers and counsels and railway experts if necessary.

I do not blame the honourable gentlemen who then voted against that motion. There were only 20 in favour of it, and it was defeated. But, honourable gentlemen, I say that I will support the motion made in similar terms, or to the same effect. I do not boast that the 20 who voted for the motion were wiser that those who opposed it, but if at that time we had taken the necessary precautions and had made the investigation suggested, we would have know where we stood and would perhaps not have advanced the $45,000,000 which went into the pockets of somebody or paid the debts of the company and left the company still in the same position. I claim that that was the time, before advancing the $45,000,000, to take necessary precautions and to have such an investigation as we are now asking for, though it is a little late. In any case, it is never too late to mend. So I claim that the amendment ought to carry, and before rejecting or accepting the Bill we should have all the information which has been asked for in the motion made by my honourable friend (Hon. Mr. Bostock).

I will give you now, in a few words, some of the reasons why I opposed this Bill before an investigation is made. In the first place, I oppose the principle of public ownership. I have always been against public ownership. I have always been of the opinion that a Government cannot fairly and justly administer a railway or steamship corporation, or even an electric railway, except in the case of a municipality. The Government cannot do that because politics always interfere. I heard an honourable gentleman state this afternoon that the present Minister of Railways had nothing to do with politics. Well, honourable gentlemen, when we recall what happened in Nova Scotia, when Messrs. Stanfield, two good Tories, sent in their resignations because the Minister of Railways did not accede to their request by naming their political friends, they were induced to withdraw their resignation, and they got what they wanted. It is sufficient to mention that fact to show that in spite of the good will of a Government, Liberal or Tory—I put them both on the same footing in this connection—the Government cannot administer a public corporation without any political favours.

So strong was my opinion that thirty years ago, when I was a member of the other House, I advocated there and in the press that the Intercolonial railway should be sold or leased to a corporation or company existing, because a government cannot make a financial success of such undertaking. Moreover that line was then passing through the county of Montmagny, which I had the honour to represent, and those who represented the counties through which it passed will say, like me, that they would prefer a hundred times not to have those railways belonging to the Government because of the trouble that came from them. If a cow or a horse was killed or a gate was left open, we were bothered to death to have the claim settled. I have always been against public ownership, and especially against the Government owning railway property. That is my principal reason for opposing the Bill. If the Canadian Northern is financially unable to face its obligations, I say we ought to do with it what is done with corporations that are financially embarrassed—let it go into bankruptcy or into the hands of a receiver. It would have been better to have appointed a receiver in 1914 instead of giving the guarantee for $45,000,000, but it would now be the best thing to appoint a receiver to the railway. Under a receiver the railway would go on as it is now; he could operate it during the war, and he could help the Government to redeem a lot of securities better than a private corporation could. The Government will have to spend large amounts in improving the road. I could cite a number of railways which have gone into the hands of receivers, and which have always turned out better. If a receiver were appointed under the control of the Railway Commission, or if the Government would put one in, we would know exactly where we stood. We would make a real inventory; we would know what the assets were—the value of the land, the amount of rolling stock, and all the material of the railway; we would also know all the claims against the company; and we would then be in a better position to know where we stand. A receiver might be appointed by the court itself, with authority to close those parts of the railway which are not paying, and with the right to make improvements on the road as it is now.

In the province of Quebec is the Quebec and Lake St. John railway, which forms part of the system. It is not a paying proposition, that road having been built very cheaply, and the common stock has no value. If there were a receiver administering that railway under the control of the court or the Government or the Railway Commission, it could be advertised for sale separately, because it is a special company incorporated by the legislature of the province of Quebec under the control of the local government. If he advertised that railway for sale it would be a good thing for the province of Quebec to buy it, and pay probably a better price than could be got in any other way, as there are many people in Quebec who would be in favour of buying it and administering it, as it reaches the immense fishing and hunting grounds at the back of Quebec, and this would be a good thing for that province in advertising and developing that section. I believe that if the sale were advertised all over Canada and in the United States, it would bring the company perhaps one-quarter or one-fifth more than the Government can get for it; the receiver would get that much more out of it; that is one of the benefits of having a receiver. And if the Government does take possession of this railway, I hope the province of Quebec will enter into negotiation to get the railway from the Government for that province, and it could be administered say by the Public Utilities Commission. The Government has not agreed to appoint a receiver, but proposes an arbitration to value the $58,000,000 of stock belonging to Mackenzie and Mann. If an arbitration is wanted, the best thing would be to appoint at once the Judge of the Exchequer Court, in whom the whole Dominion has confidence. The fact that the Government proposes to appoint as expert arbitrator Sir William Meredith of Ontario is sufficient to throw suspicion at once upon the proposition. While I have confidence in him as a judge, and think he is a fair and able man, as the expert of the Government I have not. We have had some experience of him already, and I frankly say I would not be more surprised and would not object more if the Government proposed to appoint Col. Allison. For me it would be about the same thing. Col. Allison was a good friend of the Government, like Sir William Meredith, I think, moreover, that the fact of appointing an expert to value stock which has no value is practically giving notice to the expert that something must be done.

The explanation given the other day by the leader of the Government in answer to the honourable member for Hastings (Hon. Sir Mackenzie Bowell) was certainly a put-

up job between themselves, as we all saw; but the question asked by the venerable member for Hastings was a fair one, and the answer would please some of his friends, who could refer to the answer given by the Government. But where does the Government get power to put a maximum of $10,000,000 on stock that is worthless? Moreover, the fixing of that figure is a premium to the expert to be unfair, and to value stock that has no value now, which has never been listed, a share of which has never been sold on the stock exchange. I say that is one of the worst things for the nation, for the very fact of putting that price on that stock is much more dangerous than if the Government said that the stock might be worth something. More than that, the maximum amount as given in the answer of the Government is not inserted in the Bill; at the same time it leaves it open for Mackenzie and Mann and their friends to speculate on that stock, as they have already done, knowing what was coming. It is as though Mackenzie and Mann said, "We have some debts, and we have nothing with which to pay them," and the Government answer, "We will fix a maximum of say $10,000,000 on your stock." We see how it all works out. As the Montreal Star says, they are very clever men to finance these affairs and push through their Bills. But they are also very clever members of the Government, and they are very apt to jump at a glance thrown at them by the wizards, Mackenzie and Mann; so they say: "We will give you something like $10,000,000, and then you will have money to pay your debts and to subscribe to election funds." As a business matter, is it possible that the Government is going to impose on the country a debt of between $600,000,000 and $700,000,000 without knowing what they are buying? They are buying it like a cat in a bag; they know nothing about it, just taking as O.K. the statement made by the auditors for Mackenzie and Mann.

I cannot understand how a shrewd business man like the member for Ottawa (Hon. Mr. Edwards) can advocate this Bill and accept the assets and liabilities of a corporation such as this without investigation. In his own lumber business the honourable gentleman would not deal in that way, and he would be insulted if for a moment any one would think he would do so. Perhaps he says that he is not speaking as a business man but as a senator; if so I will take his word. I highly respect his character and his business ability, but I cannot understand how he can support this Bill and retain his reputation as a business man. Moreover, Ontario and all the provinces west have guaranteed Mackenzie and Mann to the extent of from $25,000,000 to $40,000,000 for each of them; but the province of Quebec, which will be responsible for a share of this total indebtedness to the amount of about $100,000,000 did not guarantee debentures, but gave subsidies in land and money which it has paid. Quebec has $415,000 of common stock in the Quebec and St. John railway and in the Canadian Northern, if I remember correctly, although we have paid our share for the whole of these railways both in cash and land subsidy, we have never had practically a good service. We are not responsible for a cent of the guarantees of those railways in the West that have piled up debts of hundreds of millions, still we shall be loaded with paying a part of these millions of guarantee. Is it fair? Is it just? Is it possible that members of the Senate will stand for that bargain?

While speaking of Quebec, I will read the following telegram, which was sent by the mayor of Quebec to Sir Thomas White, the Minister of Finance, on August 30 last. It says:

Sir Thomas White,
Minister of Finance,
Ottawa.

The city of Quebec holds four hundred and twenty thousands of dollars of common stock in the Quebec & Lake St. John and Canadian Northern paid for at par, and a number of our citizens hold stock in these railways and in the Canadian Northern Quebec. Both these roads form part of the Canadian Northern system. We hope you will protect our interest by providing that this stock shall be provided for in the bill now before parliament.

H. E. Lavigueur,
Mayor of Quebec.

According to the list of shareholders given in the other House by the Minister of Finance on the 23rd of August, I do not see that the city of Quebec is a shareholder of the Canadian Northern system. I understand that the $60,000,000 of stock to be bought is stock in the Canadian Northern railway company, and the stock held by the city of Quebec is stock in the subsidiary companies, the Canadian Northern Quebec and the Quebec and Lake St. John railways. I do not quite understand the position, but I ask the Government: if this stock is a liability of the Canadian Northern Railway system, and if the experts are going to give a maximum of $10,000,000 for the stock, is there any provision by which the city of Quebec and private sharehold-

ers will get something out of that? I take that to be the meaning of the telegram of Mr. Lavigueur, the mayor of Quebec. I am told that there was no satisfactory reply to that telegram; so I put the matter before the Government, and I hope that they will soon give an answer which will be satisfactory to the mayor and citizens of Quebec, and that this stock will be considered as a liability of Mackenzie and Mann, or of the subsidiary companies; and, if Mackenzie and Mann get something for their stock, it will be arranged in such a way that the money so received will be used, at least partly, to reimburse Quebec and the shareholders in the city of Quebec. I bring up this question, and I will endeavour to get the information, and will try to see if something cannot be done, by amendments or otherwise, when we will go into committee. For the present I ask my honourable friend the leader of the Government to have a word with the Finance Minister so that he may be able to give me the information in committee.

I will not take up more time of the House. I have given some of the reasons why I think this Bill should not be accepted before we get further information. As a matter of principle, I am as I said against public ownership; but I do not say that we are going to find no good in the Bill whatever. If the Government is absolutely obliged to take over the railway, the least we can ask is to get the necessary information to intelligently pass judgment on the measure; and for my part, if it is not given, I will take the first opportunity at the third reading of moving the six months hoist.

Let me for one moment draw the attention of the House to another point. If I remember well, before the war, our national debt was about $340,000,000 in round numbers. Call it $400,000,000 if you like. What have we got for that? We have got a beautiful system of railway; we have harbours, public buildings, canals. Now, we are going to load this country, in this time of war, with an amount of obligations sufficient to carry on the war for two years, and with twice the amount that we expended until that war for these public purposes. And for what? For what reason are we going to do this? Just to please friends. We take over a railway on which we are going to spend as much perhaps as $100,000,000 to put it in good order, because, according to information which has been given to me by men experienced in railroad building, some parts of this railway may be good, but in many parts it is far from good, and on some parts the Government will be obliged to spend as much money to repair it and to build bridges as it has already cost. I am informed that it is in such a condition that they will have to spend a large amount of money to put it into anything like normal condition. I say that this legislation is going to load this country with responsibility, for the sum of $600,000,000 or $700,000,000, nearly double the amount of our national debt before the war, and it is all to pay this large amount to a railway which is not fit now, or a good part of it, to be used as a railway of the first quality ought to be used. It will be necessary to withdraw from the country a large amount of money which never should be withdrawn. I think this point of view ought to be considered, and that we ought to say entrusted as we are with the interests of the people, that a man should not stand up here and vote for such a Bill without at least taking the necessary precautions that every business man would take in making a a transaction involving a few thousand dollars. I endorse all that has been said before me by men of experience like the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain) and the honourable gentleman from De Salaberry (Hon. Mr. Béique), who knows something about railways. The reasons are sufficient to convince any man who is acting in good faith and who has the interests of the people and the country at heart, that if the Bill is not rejected immediately, the amendment should be carried in order that we have the advantage of having the information and all the facts before us.

Hon. L. G. DE VEBER: Honourable gentlemen, the chief features of this measure have been very fairly, very fully and very ably discussed, and I am too old a sportsman to be caught shooting over ground which has been shot over within a few days. My remarks will be very brief. This measure is one of very great importance. It is probably the most important measure which has been before this House in many years, carrying with it, as it does, such an enormous load of responsability; assuming, as it does, such an enormous financial responsibility; and involving, as it does, the expenditure of many millions of dollars. It behooves us to look at this measure from all point of view, from all different angles, and at all its different phases, before we come to any conclusion as to whether we shall vote for or against the Bill.

In all the arguments which I have heard within the last couple of days I have not heard anyone point out the danger which comes from men of this stamp. No one has pointed out how easy it is for men experienced in these matters, having all the tricks of the trade, strong in ability but shy in morals, clever, energetic, without qualms of conscience, with umlimited capital at their back, and thereby having the best legal talent that can be obtained to fool, outwit, and bedevil any Government—how easy it is for these railway kings, these capitalist knights of the road, to bleed and rob the country of millions. I have in mind two transactions which may prove of interest. They are not new; they are old. They relate to the West in the early days.

In the early eighties, shortly after the Canadian Pacific railway was finished to the coast, some gentlemen in Alberta saw the advisability of having a road running north and south through Calgary. Whether they formed a company or not I cannot say. My honourable friend the leader of the Government could possibly enlighten us in regard to that, as he was one of the gentlemen who got very busy in promoting this railway. But my honourable friend the leader of the Government at that time was not embarrassed by riches any more than the rest of us were, and the company fell through. I am very sorry he had not the financial standing at that time which he has now, for if he had built the road I think the country would have been saved a great deal of money. I think he would not have been quite so rapacious as the gentlemen who eventually built the road. The scheme having fallen through, it was turned over to a number of gentlemen, and on referring to chapter 84, 53 Victoria, "An Act to incorporate the Calgary and Edmonton Railway," I find the names of those gentlemen, which are as follows: James Ross, Edmund B. Osler, Herbert C. Hammond, William Mackenzie, Nicol Kingsmill, Herbert S. Holt, and Donald D. Mann. Now, this charter says:

> The company may lay out, construct, and operate a railway of the gauge of four feet eight and one half inches from a point on the line of the Canadian Pacific Railway Company, within the town of Calgary, to a point at or near Edmonton, with power to extend southerly to the International boundary between Canada and the United States, and northerly to the Peace river.

Then if I may refer to chapter 4, 53 Victoria, I find:

> To the Calgary and Edmonton Railway Dominion lands to an extent not exceeding six thousand four hundred acres for each mile of the company's railway from Calgary to a point at or near Edmonton, on the North Saskatchewan River, a distance of about one hundred and ninety miles; and also a grant of six thousand four hundred acres for each mile of the Company's railway from Calgary to a point on the international boundary between Canada and the United States, a distance of about one hundred and fifty miles.

Then I turn over the leaf and refer to chapter 5, 53 Victoria, and I find:

> In order to enable the Calgary and Edmonton Railway Company to construct so much of their railway as reaches from a point on the line of the Canadian Pacific Railway Company within the town of Calgary to a point on the North Saskatchewan River near Edmonton, the Governor in Council may enter into a contract with such company for the transport of men, supplies, materials and mails for twenty years, and may pay for such services during the said term, eighty thousand dollars per annum, in manner following, that is to say; the sum of eighty thousand dollars to be paid annually on the construction of the railway from Calgary to a point on the North Saskatchewan River near Edmonton—such payment to be computed from the date of the completion of the railway between such points: Provided that the Governor General in Council may order such sums to be paid in semi-annual instalments, and may permit the company to assign the same by way of security for any bonds or securities which may be issued by the company in respect of the company's undertaking.

Now, I have here the figures as to the building of that road, and I may say in regard to this bonus of $80,000 a year for twenty years, amounting in all to $1,600,000, that in the year 1897 I was sent down by the people of Lethbridge to look after their interest in the Crow's Nest deal. Wishing to find out all we possibly could, Mr. Oliver and I visited all the departments and obtained all the information possible; and upon going to the different departments we could not find that anything had been deducted from this $80,000 up to the year 1897. The Post Office Department had paid for every letter. The capital stock of this company was $1,000,000. How much was subscribed and paid in, I am not prepared to say. The return of cost of the road handed in to the Railway Department was $10,000 per mile, and they bonded the road for $18,000 per mile. The road was 300 miles long, thus it was bonded for $5,400,000. These are round numbers. The capital stock and the bonded indebtedness together, amount to $6,474,513. They had that much money to build the road, I suppose that they had to use some of it for organization purposes. The cost of the road at $10,000 a mile was $3,743,562, so that there was a profit on the bonds and the stock of $2,730,591. This is rather a nice little profit. They had also a land grant of $6,400 acres to the mile,

or, as the files show, 1,888,000 acres of land in all. The value of that at $3 an acre, and I think I am in a position to say that is fair, because I lived in the country long before this scheme of building the railroad was mooted by the leader of the House and I know something of the circumstances; and I know that they did not sell any of the land at less than $3 an acre. They sold some at $5, some at $7, and some at $15 an acre, and I think they are holding some now at about $30 an acre. They had also the town sites. I think I am figuring the land value very low when I put it at $5,664,000. Add this to the profit above, which makes a profit of $9,994,951.

Then they had the annual bonus of $80,000 for twenty years, amounting to $1,600,000, or a grand total of profit amounting to $10,594,951 on a road costing according to their own figures, $3,734,562. A sweet little profit, is it not?

The Qu'Appelle, Long Lake and Saskatchewan railway was built exactly on the same lines—250 miles, with a capital stock of $201,000, bonded for $3,809,140, making in all $4,010,140. The cost of the road, the 250 miles, was $2,539,600. Remember, in regard to the Calgary and Edmonton railway, they reported to the department a cost of $10,000 per mile, whereas the second engineer, Mr. Drury, told me that it did not cost them over $6,000 per mile. I am quoting the departmental figures. The cost of the Qu'Appelle, Long Lake and Saskatchewan road was $2,539,600, leaving a profit of $1,470,540. The land grant of 6,400 acres per mile, 1,619,200 acres, at $2, amounted to $3,238,400. I am putting it in at $2 because they sold that land in a block to an American company at that figure. Therefore, there is a profit of $4,708,940; and, with the $1,600,000 added, there is a profit of $6,308,940, or, in all, the profits on the two roads, costing to build at their own figures $6,283,252, was $16,903,891.

I may say in regard to that $1,600,000 bonus, in connection with the Qu'Appelle, Long Lake and Saskatchewan that, in an agreement made with the Canadian Pacific railway company to take over and operate the road, the company become responsible to the Canadian Pacific railway company for such amounts as might be deducted from the $80,000 annual bonus for work done for the Dominion Government. I am quoting these figures, honourable gentlemen, to show you how easy it is for those men who know the ropes to outwit any government. I am not at all

averse to the Government taking over the Canadian Northern railway. I think it would be a good thing for the Grand Trunk Pacific to have the branch lines in the West, and it needs them; but I do not think the present owners of the Canadian Northern, Mackenzie and Mann, should have the slightest consideration at the hands of the Government. They got a taste, and they became enamoured of the easy money they made in the construction of these railroads, and they feel they have to receive more, and have continued to receive assistance. They are to-day getting all the money they possibly can from the people of Canada to put in the road; and how are they spending it? Mackenzie and Mann, the company, receive the money. They give the contract to Mackenzie and Mann, the contractors, at a good, big, fat figure. These people, Mackenzie and Mann, the contractors, let the contract out to smaller contractors at a very much lower rate. They take all the cream off the milk and then they come to the Government, and say: "We have not any capital to run the road; help us out."

I may say in regard to the Calgary and Edmonton road that one would naturally suppose that when the road was finished the bondholders would have some interest in the assets of the road—for instance, in the land grant. But no; that belonged to another company—another company run by Messrs. Osler, Hammond & Nanton. And I presume the Canadian Northern railroad are running things in very much the same way, because they have a Canadian Northern Ontario company, a Canadian Northern Quebec company, a Manitoba company, all in one, but yet separated so that you cannot touch one of them if you happen to get judgment against another. They have the affair so much mixed up, in such a state, that I defy the devil, with the aid of a Philadelphia lawyer, to get at the bottom of it.

Hon. L. G. POWER: I do not propose to trouble the House for long. I have not a speech, but just a few observations to make. I have been thinking, and I think the general impression amongst the people of this country is that Messrs. Mackenzie and Mann are pretty shrewd persons, and the little story that has been told by the honourable gentleman from Lethbridge (Hon. Mr. De Veber) shows that they are gentlemen who need a good deal of watching. Consequently when we come to deal with them we should be very clear that we know all that should be known in connec-

tion with the matter on which we are dealing with them. Even if these gentlemen were Nathaniels, men without guile, it would be as a matter of business, I think, a duty to inform this House and to inform Parliament, so that we should know exactly what we propose to do.

Everybody knows that we have only the vaguest idea of what this measure before us involves. No one can tell whether, under this Bill, the Canadian Northern would be entitled to receive anything, or $10,000,000, or $50,000,000, and some honourable gentlemen have got the figures up to hundreds of millions. If there ever was a case where it was absolutely essential that Parliament and the public should have the fullest information, this is that case, and I think that the honourable gentleman who leads the Opposition (Hon. Mr. Bostock) has simply done his duty as a Canadian in trying to get a reasonable amount of light on the position of things.

Now, I direct the attention of the honourable leader of the Government and of honourable members to one or two features in connection with the Bill itself—with the wording of the Bill. As I said just now, a good many people do not think that Mackenzie and Mann are entitled to anything, but think they have already got a great deal more out of the country than the country has had any return for. Here I find in the first clause of this Bill this language:

> His Majesty may acquire the 600,000 shares of capital stock of the Canadian Northern Railway Company.....on such terms and conditions..... as may be set out in an agreement to be made between His Majesty and the owners and pledgees of not less than five-sixths thereof, and for a price to be determined by arbitration as hereinafter provided.

It seems to me that the correct thing would have been to state, if the price is to be determined by arbitration, "for any such price as is found to be due to the pledgees." My own impression is that if an honest balance were struck between the people of Canada and the Canadian Northern, the debit balance on the Canadian Northern side would be very large, but here in this Bill we have the Government practically acknowledging in addition that there is something to be paid to Mackenzie and Mann. It does not strike me, honourable gentlemen, that that is a business-like way of putting it.

Then take section 2. We find that the 600,000 shares may be transferred to the Minister of Finance. Then :

> And if there be any of the said 600,000 shares not transferred as aforesaid, the Governor in Council may declare the said shares to be the property of the Minister of Finance in trust for His Majesty, and the same shall thereupon become the property of His Majesty and shall be paid for pro rata with the shares so transferred.

There, you see, is a further acknowledgment that these shares are of some value. The commissioners appointed by the Government, and who have investigated the affairs of this company carefully, report that the shares are of no value, and I think that it is not good business, in dealing with sharp people like those, to make any acknowledgments of that kind.

But I think the most important criticism I have to make on the wording of the Bill is in connection with section 4, subsection 2, where it is stated:

> The said arbitrators shall determine the value of the said six hundred thousand shares as of the date of the said agreement.

Now, honourable gentlemen, that agreement is not to be made until some time after this Bill passes and becomes law. We have been told by one of the partners, I think, the president of the company, that when this Bill became law the shares would be worth par. Why should the Government, when they come to provide for the fixing of the value of these shares, fix a date after the Bill becomes law. If you wanted to ascertain the real value of the shares, that is, to find out what the country was getting, you should have taken some date like the 1st of July last. Then the shares were worth nothing, and the country would not be compelled to pay anything; the arbitrators, if they knew their business and were thoroughly upright, would not award anything. I commend this last criticism particularly to the honourable leader of the House and to other honourable members.

The information that I think the House should have has not been given. The honourable leader of the House made a declaration yesterday or on Friday last, as a result of a suggestion made by the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell), intimating that the Government would fix a maximum price, an amount beyond which the arbitrators would not be allowed to go in making their award. That undertaking on the part of the Government —for I assume that the honourable gentleman speaks for his colleagues as well as himself—is good enough as far as it goes; but it does not seem to me that in dealing with gentlemen like the Canadian Northern

directors we should be quite satisfied with that. I think that when dealing with keen men like them we should "have it in the bond"—the maximum should be mentioned in the Act. I have no doubt that the intention of the leader of this honourable House are perfectly upright and honest now; but Governments have been known to change their opinion, and the present Government is no exception. A few months ago we heard the honourable leader of the Government declare that there was no intention and no probability of the introduction of conscription in this country; but he changed his opinion and the honourable gentleman opposite changed his opinion also, and they thought that persons who had not been able to change as fast as they had changed were enemies of the country.

I am afraid that there are loopholes left in this arrangement with the Canadian Northern through which some very serious difficulties may arise. As I intimated, we have to deal with the question without the information that we might have expected to receive. As to the position of the whole question, we cannot go on paying out millions of money which will never be repaid. We have paid out a great many millions to Mackenzie and Mann, and have never got anything back, and I think that we should not do anything to increase the tremendous burden which will rest on the people of Canada after the war is over and when the prosperity which is due to the war has ceased. This Bill proposes to do that—to place what would probably prove to be a very weighty burden on the shoulders of the people of Canada.

A goodideal has been said about the liquidation of the company. I do not see any particular reason why the company should not go into liquidation, but that is not the course that I think would be the wisest to follow. And I do not think the course adopted by the Government is the wisest. I think the third alternative, which has been suggested by more than one honourable gentleman, is that on which the deliberate opinions of this House should be expressed, and that is, to adopt the line of action indicated in the Act of 1914. At that time Mackenzie and Mann applied to Parliament for relief and they got it to the extent of $45,000,000. The terms and conditions of the loans are set out in chapter 20 of the Statutes of 1914. That has been referred to already and the section of the Act has been read by the honourable leader of the Opposition, by the honourable gentleman from De Lorimier (Hon. Mr. Dandurand), and perhaps by somebody else. However, it will do no harm to read it once. more. The section to which I ask the attention of honourable gentlemen is section 24:

> If authorized by the Parliament of Canada, the Governor in Council may on such terms and conditions (if any) as Parliament may prescribe, at any time while any event of default shall exist and be continuing, by order declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed, and thereupon the equity of redemption of the Canadian Northern (and of such other persons) in the mortgaged premises and every part thereof shall be and become absolutely barred and foreclosed, and the same shall thereupon be vested in His Majesty in right of the Dominion of Canada, any statutory enactment or any rule of law or equity to the contrary notwithstanding.

That is pretty clear and provides a very effective way of winding up the dealings between Canada and the Canadian Northern. I do not think, after what has fallen from the honourable member for Lethbridge (Hon. Mr. De Veber) and what has been stated by other honourable gentlemen, that this is a case where Christian charity is called for in dealing with the other parties to the transaction which we are now handling. This is not a case where the Government should be governed by sympathy for a good, honest man who is struggling with difficulties. These good, honest men are rolling in wealth, and we are asking the poor men who are struggling with difficulties to help to add to the wealth which those men already have. And this is not a time for either Governments or members of Parliament to try to benefit people to whom they are under political obligations. All political obligations have been discharged, honourable gentlemen, and much more than discharged.

I do not propose to go into the figures. The honourable gentleman who preceded me (Hon. Mr. DeVeber) and the honourable gentlemen to my right have all dealt with the figures quite fully, and even if I were competent to do it, I should not think it necessary at this stage of the debate. But it is clear that we have advanced, I think, a couple of hundred millions. What are we getting in return? Stock which is not worth anything, which the commissioners appointed by the Government have reported to be worth nothing.

My idea is that we should pay Messrs. Mackenzie and Mann just what the Government commissioners report that stock to be worth. Nothing has been paid on the stock: barring the action of Parliament now, that stock is at the present time absolutely worthless. Even supposing that the gentlemen who control the Canadian Northern

were men of the most guileless, and affectionate and amiable dispositions, I do not think that the Government are in a position or have any right to be influenced by sympathy. The Government are trustees for the people of Canada, and it is their duty as trustees to exercise any legal rights that they may possess with a single eye to the interests of those people. I think that is a perfectly clear proposition. We are trustees for the people. We do not own the public money ourselves, and we cannot afford to be generous with it. A man may, as a matter of law, do as he likes with his own individual property, but as to property which he holds as trustee, he has not such liberty. He is bound as trustee to see that all the legal rights of his client or cestui qui trust be preserved; and in the present case the Government as trustees can, by moving under the Act of 1914, acquire all the property of the Canadian Northern without paying anything for the stock, and simply by assuming the liabilities for the encumbrances which are prior to their own. That is the duty of the Government, and I must express my regret that they do not apparently wish to discharge it. There is no difficulty involved in this matter. There is no need for reference to arbitration. There is no employing of counsel. There is no trying to fight the devil with fire for months perhaps, when you simply foreclose. Get Parliament to pass a measure authorizing you to foreclose, and you foreclose under the Act of 1914, and then the property is yours, and in the next session you can pass any Act to dispose of that property in any manner you wish. You would relieve the public mind, and you would sever the partnership which has existed for over thirty years between the people of Canada and Mackenzie and Mann, and we would leave those gentlemen to enjoy all the wealth they have realized from their dealing with the people in the past; and you would place these roads in the hands not of Mackenzie and Mann, but of Parliament and the country, which I think every one must feel would be a very desirable consummation.

Hon. N. A. BELCOURT: The immediate question is the one involved in the proposed amendment of the leader of the Opposition, which of course is merely incidental to my honourable friend's motion for the second reading. By his amendment the leader of the Opposition asks, among other things, information which is stated and reported at page 972 of the Debates, of which I am going to read only a very few lines:

What is the bonded debt, the floating debt, and other liabilities direct and indirect of each of the affiliated companies of the Canadian Northern Railway company, whose capital stock is held or partly held by that company? What is the amount of bonds, debentures or other securities pledged for loans to the Canadian Northern Railway Company.

Then I take the last item:

The debts now owing by the Canadian Northern railway other than those referred to in the financial statement submitted to Parliament.

Now, that information we have not got. My honourable friend who is responsible for the Government action in this House has not chosen to give us that information. The Government has the information, or it has not. So far as we know, the Government has not the information; and indeed it is quite possible that they may have acted upon the ipse dixit of Mackenzie and Mann, or on the only statement furnished by them, and nothing else. We have this, further, that the statement of the auditors have not been verified; no investigation has been held; not one single item can be vouched for before this House; there is absolutely nothing to show that the annual statement furnished to the House contains one single item that can be relied on. The Government proposes to pay all the liabilities of this concern, but the Government has not the information as to what those liabilities consist of. We know that there are liabilities which are not disclosed by this statement. A statement has been made in the House which has been practically admitted by the representative of the Government on this railway corporation.

Could there be a more reckless, a more audacious disregard of the most elementary principles of business than the making of this deal without this information? If the Government has the information, why is it refused to Parliament and to the people? It can only be because the information would not be palatable to Parliament, and might appear such as to endanger the passing of this measure. I do not care which horn of the dilemma the Government chooses to take. If it has not the information, then it is most derelict in the most elementary way, and if it has the information it is grossly guilty in not submitting it to Parliament. It is quite evident that some of the other admissions contained in the statement furnished by the railway company have aroused and seriously troubled the conscience of some of the honourable gentlemen opposite. Evidence is not lacking that some of our hon-

ourable friends on the other side who intend to vote for this measure do not feel quite easy about the matter.

My honourable friend from Sydney (Hon. Mr. McLennan) said the other day that this Bill is distasteful to him. I am quite sure that if all honourable gentlemen on the other side were to give their best thought about this Bill they would agree with my honourable friend from Cape Breton. We had the other day some evidence of awakening of conscience on the part of some gentlemen opposite in regard to this so-called concession about the fixing of a maximum for arbitration, which was given out to ease the souls of some of the troubled gentlemen opposite.

Hon. Mr. CASGRAIN: It is not put in the Bill.

Hon. Mr. BELCOURT: No, it is not put in the Bill. Truly that concession will not satisfy the honourable gentleman from Cape Breton, for instance, and there must be other honourable gentlemen on the other side whose conscience must still be troubled; because I have too much respect for the business ability and intelligence and experience of some of those honourable gentlemen to believe that they can vote for this Bill with a perfectly clear conscience. I do not think that the very thin coating of sugar that has been put on this bitter pill is going to make it very easy to swallow. Upon the majority in this House now rests the whole responsibility for inflicting this iniquitous transaction upon the people of Canada.

But however scant is the information we have, we have enough evidently to arouse the conscience of some honourable gentlemen opposite.

There is great hostility to this measure throughout the country, though we see very little evidence of it in the press. What are the principal facts with which we are familiar? Those facts are taken from the Drayton-Acworth report, and are not contradicted. For instance, we have the unquestionable evidence that there have been invested in this enterprise some 383 millions of dollars. of which 300 millions have been furnished by the people of Canada. The commission finds that the maximum cost of the system as at present existing is 370 millions. They further find that the actual value of the whole system, including equipment, is 402 millions. The liabilities we do not know. They have been estimated all the way up to 650 millions. But there is one thing we do know, and that comes from unquestionable authority, from the representative of the Dominion Government on the board of this railway corporation, my honourable friend from Kingston (Hon. Mr. Richardson), who told us the other night that the liabilities of the company are almost 510 millions. Now, there is a fact that has not been and cannot be disputed; it stands uncontradicted in the Drayton report, which puts the valuation at 402 millions, so that we have 108 millions of liabilities over the value of the assets as determined by the commision's report. Besides that we have it on undoubted authority that all the stock of the company, 100 millions of stock was allotted for nothing, not one dollar being paid for it. I ask honourable gentlemen opposite, in all seriousness, how can you, how can any one arrive at the value of these shares without knowing what the liabilities of this company are? There is no question that the Government will have to pay these liabilities in full. Since 1914 the Government has been the owner of $40,000,000 of this stock by the agreement of that year, which provided for the possible acquisition of the remaining stock. To-day, by this Bill, the Government is taking over the remaining shares, this $60,000,000, so that when this Bill passes, if it does, the Government will be the owner of every share in that company. What is the Government going to do? Is it going to refuse to pay the liabilities over 402 million dollars? It must pay the 510 millions, which the honourable gentleman from Kingston says the company owes. It must pay the 650 millions if they owe that much. The Government will be the owner of the whole thing, lock, stock and barrel, and it must pay every dollar owing by that company, even to the amount of 650 millions.

We have also the further fact, which comes from the leader of the Government in this House, that this company to-day is clearly insolvent. We know also that of the guarantees, amounting to 211 millions, 107 millions have been given by the provinces and 104 millions by the Dominion. We have the fact that the provincial guarantees have priority over the Dominion guarantees.

Hon. Mr. CASGRAIN: Only partly. Our $35,000,000 comes first as a first mortgage.

Hon. Mr. BELCOURT: But they have priority for a large portion of their bonds. We know also, though that has not been officially stated to us, that a large portion of those bonds have been pledged, among others, to the Canadian Bank of Commerce.

Now, the manifest object of this Bill is admittedly to prevent the liquidation of this company. And for what purpose? For the purpose, it is alleged, of protecting the pledgees, the guarantors, and for the purpose of protecting the provinces' and Canada's credit. My own idea is that this Bill has no further object than the protection of Mackenzie and Mann and the pledgee bank, that is, the Canadian Bank of Commerce, and other pledgees. It is surely not to protect the provinces, and I will show you why. The provinces have priority for a large portion of their guarantee, if not the total. The liquidation of the company would not affect the provinces. They would get their money, and the whole of it, if there was liquidation. Otherwise we would be driven to the conclusion that the railway company is not to-day worth the amount for which the provinces are responsible, and it is only in that event that the liquidation of this company could in any way affect the provinces. They are going to get their money no matter what happens. It does not matter whether it is liquidation, a receiver, or anything else: They come first; and if this railway is not worth the 107 million dollars guaranteed by the provinces, what sort of bargain are we making to-day with Mackenzie and Mann? So that it cannot be for the protection of the provinces. Neither can it be for the protection of the national credit, which it is said would be seriously affected by the liquidation. There is the objection of my honourable friend the leader of the Government, who said that if there was liquidation there would be great difficulty in accounting between the provinces and the Dominion, and that it would not be possible to appoint a Dominion receiver. I think my honourable friend from De Salaberry (Hon. Mr. Béique) answered that by citing the text of the Exchequer Court Act under which that could be done. But there is this further argument which I hope will appeal to my honourable friend: If liquidation were decided on, what is to prevent the Dominion Government and the provinces from coming together and appointing a receiver? It would be in their common interest to do so. The provinces would be interested in having a Dominion receiver, because then they would be sure that the system would be sold en bloc, as a going concern, and of course that would be the best way of realizing the highest price for this railway; so there is no difficulty there. I repeat that this Act was not conceived and is not being carried out with any idea whatever of protecting the provinces of Canada.

Now, what about the national credit? It is said that we are going to pay this huge sum of money to these gentlemen—who I do not think are entitled to any of it—in order to protect the national credit. That is the emptiest of all the arguments that have been advanced in support of this Bill. The national credit of Canada is more or less involved every time one of our large corporations gets into difficulties. Are we going to establish the precedent that if a great corporation gets into difficulty the Government is going to come to its help to save the national credit of Canada? Is not that what we are doing to-day? This is the indefensible bargain by which we are going to add nearly $600,000,000 to the national debt of Canada, nearly double what the total debt of Canada was before the war, nearly double the value of all the assets of this railway company. Is this deal going to help us with the lending nations of the world? Is it going to help us when they look into this indefensible bargain and find that we have paid nearly double the value of this railway? Is that not going to affect the credit of Canada much more than putting this railway into liquidation would? I repeat that it is not for the purpose of saving the national credit that this Bill has been thought of and is now being pressed through Parliament by closure and the withholding of essential information.

We have been told that confiscation is absolutely unthinkable—that the carrying out of the agreement of 1914 is unthinkable, and cannot be resorted to. Confiscation was thought of in 1914. It was accepted in 1914. It was accepted gladly by Mackenzie and Mann in 1914. They wanted $45,000,000, and they knew that they could not get it unless they agreed to the terms made by the Government at that time, which were that if they made default their property would become the property of Canada. If it is unthinkable to do that, was it not unthinkable three or four years ago? These gentlemen solemnly agreed to it, and they got $45,000,000 for agreeing to it. They would not have got 45 cents if they had not agreed to those terms, and to-day if the people of Canada ask for their own under this agreement they are told that they must

pay for it, and perhaps pay $200,000,000 or $300,000,000 more than it is worth. We have not heard the word "confiscation" except from the Government. We have not heard it from the gentlemen from whom this railway is being taken over. Again I say that it is merely a bogy, a pretext, in order to help this matter through Parliament.

I ask honourable gentlemen this simple question: is there any concern, large or small, which finds itself in a bankrupt condition, which would not welcome some one to come along and pay its debts without asking anything for its bankrupt stock? Is not that what we are doing? We are relieving Mackenzie and Mann of any personal liability that they may be under, known and unknown, and besides that, we are going to pay them for stock which absolutely belongs to the people of Canada, and for which no money has been paid by those gentlemen, and which is, according to the report of the commissioners appointed by the present Government, absolutely without any value whatever. Seventy-five per cent of their railway has been built with Government money. Is there in this country, or in any country in the world, any bankrupt who would not thank me if I discharged him of his liabilities without asking me to pay something for his bankrupt stock? The Government may pass this measure by closure and by refusing Parliament and the people the information to which they are entitled; but I am quite sure that there are no business men in Canada who are going to be fooled, or gagged over this. I am sure that honourable gentlemen know that what I am enunciating now is so, and that there is no answer to it. I can see before me men who have made a reputation in business in Canada, and I am sure that they know that what I am saying is without any answer whatever. The business men of Canada who are acquainted with the elementary rules of business will apply those rules when they come to size up this bargain.

I also take the position which has been taken by the honourable gentleman from Halifax (Hon. Mr. Power), that by the agreement made in 1914, by which these gentlemen got $45,000,000 of Canadian money, it was provided that if they were not able to pay that money, if they were not able to put their business on a proper footing, their property and the stock for which we are now asked to pay would be the property of Canada. Under that Act, by the default, the property of the Canadian Northern automatically becomes the property of Canada. As my honourable friend put it, we are trustees and have no right to take what belongs to the people of Canada and give it to Mackenzie and Mann or to anyone else. There is not one lawyer in Canada who is careful of his reputation who would say that it can legally be done. There is no court of law or equity in Canada that would give to the bargain of 1914 the interpretation, the result, and the effect which the Government is trying to give to it.

From all points of view this measure is wholly indefensible, and I submit that it is clearly the duty of the Senate to defeat the Bill. Speaking for myself—because I do not know that all honourable gentlemen on this side of the House will follow me—I may say that my greatest objection to the Bill is that it constitutes a definite acceptance and adoption of the policy of Government ownership and operation and all which that implies. Bad as the agreement is, one-sided as it is, iniquitous as it may be, I think it ought to be condemned more because it is the definite acceptance by Canada of public ownership. We are adopting this policy of nationalization without any consideration, without any thought, without any investigation, without any of the knowledge of conditions which have applied elsewhere in the world with regard to public ownership. It is a deliberately unreasoned and unreasonable plunge into the policy of public ownership. I agree with my honourable friend from Cape Breton (Hon. Mr. McLennan) that public ownership is the last thing that Canada should enter into. We do not know, and no one has even asserted, that it is practicable here. No one has given any figures to show that it is practicable or ought to be resorted to; no one seems to have given the subject the slightest consideration; no one has favoured us with his views on the subject, except my friend from Cape Breton. But we know this, that if we acquire the Canadian Northern railway, and if we operate it as we are bound to operate it now, because it is our property, we have to operate it with a deficit of $20,000,000 a year. This means that we have to take over the Grand Trunk Pacific also, and if we are going to have nationalization, we will have to take over the Canadian Pacific railway. What does that mean? It means the addition of at least $2,000,000,000 to the national debt of Canada.

Some gentlemen in this House, and some outside of it, think that public ownership is a modern discovery, that it is the great solution of all the great troubles nowadays. Public ownership is not new at all. It is as old as the hills. There were monopolies of various kinds at all times, even before the Christian era. Pliny tells us that a bakers' union was organized about 200 years before Christ. Rome had its imperial factories, its imperial mines, and its imperial industries. The state provided the people with bread and amusement—"panem et circenses." Rome had its public lotteries, all administered at the expense of and by the state, with the result that venality, corruption, debasement of character, destruction of the spirit of industry, strikes, revolutions, and so on, were rampant. How was public ownership carried on? It was carried out by the greatest system of plunder which ever existed, and which the Roman Empire inflicted throughout its conquered provinces and by a most inexorable system of taxation of its subjects, with the result, as we all know, that it brought down the Roman Empire. As we pass on to feudal times, we find the common mill and the common wine press. The kings of England and France and the seignors of Europe encouraged these monopolies because of the use they were enabled to make of them. We all know that the guilds of England and the the hanses of France and Germany monopolized the industry, the commerce, the trade, and the navigation where the kings themselves did not do so. There was no individual enterprise, no individual initiative, no individual spirit or individual activity, with the result that we find that in the 18th century weaving was done in very much the same manner as it was done in the third century. The great industrial centres of Birmingham, Manchester, Leeds and Sheffield became possible only because they were withdrawn from the hampering influences of guilds, and because they enjoyed freedom of labour and freedom of capital. Competition with state regulation solved the difficulties caused by the monopolies, the guilds and the hanses. Individualism has been the greatest factor in England's prosperity at home and in her possessions.

If there is any people to whom the principle and practice of nationalization should be repugnant it is the British people. It is not by public ownership that Britain has taken possession of such a great portion of the world, and has established so many prosperous colonies. Sometimes we are told that public ownership or public management of public utilities has been resorted to with success in certain parts. The city of Glasgow, for instance, it is claimed, has had a great success with it. We all know why. Glasgow is a very large and most important industrial centre. Glasgow has a population of nearly a million and a half, and half the population of Scotland resides within a half hour's journey of that city. Where you have a country which is so thickly populated, such as the British Isles, public operation or public ownership may be successful. A few years ago England had a population of 558 persons to the square mile, the United States had 21, and Canada had 1.5. London has an area of 75,000 acres, and a population of nearly 7,000,000, whilst Canada, with about the same population, has an area of 3,600,000 square miles. In Canada only one-quarter of our territory is occupied. Those who talk so glibly about public ownership ought to bear these things in mind. They ought to know that in a country like Canada public ownership is and must be for many generations out of the question.

If the House will pardon me for a moment, I will read the opinion of the gentleman who is responsible for the success of public ownership in Glasgow, the only place on earth where I know public ownership to be a success. Some years ago he was sent for by a society in the United States to investigate matters and to give his opinion as to the possibility of public ownership in America. This is what he said on landing in New York—I take it from the North American Review:

> I see no reason why Chicago, or any other city of this country should not be able to own its street railways, and to run them with as much success as we have achieved at Glasgow. I admit that the proposition in Chicago is a much larger one than the one we had to tackle, but at the bottom it is the same. The people of Glasgow would not go back to the old days of private ownership for anything in the world. I am not saying that a company would not do as well by the public. I know, in fact, that it could, but it would be doing so with a somewhat different aim in view, for the company has always the shareholders to consider, and I have to admit that you will find people in Glasgow to-day—quite influential people too—who say that the street car service is not profitable.

Mr. Dalrymple went to Chicago and other places in the United States and investigated the whole subject. He made himself familiar with conditions, and before leaving for the old country this is what he had to say:

> To put street railways, gas works, telephone companies, etc., under municipal ownership would create a political machine in every large

city that would be simply impregnable. These political machines are already strong enough with their control of policemen, firemen, and other office holders. If in addition to this, they could control the thousands of men employed in the great public utility corporations, the political machines would have a power that could not be overthrown. I came to this country a believer in public ownership. What I have seen here, and I have studied the situation carefully, make me realize that private ownership under proper conditions is far better for the citizens of American cities.

Now, what would public operation mean to us in Canada? It would mean, as I said a moment ago, that our national debt would be increased by $2,000,000,000 at least. It would mean that we would add about 600,000 employees to the public service, who would form a huge bureaucracy numbering one-tenth of the population and possessing more than one-third of the total national voting power, a bureaucracy with ramifications from end to end of the country and which could be easily mobilized into a solid coalition to effectively and permanently direct and control the whole governmental function. Nationalization would destroy the individualism, energy, ambition and competition which have given the country so many of its necessary or prosperous undertakings. It would mean that the Government of Canada would become the common carrier of its people on river, land, lake and ocean. It would have to operate hotels, telephones, telegraphs; it would engage in the manufacture of cars, locomotives, rails, tiles, lumber, paints, oils and other materials. It would mean that the Government's attention would be diverted from its legitimate function, which is to govern, to administer justice equally to its citizens, and to provide protection to the State, to its members and to their lives, property, health and education, for the purpose of encroaching upon the legitimate activity of the individual, and it would make practically one-half of the people of Canada the servants or slaves of the other half. Let us remember that nowhere is the burden of government heavier than it is in Canada, and that its task is nowhere more difficult, especially at this time, and that it is going to be so for generations to come. What justification is there for any increase to that burden unless it is to enlarge to a dangerous extent the activities and concerns of government and its powers and its indirect influences—unless it is desired to establish an all-pervading and omnipotent bureaucracy, to increase in a very large measure the already unbearable burden and nuisance of party patronage? It ought to be plain to any one who will work out the problem that nationalization of public utilities will inevitably prove to be a most disastrous failure in Canada and that the only policy which is suitable to Canadian conditions is government regulation and control.

I cannot understand people being so thoughtless and so reckless as to go in for such a change in the conduct of our affairs as is implied by the adoption of the principle of national operation, which is inevitable under this Act. It has been urged that this measure ought to be adopted if only to prevent the Canadian Pacific railway from acquiring the Canadian Northern and thereby exercising a monopoly in Canada. For my part I may say at once that I would rather have the Canadian Pacific own this railway than that the country should own it and go into the nationalization of railways. But there is no necessity for the Canadian Pacific Railway company acquiring this railroad. And if it did acquire it, after all, the Canadian Pacific railway is subject to control and regulation.

Honourable gentlemen, there is the crux of the whole matter. It is not nationalization that Canada wants; it is regulation and control, and we have gone a very long way in that direction by clothing the Railway Commission with the powers which we have given to it. There is no such thing to-day as the Canadian Pacific railway or any other company exercising an actual monopoly in Canada. They cannot do it any more than it is being done to-day, as was pointed out this afternoon by the honourable gentleman from Rideau (Hon. Mr. Edwards), who, I am sorry to say, does not share my views except on this point. There is, in reality, no competition to-day in the greater number of places in Canada, though we have three transcontinental railways. The only way to prevent exorbitant rates, to prevent the consequences of monopolies, is by doing that which we have done. So the fear of the Canadian Pacific railway exercising a monopoly is another one of the many pretexts invented in order to secure the passage of this Bill. If the Canadian Government is so much afraid of the monopolistic results which might follow the liquidation of this company—if the Government is so much afraid of the Canadian Pacific Railway company acquiring this road, how is it, as we have been told in this House and in another place, that, with the consent and participation of the Government of Canada, negotiations were carried on between the Canadian Pacific and the Canadian Northern for the acquisi-

tion by the Canadian Pacific of this railway? The Government would have been quite willing if the Canadian Pacific had absorbed the Canadian Northern—provided the Canadian Pacific and the Canadian Northern had been able to come to terms. To-day we are told that this measure must be passed, that the people of Canada must be deprived of their property, and Mackenzie and Mann paid countless millions for it, in order to prevent the Canadian Northern and the Canadian Pacific from combining—another one of the many pretexts invented to carry this measure.

One word more about national operation. Assuming that nationalization could ever be a proper policy for this country of ours, what possible chance could nationalization have in this country or in any country, when it is entered into in the manner which is now proposed? You are starting it with a deficit of over $200,000,000, besides all the handicaps which I have stated. You hope to make nationalization a success in Canada. Why, you strangle the thing at its very birth. Yet, with a stroke of the pen, with closure in the other House, and the refusal of all information in this House, this Bill is shoved through, and you are calling for a policy which starts off with a deficit of $200,000,000. And some honourable gentlemen are confident enough——shall I say simple enough—to assume that the Government is going to make a success of nationalization in Canada.

Honourable gentlemen, this is an inquitous measure. The country knows it is iniquitous. It behooves the majority in this House to do its duty. As has been very properly said already, the eyes of the country are rivetted on the Senate, and it is the duty of members of this honourable House to see that this measure is not passed. The honour of the Senate is at stake. Here in this House we should be free from mere party considerations.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. BELCOURT: My honourable friend laughs. I have been sitting in this House for eight years, and I challenge any honourable gentleman who has sat here during that time to say that I have ever made a party speech in this House.

Hon. Mr. CROSBY: We all laugh now.

Hon. Mr. CLORAN: There is a young Tory.

Hon. Mr. BELCOURT: I do not know what the honourable gentleman (Hon. Mr. Crosby) is laughing about.

Hon. Mr. CROSBY: I am laughing at this. The honourable gentleman stated that as long as he has been in this House he has never made a partisan speech. I have never heard the honourable gentleman make anything else since I have been here. What is the bilingual question, which the honourable gentleman has brought up here?

Hon. Mr. BELCOURT: I shall not lose any sleep over any opinion, partisan or other, that the honourable gentleman may express.

Hon. Mr. CROSBY: Nobody pays any attention to the honourable gentleman.

Hon. Mr. BELCOURT: It is the duty of the Senate to prevent this measure from going through. The honour of the House is at stake. Honourable gentlemen should not look at the question from a party point of view, but exclusively from the point of view of the interests of Canada. We are to-day in the position of trustees, as has been very properly said by the honourable gentleman from Halifax (Hon. Mr. Power). I repeat, we are the trustees of the people of Canada. This property is theirs to-day, and it would be only by our connivance with those gentlemen that the people would be deprived of their property and the Canadian Northern Railway company paid hundreds of millions of dollars for what no longer belongs to them, besides referring to arbitration the question of the value of this $60,000,000 of stock, which, according to the report of the Government commissioners, is valueless. Surely the honourable members of this House will think twice before passing such a measure.

Hon. D. O. L'ESPERANCE: Honourable gentlemen, I had not intended to speak on this measure, as the discussion has been complete on both sides of the House. It is true that the amendment calls for more information, but I do not know what more could have been said pro and con even if more information had been given. I desire to say a few words and shall confine my remarks to the argument which has been made by the honourable gentleman from De Salaberry (Hon. Mr. Béique) and the honourable gentleman from Grandville (Hon. Mr. Choquette) to-day. In the course of his very able speech, the honourable gentleman from De Salaberry has drawn a contrast between the policy of receivership, which was so popular in the United States twenty or twenty-five years ago and the legislation now before this Parliament for the purchase of

the Canadian Northern Railway stock. He told us that he had at times been the fortunate or unfortunate possessor of shares in some of the American railways which have gone to the wall but have since safely emerged under the benevolent and guiding hand of the receiver. He explained to us that he had several times been forced to put his hand in his pocket to subscribe to the call for extra capital made by the receiver in order to protect his interest in the securities of these railways which fortunately for him have since enjoyed a long period of prosperity and have seen their stock go skyward; as, for instance, the stock of the Union Pacific railway, which in 1898 sold under $20 per share, but eight years afterwards, in 1906, sold as high as $195 per share, and three years later, in 1909, reached the high mark of $219 per share. I hope that my honourable friend had a good slice of these shares and that he held them long enough to see his perspicacity rewarded. But what about the unfortunate shareholders who, some years previous, when the stock was paying 7 per cent and selling over par, had invested all their savings in these securities and who, unlike my honourable friend, had no money left in their pockets to meet the extra calls upon them when the hard times came? They were washed out, or, to put it correctly, their stock was stolen away from them by the very men who had unloaded on them at high prices some years previous and were since hiding behind the receiver to get it back at receivership prices.

I have no hesitation in saying that the schemes under which some of the great American railway systems at first enjoyed a few years of prosperity, were then brought to ruin, forced in the hands of receivers, and reorganized for the benefit of high financiers, make one of the saddest chapters in the economic life of our great neighbour to the south.

My honourable friend from Grandville (Hon. Mr. Choquette) said it was a shame to buy the stock of a company which had not been listed on the market. Well, let us thank God that Sir William Mackenzie and Sir Donald Mann, unlike so many American and Canadian financial geniuses, did not take advantage of the boom days which this country enjoyed a few years previous to the war to unload the stock of the Canadian Northern railway on a gullible public who were then ready to buy anything at any price. The result to-day would be appalling because the Government would be unable to secure the control of the road. The Government would be unable to protect the innocent investor, the road would go in the hands of receivers, and we would see in this country a repetition of what took place some twenty years ago in the United States.

I am not here to defend Messrs. Mackenzie and Mann. One of these gentlemen I do not know; the other I have but a slight acquaintance with. I owe them or their enterprise nothing; they owe me nothing; but I have no hesitation in saying that, in my humble opinion, they have accomplished a great work for this country. They have built one of the best transcontinental railways on this continent. This is admitted on both sides of the House. Their line passes through the most fertile parts of Canada; this is also admitted; and it is also admitted that they have financed their undertaking under the best of conditions. They have failed just as they were reaching the goal; and, like every man who fails, they are being now roundly abused; but I hope they have the stout heart that great minds and great men generally possess, because there can be no compensation, it seems to me, for the situation now forced upon them. But the least that this Parliament and this country owe to them is to see that they are treated fairly.

Some of my honourable friends on the other side of the House are convinced that the Canadian Northern railway stock is worthless. Why not, then, wait patiently for the decision of the court of arbitration? Are we to assume that the honourable gentlemen on the other side of the House have no confidence whatever in the judgment and the integrity of the arbitrators?

For my part, I would be ashamed of this Government if we were to enter upon this great national undertaking through the methods which have made some American financiers famous and multi-millionaires at the expense of the innocent investors and of the best interests of their country. I do not care if a dividend is earned on the common stock of the Canadian Northern so long as the road is honestly and properly managed.

The Canadian Pacific railway is one of the best managed railways in North America; but its administrators have a duty to perform to their shareholders as well as to the public of this country. The stock pays 10 per cent dividend, but how much of this remains in this country? Out of $26,000,000 paid in dividends on its com-

mon stock, I think I am safe in stating that at least $20,000,000 go abroad.

The big men must get reconciled to the policy of public control and ownership. For my part, as one who has been employed for seventeen years on a government-owned railway, and who is still very proud to belong to one of their unions, I venture to say that the brotherhoods of railway engineers and firemen, conductors and trainmen, telegraphers, roadmen, clerks, and others, will welcome this national policy, which will make of that vast army of railroad employees not mere wage-earners, but shareholders in practically half the railway lines of this Dominion.

The day is fast passing away when a few men will control the wealth of the nation. With the rising of democracies the men possessed of large abilities will have a greater ideal before them than the mere acquisition of large personal fortunes, and more of them will be found willing, as we have found them in this war, to serve their country for the benefit of the whole nation.

Hon. ARTHUR BOYER: Just a word in answer to my honourable friend who sympathizes with those who happened to have some Union Pacific stock and were called upon to pay $300 a share when a receiver was appointed. Were those losses different from those of people throughout Canada who speculated in real estate and lost every cent they had? It strikes me that their loss is not in the least different from that of persons who put money into a railroad and invested it for whatever it could earn. If the investment is unprofitable it is their loss. The property had to be saved in some way or other, and the only way to save it was by a public receivership. It drained out of the Union Pacific every drop of water that had been put in, and it placed the railroad on a proper basis and made it one of the best paying railroads in the United States if not in the world.

My honourable friend has drawn attention to the large dividends paid by the Canadian Pacific railway, amounting to some $26,000,000 a year, of which, he says, only $6,000,000 remains in Canada. Supposing we acquire the Canadian Northern, we shall have to borrow money abroad. Will the interest remain in the country or shall we pay the interest abroad? The bonds are all abroad. Every cent that is owed by the Canadian Northern in the way of debenture debt was floated in London or some of it in Paris, so that a great deal of the interest goes abroad and not very much remains in Canada.

I have been waiting patiently for a technical definition of the words "common stock." Is it made for common people so as to deceive the public? It is a new creation of the last 20 years. In the olden days, when a company was floated, it was floated on what we called stock. You find no common stock in a bank. There is no common stock in the Grand Trunk railway. There is no common stock in the Canadian Pacific railway. Everything was honestly floated, dollar for dollar, cent for cent, and no common stock was created. This common stock, as I have already stated, is a creation of the last 20 years, made partly to deceive the large majority of investors. What is the rule followed? As a rule, large corporations in our days are floated on debentures. The Canadian Pacific railway was built on stock —not common stock. Every man who subscribed $100 got one share of stock, but there was no common stock about it. The Canadian Northern was built on debentures; it was built with money borrowed abroad, and, as a last venture, as a premium to the men who created that big railroad, $100,000,000 of common stock was put on. Was that stock ever floated in the country? My honourable friend has said no, because he stated that it would have been a loss to the investors. Well, if it would have been a loss to the investors, where does the gain to the Government come in? God knows that the Government will not make more money out of it than 100,000 investors could have made if they had got possession of that common stock. If that stock had been floated on the market and had created an interest in the Canadian Northern, it would have been almost invincible.

Those two men who have built such a railroad are, I admit, great men. The building of the railroad required genius such as one meets with seldom in a lifetime. To have been able to rope in the Government of Canada, as has been done, to rope in every province in the Dominion, as has been done, to get subsidies from municipalities, as has been done, required cunning and genius, and those men possessed it and succeeded in their venture. Now we are face to face with what is commonly caled "common stock." The Government will buy this common stock, which never was put into the company, and if my honourable friend from Quebec (Hon. Mr. L'Espérance) will take the trouble to read the report of the three gentlemen appointed by the Government to investigate those two railways, the National Transcontinental and the Canadian Northern, he will see that not one cent of this $100,000,000 of com-

mon stock was ever put into the company, but it was a sort of bonus created by those who built the road as an endowment to themselves; and to-day we are called upon to buy this common stock for the benefit of the company and to acquire another large railroad.

It is within the knowledge of every honourable gentleman of this House that we own one big railway, the Intercolonial. And God help the management of it! I think one railroad is quite enough for the Government to mismanage without saddling upon it five or six thousand more miles to mismanage. There is not a train on the Intercolonial that runs on time. There is not a train that can be depended on. Let me give you one instance of that. Some very wealthy Americans who own houses in Murray Bay closed their houses and crossed the St. Lawrence to take the train at Rivière Ouelle. They had beforehand secured their Pullmans. One special car was waiting for some American ladies, the husband of one of whom was a director of the New York Central. No ticket was taken up on the train. The train got into Montreal two hours late, and all on that train missed their connections, and had to take their children, the nurses and the rest of the company, to the Windsor or to the Ritz. Yet we laud the nationalization of railroads and want the Government to take possession of another road to be mismanaged. If you start on a journey on a railroad managed by the Government from Quebec to Vancouver you run a very good chance of being, if not six months, at least six weeks, late on the journey.

Gentlemen, this question has been thrashed out. We are quite willing to help the Canadian Northern. Why not, in helping that road, adopt the same policy as Great Britain adopted? We are in war-time; the cry is, let us use every resource of the country for winning the war. Now, where shall we get the money to pay for this common stock? The last Canadian loan raised in New York actually cost the country six and a half per cent.

Hon. Mr. McSWEENEY: Eight, or seven and a half.

Hon. Mr. CROSBY: Call it ten.

Hon. Mr. BOYER: Make it seven. Are we going to raise money on a railroad that already enjoys—if it is possible to call it enjoying—a bad reputation? Then, we have surely learned this, that every bondholder of the Canadian Northern, as soon as the bonds become due, will insist upon getting his money. I know that if I were a bondholder of the Canadian Northern, the day my bond came due, whether it was in possession of the Canadian Government or the present owners of the railroad, I certainly would insist on my money being returned, and handing them their bond. But this question has been thrashed out, and whatever may be said or done will not change by one iota the vote of this House. The Government has decided to carry the measure. Then we shall wait for the people to say what they have to say on the question, and whether they approve it or not. My opinion is that they do not.

The Senate divided on the proposed amendment of Hon. Mr. Bostock, and the same was negatived on the following division:

CONTENTS.

Honourable Messieurs:

Beaubien,	Landry,
Béique,	Lavergne,
Beith,	Legris,
Belcourt,	McHugh,
Bostock,	McSweeney,
Boyer,	Mitchell,
Casgrain,	Montplaisir,
Choquette,	Power,
Cloran,	Prowse,
Dandurand,	Roche,
David,	Ross (Moosejaw),
Dessaulles,	Talbot,
De Veber,	Tessier,
Domville (Lt.-Col.),	Thibaudeau,
Douglas,	Thompson,
Farrell,	Watson,
Gillmor,	Wilson,
Godbout,	Yeo.—37.
King,	

NON-CONTENTS.

Honourable Messieurs:

Bénard,	McLean,
Blain,	McLennan,
Bolduc (Speaker),	McMeans,
Bourque,	Milne,
Bowell (Sir Mackenzie),	Murphy,
Crosby,	Nicholls,
Curry,	Planta,
Daniel,	Poirier,
Dennis,	Pope,
Edwards,	Pringle,
Fisher,	Richardson,
Foster,	Robertson,
Fowler,	Ross (Middleton),
Girroir,	Sharpe,
Gordon,	Shatford,
Laird,	Smith,
L'Esperance,	Sproule,
Lougheed (Sir James),	Tanner,
Macdonell,	Taylor,
Mason (Brig.-Gen.),	Thorne,
McCall,	White.—43.
McLaren,	

Hon. Mr. CLORAN: Mr. Speaker, I desire to call the attention of this honourable House, and particularly yourself, to a provision of the rules of the Senate governing

the right to vote. The provision is a short one, but effective, and reads as follows:

No senator is entitled to vote upon any question in which he has any pecuniary interest whatsoever, not held in common with the rest of the Canadian subjects of the Crown; and the vote of any senator so interested will be disallowed.

The SPEAKER: Whom do you accuse of being interested?

Hon. Mr. CLORAN: I am quoting the rule before I accuse. Now, I accuse two senators on the other side of having voted against the provisions of the rule of the Senate. I find that two honourable senators —Senator Nicholls and Senator Richardson—have cast votes on this measure, in which they have a direct, personal interest, according to the verified statement of the Assistant Secretary of the Canadian Northern Railway company in the last stock register taken in the month of June, together, among other names, with William Mackenzie, $10,000, and so on—Hon. Mr. Nicholls, $2,000, and Hon. Mr. Richardson, $2,000. Therefore, according to the authority, those two honourable gentlemen are directly interested in this Bill; and I ask that the Speaker disallow their votes. That is according to the law of the Senate.

Hon. Sir JAMES LOUGHEED: What is the date of the certificate?

Hon. Mr. CLORAN: June.

Hon. Sir JAMES LOUGHEED: I beg to say that, unless there is evidence forthcoming by the statement of any honourable senator, and he takes the responsibility of the statement, that at the present time those honourable gentlemen come within the language of Rule 53, namely, that they possess a pecuniary interest, no notice can be taken of the objection. Of course, it is quite obvious that any objection which might or would prevail in June last might not obtain to-day.

Hon. Mr. DANDURAND: I thought it was the part of the honourable gentlemen themselves to answer.

Hon. Sir JAMES LOUGHEED: Not necessarily.

Hon. Mr. CLORAN: Certainly, I should ask this honourable House to ask the two members whose vote is challenged to give an answer direct, and not to accept that of any third party.

Hon. Mr. POWER: That is the practice.

Hon. Mr. CLORAN: What does a third party know any more than I know? I might hold a document in my hand showing that those gentlemen are interested to a large extent. It is up to them to deny it.

Hon. Sir JAMES LOUGHEED: There is no statement before the House at the present time that they have any pecuniary interest.

Hon. Mr. POWER moved:

That the word "not" be substituted for the word "now", and the following words be added at the end of the question:

"But that, in the opinion of this House, Parliament should proceed to take over the Canadian Northern Railway system for the benefit of the people of Canada under the Canadian Northern Railway Guarantee Act, 1914, chapter 20 of the statutes of 1914, and that the capital stock of the said Canadian Northern Company be considered under the said foreclosure order as possessing no value, and that nothing should be paid therefor."

The Senate divided on the proposed amendment, and the same was negatived on the following division:

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Honourable Messieurs:

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Beith,	Legris,
Belcourt,	McHugh,
Bostock,	McSweeney,
Boyer,	Mitchell,
Casgrain,	Montplaisir,
Choquette,	Power,
Cloran,	Prowse,
Dandurand,	Roche,
David,	Ross (Moosejaw),
Dessaulles,	Talbot,
De Veber,	Tessier,
Domville (Lt.-Col.),	Thibaudeau,
Douglas,	Thompson,
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Bowell (Sir Mackenzie),	Murphy,
Crosby,	Nicholls,
Curry,	Planta,
Daniel,	Poirier,
Dennis,	Pope,
Edwards,	Pringle,
Fisher,	Richardson,
Foster,	Robertson,
Fowler,	Ross (Middleton),
Girroir,	Sharpe,
Gordon,	Shatford,
Laird,	Smith,
L'Esperance,	Sproule,
Lougheed (Sir James),	Tanner,
Macdonell,	Taylor,
Mason Brig.-Gen.),	Thorne,
McCall,	White.—43.
McLaren,	

Hon. Mr. BELCOURT moved:

That the word "not" be inserted before the word "now" and that the following words be added at the end of the question: "but that the further consideration of the said Bill be deferred until the Senate has been assured that the Government will enforce subsection E of clause 2 of the agreement which forms part of chapter 20 of the statutes 4-5, George V, which reads as follows:

That the Contractors will not at any time make or seek to enforce any claim for contractors' profits, commissions or otherwise against the Canadian Northern, or against any of the constituent or subsidiary companies, upon or in respect of any express or implied contract, understanding, agreement, or stipulation of any kind, heretofore or hereafter made, whereby or whereunder they or any one or more of them, may now or hereafter be entitled to receive from the Canadian Northern or from any of the constituent or subsidiary companies any construction profits, in respect of work heretofore undertaken, or as consideration for transfers of properties, rights, or franchises already transferred, or to be transferred under sub-clauses a and b of this clause, or for commission or remuneration for services in financing, or for any other services heretofore rendered, and all such claims are hereby by them and each of them absolutely renounced and released.

Hon. Mr. DANDURAND: Honourable gentlemen, I should like to say a few words on this amendment. The contract entered into by Messrs. Mackenzie and Mann and the Canadian Northern in 1914 contained the very clause which has just been read by His Honour the Speaker. This clause is an undertaking by the contractors not to claim anything for commissions or services. This is clear. It is in simple and clear English. Now, the Royal Commissioners appointed by the Government have declared that the stock, the value of which is to be ascertained by arbitration, was given for services rendered and that this stock represented all their remuneration for the building of the railway as constructed. These contractors bound themselves to make no claim for services. By virtue of clause 24 of the Act of 1914, that stock can be confiscated and taken away from them by foreclosure. The gentleman who drafted this contract, then Solicitor General and now Secretary of State, declared that the contract carried a lien on the 60 per cent of the stock held by Mackenzie and Mann. To-day, we are asked to appoint an arbitration court to find out the value of the equity in that stock in order to remunerate the contractors who declared that they would set up no claim for commission or services. The Royal Commissioners have declared that that stock was held simply as remuneration for services; the honourable the leader of the Government has stated that that stock was in their hands simply as remuneration for services. Now, surely, we are not to go into the teeth of the contract which was signed by them, and in which they declared that they would set up no claim for commissions or for services rendered. They may claim it, they try to claim it, for the Government sets up such a claim for them, because we have nothing from the contractors before us. The Government states a claim for them, and says: "We will arbitrate to see what equity they may have in the stock. We know why they hold the stock: it is for services rendered. We do not know if they have not been paid otherwise." Now, we have a change, a modification of the position of the Government since that Bill was passed in the House of Commons. In reply to the question put on Friday last by the honourable member for Hastings (Hon. Sir Mackenzie Bowell), the honourable leader of the Government said that a maximum figure would be set, beyond which the arbitrators should not go. Has the Government in mind a reduction of the payment for the services rendered by the contractors?—because these shares were simply given to them as remuneration for their services. The members of this House who believe that the contractors who stand to benefit by the arbitration, and who bound themselves to make no claim for remuneration for their services, are entitled to nothing, that those shares are worth nothing, that there is no equity in those shares, stand where the Government stood when this contract was signed by both parties. Should we not at all events know from the honourable the leader of this House, before we go further, what is the maximum that the Government has decided to fix beyond which the arbitrators will not go? The country is now apprised of the fact that there will be a limitation to the discretion of the Commissioners. What will that limitation be? $60,000,000 is the face value of those shares. Has the Government decided to put a limit of $50,000,000? Has it decided to put the maximum at $10,000,000 or $5,000,000? Let us not delude ourselves, honourable gentlemen. In spite of the reservation whichi the Government will set, we will find that the arbitrators will fix the maximum amount which the Government will allow them to set by the agreement or through the modification of this Bill, if this Chamber so decides. Is not the country interested in knowing, and is not this Senate, before voting on the second reading of the Bill, interested

in knowing if $500,000 will be paid by this Government as the compensation to be given to the contractors—or $5,000,000 if the Government thinks they are entitled to that amount—or even $25,000,000? We must all accept responsibility for the stand we take and the vote we give, and the maximum amount which will be fixed will very likely be the one the arbitration will award. A certain number of senators supporting the Government on this measure would surely be influenced by the knowledge that there is a limitation. Many members of this Chamber, as I have said, have told us that the Government should stand by the contract and the contractors should stand by their own signatures. But at all events are not those members supporting the Government, and who support them in this measure, entitled to know, and is not the country entitled to know, what is the maximum figure which will be fixed and beyond which the arbitrators may not go?

Hon. Mr. BOSTOCK: My honourable friend from De Lorimier (Hon. Mr. Dandurand) has pointed out the effect of this clause of the contract, and I think it is one on which we should certainly have some expression of opinion from the Government as to what they are going to do. In the course of this debate certain questions have been asked the honourable leader of the Government in connection with this matter, and I want to point out now that, with regard to one of the questions which I personally asked the honourable leader of the Government, I did not receive a full answer. On page 972 of the Official Report of the Debates of the Senate will be found the following questions which I asked:

> What is the amount of loans? What is the amount of securities? Were these loans made to Mackenzie and Mann, Limited, or to the Canadian Northern railway? When these loans are paid to whom will these securities so pledged revert—to the Canadian Northern railway, or to Mackenzie and Mann, or to other parties?

The answer which I received was:

> All loans to the Canadian Northern railway are shown in the blue-book No. 237. When the loans are repaid all securities held will revert to the Canadian Northern railway.

Honourable gentlemen will see that I received no answer to the question as to any loans that were made to Mackenzie and Mann, Limited. I think that the House is entitled to know before voting on this Bill whether or not any loans have been made to Mackenzie and Mann, Limited. as we are told in a statement that has been made as to who the holders of this stock are, that Mackenzie and Mann, Limited, hold some $58,000,000 out of the $60,000,000 of stock, the loans may have been made upon that stock to Mackenzie and Mann, Limited, and we may find that, if this Bill goes through as it is, the country will be paying money that has been loaned to Mackenzie and Mann, Limited. I do not think the country is called upon to make any payment of that kind. That is one of the points which I think should be cleared up before we are asked to vote on the second reading of this Bill.

Further, I think that the answer made by the honourable leader of the Government the other day to my honourable friend from Hastings (Hon. Sir Mackenzie Bowell), while it may have satisfied him—I do not know that it did, because I give him credit for being a shrewd and far-seeing gentleman—did not satisfy honourable gentlemen on this side of the House. If any arrangement is to be made, if any sum is to be stated as the maximum that shall be paid on the stock, I think it should be stated in the Bill itself. Further, I think that the Bill should provide that no money shall be paid over to the Canadian Northern Railway system by the Government until the Government know what are all the liabilities which they are are all the liabilities which they are assuming on behalf of the people in connection with this matter. A period should be fixed within which anybody who has any kind of claim against the Canadian Northern Railway system should file his claim, and after the date specified no claim that has not been made should be acknowledged at all, and until that time I do not think that any money should be paid over by the Government on account of this stock. If the Government is prepared to fix in the agreement the maximum amount that is to be paid for the stock, it would be very much better that they fixed it in the Bill, and told us clearly and distinctly what it is their intention to do. The country is entitled to know what is the extent of the liabilities it has to meet in this matter, and the Government should take over this railway system clear of all liabilities and all trouble.

I want to refer also to a matter connected with the title to the property. In the report made by Drayton and Acworth we find, on page 69, these words:

We find that the title to certain property which is used for railway purposes has not yet been vested in the Canadian Northern. It was among the conditions on which the Government loan of $45,000,000 was granted in 1914, that this should be done. We pointed the omission out to Mr. McLeod, the company's general manager, who stated that it was merely an oversight, and that the intention was that all titles should be got in.

It seems rather curious that a matter of this kind should be allowed to go on. The Act of 1914 was passed on the understanding that it would be enforced and everything would be put in order, and here we find the commission appointed by the Government in 1917 to inquire into this matter pointing out that within those three years they had not got in all the titles to the property. We have nothing to show what the extent of that delinquency is, or how much property there is without title. I think that this question should be settled, and it should be provided in the Bill that no money shall be paid over until those titles are absolutely made over to the Government—that the Government and the country should not be in the position of having a liability possibly cast up to them later on by somebody coming forward and saying: "Oh, but this part of the railway belongs to me; you have not got the title to it." It may be a small matter, but on the other hand it may be a very big matter and a very serious one for the Government and the country, and I think it is a matter which should be dealt with, and we should have an assurance from the Government that that will be done.

Of course, we are placed in a rather awkward position in one way, on these questions. In 1914 we had the assurance of the Government that if any fault arose in connection with this company certain action would be taken; but we are brought face to face with this situation at the present time, that although the Government acknowledges that the question of default has arisen—that, as was stated by the honourable leader of the Governement the other night, this company is insolvent—at the same time they have refused to take the action which lay to their hands and which the company thought and expected they would take, but instead have brought down the Bill now before us. I think we should certainly receive the assurance of the Government, as has been asked for in this amendment, before we proceed to deal further with this Bill.

The Senate divided on the proposed amendment of Hon. Mr. Belcourt, and the same was negatived on the following division:

Hon. Mr. BOSTOCK.

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Dandurand,	Roche,
David,	Ross (Moosejaw),
Dessaulles,	Talbot,
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Curry,	Planta,
Daniel,	Poirier,
Dennis,	Pope,
Edwards,	Pringle,
Fisher,	Richardson,
Foster,	Robertson,
Fowler,	Ross (Middleton),
Girroir,	Sharpe,
Gordon,	Shatford,
Laird,	Smith,
L'Esperance,	Sproule,
Lougheed (Sir James),	Tanner,
Macdonell,	Taylor,
Mason (Brig. Gen.),	Thorne,
McCall,	White.—43.
McLaren,	

Hon. Mr. BOSTOCK: I would like to ask the honourable leader of the Government, before the second reading is carried, if it is his intention to amend this Bill along the lines suggested in the committee stage.

Hon. Sir JAMES LOUGHEED: I did not suggest any amendment.

Hon. Mr. BOSTOCK: What I had in mind was that the honourable gentleman was going to answer the honourable member for Hastings (Hon. Sir Mackenzie Bowell), and I asked him if he would not put the matter in the Bill instead of in the agreement, so that the country might know.

Hon. Sir JAMES LOUGHEED: I did not say so.

Hon. Mr. WATSON: No, but he is asking you now.

Hon. Sir JAMES LOUGHEED: No, no.

Hon. Mr. DANDURAND: Is it the intention of the honourable gentleman or the Government, before this Bill is adopted, to declare what maximum amount will be fixed?

Hon. Sir JAMES LOUGHEED: I think not; not before the Bill is adopted.

Hon. Mr. BELCOURT: In what way will it be declared? In the Bill?

Hon. Sir JAMES LOUGHEED: In the agreement referred to in the Bill, when the agreement comes to be drawn.

Hon. Mr. CASGRAIN: Parliament will not be a party to the agreement.

Hon. Sir JAMES LOUGHEED: Parliament authorizes the Government to enter into the agreement.

Hon. Mr. DANDURAND: But does not the honourable gentleman think that Parliament is entitled to know what will be the maximum figure beyond which the arbitrators may not go?

Hon. Sir JAMES LOUGHEED: I do not think Parliament will insist on that. I think they will have sufficient confidence in the Government to permit the Government to fix the amount.

Hon. Mr. DANDURAND: I hope I shall not shock the susceptibilities of my honourable friend too much if I tell him that nearly half of this Chamber would be very insistent upon knowing what is the maximum figure.

Hon. Sir JAMES LOUGHEED: Yes, I think it would in all probability be 37 to 43.

Hon. Mr. DANDURAND: I want to give notice to my honourable friend——

Some Hon. SENATORS: Order, order.

Hon. Mr. DANDURAND: Before this Bill is read the second time I would like to give notice to my honourable friend that I intend to move in committee that the arbitrators may, if they do find that there is an equity, allow the contractors stock instead of money.

The main motion was agreed to on the same division reversed, and the Bill was read the second time.

LIVE STOCK BILL.

FIRST READING.

Bill 123, an Act respecting Live Stock.—Hon. Sir James Lougheed.

MILITARY VOTERS' BILL.

MOTION FOR SECOND READING—DEBATE ADJOURNED.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 127, the Military Voters' Act, 1917.

He said: When I proposed the other night to move the second reading of this Bill I was asked if it was intended to practically supersede the legislation which we passed in 1915. I might say that is the case. The principle of this measure was adopted in Canada in 1915. The present Bill extends to others than members of the Canadian Expeditionary Force, to which the Act of 1915 was confined. The present Bill takes in all persons, male or female, who are serving within Canadian or British military or naval forces within North America or Europe. It differs from the 1915 Act in the further respect that it makes no distinction as to the age of the voter, the sex, or the race. Indians can vote. I give these particulars to my honourable friend, as it may dispense with the necessity of going closely through the Bill, which is rather a lengthy one.

Hon. Mr. DANDURAND: Are they all British subjects?

Hon. Sir JAMES LOUGHEED: Yes. Further, there has been a change as concerns the residential qualifications. Under the 1915 Act it was necessary that the voters should have been on an electoral list or should have acquired a residential qualification by at least three months fixed residence in a particular place and a longer residence within Canada. Under the present legislation "military electors," which expression includes all persons who can vote under the Act, are authorized to vote, whether or not they have been residents of Canada. The places within Canada where, if at all, they have been resident become material only with respect to the allocation of their votes. A person must vote at the place where he was last resident for four continuous months of the last year of his residence in Canada. The four months mentioned must precede his enlistment. If he has not been resident during any four months, he votes at the place where he has been ordinarily resident; and if he has not been resident at all, he votes within some electoral district to be selected by himself. There is a change, too, in the mode of polling. Under the 1915 Act the polling overseas was similar to that adopted by the present legislation. The method of polling

within Canada, however, was much more complicated. It was necessary to secure in advance a list of the names of persons within camps who wished to vote on election day and of their electoral districts; to have them make declaration; to communicate with the returning officers of the electoral districts; to have ballot forms for the necessary electoral districts sent to the camps or other places where soldiers might be; to have maybe forty or fifty different ballot boxes in each camp, perhaps more; to conduct as many different elections. After the polling, these ballot boxes had to be sent out to as many different returning officers, and they had to reach the returning officers before the close of the ordinary polling day or they would be too late. The new draft provides a uniform and simple mode of receiving and recording votes of all concerned. The polling, counting and returning of ballots will be the same within Canada as overseas, but there will be only one day's polling in Canada, on the same day as ordinary polling, whereas the polling overseas will extend over a period of twenty-eight days. The nomination day will be twenty-eight days in advance of polling day instead of seven as at present, and polling may commence overseas on nomination day.

Hon. Mr. BOSTOCK: That will be nomination day for the whole of Canada?

Hon. Sir JAMES LOUGHEED: Yes. Polling will cease simultaneously in Canada and overseas.

The form of ballot adopted in the 1915 Act has been preserved, with amendments designed to make it more easily understood by the voter, and a place has been added for a possible labour candidate.

The machinery for receiving, counting, and returning votes will be as follows:

1. A general returning officer will be located at Ottawa. Through this officer will come all returns, and in the last analysis he will make return for every electoral district in Canada.

2. The Assistant Clerk of the Crown in Chancery to be located in England will perform within Europe all the functions of the Clerk of the Crown in Canada.

3. The ordinary election returns of civilian voters in Canada will be counted as at present by the deputy returning officers, and in due course the ordinary returning officers, instead of making return that So-and-so is elected, will make a return to the general returning officer that So-and-so and So-and-so have received so many votes.

4. Presiding officers, who will be the equivalent of the ordinary returning officers, will have assigned to them certain military or naval areas and certain military and naval electors within these areas. The presiding officers will appoint deputy presiding officers, who will be the equivalent of the ordinary deputy returning officers. These deputy presiding officers, who will receive the military and naval votes within Canada, will not open the ballot boxes or count the ballots therein, but will send them direct to the general returning officer at Ottawa. They will be counted at Ottawa in the manner hereinafter mentioned and the results applied to the proper military district. When the general returning officer has received returns from overseas, he will add the votes received from the several sources and applicable to the different electoral districts, and make return as respects each electoral district as to what candidate has been elected.

5. Presiding officers and deputy presiding officers will operate overseas in the same way as in Canada, but at the close of the polling the deputy presiding officers within the United Kingdom will send in their ballot boxes to the Secretary of the High Commissioner's office in London, whereas the deputy presiding officer on the Continent of Europe will send in the ballot boxes to the office of the Canadian Commissioner to France in Paris.

6. The counting of the ballots as received, whether at Ottawa, London, or Paris, will be done by officers who will be known as special returning officers. These will be appointed with an equivalent number of clerks, half of each of them on the nomination of the Prime Minister and the other half on the nomination of the leader of the Opposition. They report the results of the count to the general returning officer, Secretary of the High Commissioner or Canadian Commissioner to France respectively, and the latter two named report results by cable to the general returning officer, who declares as previously mentioned.

7. Each ballot box will of course contain many different ballots to be applied to many different electoral districts. Special returning officers will perform their work by several different processes. Each different ballot will be in a different envelope, from the endorsement upon which it will be possible to allocate the vote to a particular electoral district. The first process will be allocation of the ballots to their proper electoral district. Next will be the opening of the envelopes and the placing of the

ballots therein within ballot boxes appropriated to particular electoral districts. The next will be the counting of the ballots and checking the results by the poll books which will be written up from the envelopes. Envelopes will contain the name, number, etc., of the voter. Absolute secrecy is possible according to the system and directions for operation.

The reasons for the introduction of this new Act are:

1. The increase six-fold, since the other Act was passed, of the Canadian Expeditionary Force, and the taking on of Canadian soldiers within the Imperial forces and of Canadians within the navy.

2. The greater submarine peril, rendering the transmission of the actual ballots across the ocean before counting so problematical an undertaking.

3. The tremendous expense incident to the transmission of ballots and election paraphernalia from Canada to England and back again and its distribution to the electoral districts, and the uncertainly of its reaching the electoral district in time for counting and declaration on polling day.

According to the newly proposed system, all the operations of the election will be carried out in England and in France; and in Canada, the general returning officer at Ottawa will operate a clearing house, and all results will be declared through him.

A delay of about five weeks will occur in the announcement of the final results. This is unavoidable. Time has to elapse for the receiving of the overseas ballot boxes from overseas polls, the allocation, counting, etc. The Act is elastic in this respect. While it states a period of thirty days after polling as the day for beginning to count military and naval ballots polled, it enables them be to counted sooner if the ballot boxes have all been sooner received. The allocation of the ballots to their proper electoral districts is proceeding during the period of thirty days, so that actual counting will be all that will remain to be done. It ought to consume only two or three days, as returns are received by the general returning officer, who will of course declare them. There would be in all probability three different publications by him, and many intermediate publications of individual returns.

The three intermediate publications referred to are:

1. Returns of Canadian voting by civilians.

2. Returns of military and naval voting within Canada.

3. Returns of military and naval voting overseas.

Possibly the latter may be divided into three different publications: (a) returns from England, (b) returns from France, (c) returns from Bermuda.

It is anticipated, as stated, that about five weeks will elapse between polling day and final announcement by the general returning officer as to final results in all the electoral districts:

Hon. Mr. BOSTOCK: What about returns from Salonica?

Hon. Sir JAMES LOUGHEED: I do not know, except that they could come in by way of France or England.

Hon. Mr. McSWEENEY: If there is a fight on at the front, how are you going to take the votes?

Hon. Sir JAMES LOUGHEED: We will have to take our chances. There will be no deferred elections except in the Yukon, where deferring the election is unavoidable because of the necessary times which have to elapse because of the present provisions of the Election Act and the conditions prevailing in that territory. I therefore move the second reading.

On motion of Hon. Mr. Bostock, the debate was adjourned.

MILITARY SERVICE BILL.

BOARD OF SELECTION.

The Hon. the SPEAKER informed the Senate that he had received a message from the House of Commons informing this House that the House of Commons had passed the following resolution:

Resolved by the House of Commons of Canada, that the following gentlemen do compose the board of selection to appoint members of local tribunals under section 6 of the Military Service Act 1917:

Ontario: A. E. Fripp, M.P., Ottawa; W. A. Boys, M.P., Barrie, Ont.; Sir John Gibson, Hamilton, Ont.; A. B. Lowe, 41 Glenn St., Ottawa.

Quebec: Joseph Rainville, M.P., St. Lambert; Romeo Langlois, K.C., Quebec; Hon. S. N. Parent, Montreal, Que.; Hon. Sidney Fisher, Knowlton, Quebec.

Nova Scotia: Geo. S. Campbell, Halifax, N.S.; D. A. Cameron, Barrister, Sydney, C.B.

New Brunswick: Mariner G. Teed, St. John, N.B.; John McCaffrey, Fredericton, N.B.

Manitoba: Senator W. H. Sharp, Manitou; Sir Donald MacMillan, Winnipeg, Man.

Saskatchewan: Senator H. W. Laird, Regina; Arthur Hitchcock, Moosejaw, Sask.

Alberta: R. B. Bennett, M.P., Calgary; Alfred H. Clarke, K.C., Calgary, Alberta.

British Columbia: R. F. Green, M.P., Victoria, B.C.; Hon. James Horace King, Victoria, B.C.

Yukon: Lt.-Col. A. Thompson, M.D., M.P., Ottawa; F. C. Wade, Vancouver.

Prince Edward Island: Wm. L. Cotton, Charlottetown; James J. Johnston, K.C., Charlottetown, P.E.I.

And requesting that their honours will unite with this House in the said resolution by filling up the blank therein with the words "Senate and."

It was ordered that the said message be taken into consideration to-mororw.

OTTAWA SEPARATE SCHOOLS CASE.

DISCUSSION.

The Senate resumed from September 5, the adjourned debate on the statement and inquiry of Hon. Mr. Landry.

Sir MACKENZIE BOWELL: Honourable gentlemen, when I asked to have the debate on this question adjourned, I had made up my mind to enter fully into the whole question; but as the subject is now before the courts, I think it would be injudicious and improper for this House to discuss the question. If the courts decide in favour of the contention of my honourable friend from Stadacona (Hon. Mr. Landry) then it will be the duty of the legislature of the province of Ontario to acquiesce in whatever judgment may be rendered. At present, as I have already said, I look upon the question as an improper one for discussing. For that reason I decline to enter into any discussion on the matter.

On motion of Hon. Mr. Béique, the debate was adjourned.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Tuesday, September 11, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

DISORDER AT FORD CITY.

INQUIRY.

Before the Orders of the Day:

Hon. P. LANDRY: I want to draw the attention of the Government to an article which was published yesterday in the Ottawa Citizen. I desire only to have information. I do not want to obstruct in any way the business of this House, but I think it is a very urgent matter and we should have an explanation immediately:

Ford City, Ont., Sept. 9.—Bishop Fallon's announcement that Rev. Father F. X. Laurendeau would be installed as parish priest of the Church of Our Lady of the Lake, Ford City, even if civil authorities had to be appealed to for assistance, was verified in action Saturday when a combined squad of the Walkerville, Ford City and Essex county, with several provincial police acting under orders of the Attorney General of Canada to Crown Attorney Redd, of Essex county, forced the doors of the church and presbytery after hacking their way with clubs and billies through a mob of about three thousand people and left the unwanted rector safely in the parochial study.

I will not read the rest, except the last few words.

Hon. Mr. BOYER: Yes; it is very interesting.

Hon. Mr. LANDRY (reading):

High Constable Smith, of Essex, deplored the occurrence of trouble, but pointed out that under orders from the Attorney General, they could not fail to act.

I want to know what part the Attorney General of Canada took in this matter, and if it is true that he has sent orders to the Crown Attorney of Essex county.

Hon. Sir JAMES LOUGHEED: I am entirely unware of the Attorney General of Canada intervening in any way; and it seems to me, although I do not belong to the church of my honourable friend, that it is really incomprehensible that there should be such a happening in that church.

Hon. Mr. LANDRY: Pursuant to this answer, I may say that I wonder if it is incomprehensible to the honourable gentleman that a posse of 100 soldiers are guarding the church, and have been sent there by military orders. Is that impossible to comprehend?

Hon. Sir JAMES LOUGHEED: I will make inquiries.

Hon. Mr. LANDRY: If the honourable gentleman would be kind enough to make inquiry into two facts, the fact that the Attorney General, as the newspaper says—I do not say it is true—I just want to inquire.

Hon. Mr. TAYLOR: It was likely the Attorney General of the province.

Hon. Mr. LANDRY: We shall see. Has the Attorney General of the province the right to command troops?

Hon. Sir MACKENZIE BOWELL: No, certainly not.

Hon. Sir JAMES LOUGHEED: I will make inquiries.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 125, an Act provinding for the Acquisition by His Majesty of the Capital Stock of the Canadian Northern Railway company. Hon. Mr. Blain in the Chair.

On section 1—acquisition of shares of Canadian Northern railway authorized:

Hon. HEWITT BOSTOCK: Section 1 of course authorizes the Government to acquire the 600,000 shares of the capital stock of the Canadian Northern Railway company. I notice at the commencement that the Government, by the very wording of the clause, attempts to put a value on the shares of this company. I think that in the ordinary acceptation of the term, when we speak of the par value of stock, it means the par value of stock that has been quoted on the market and has been dealt with, and for which money has been paid. When the par value is put at $60,000,000, this would suggest to any one that this stock had been dealt with on the exchange, that a market had been found for it and that money had been paid for it. It would have been much better to have used such a term as the nominal value of the stock. However, that is a small matter as compared with the whole question with which we are dealing, and I would not take up the time of the committee with a matter of that kind further than to point out the wording of this clause. I do not think it is right to put in the statute a wording which to some persons would certainly be misleading. I think that the term "par value" should not have been used there—that is not a right expression of what the Government means.

But the objection to this clause of course is very largely the objection that we on this side of the House have raised to this Bill generally—the objection to the Government taking over the stock of the company in this way and arranging to pay money for shares which have practically no value and without knowing what are the debts and liabilities which they will assume when they become the sole owners of the stock. As has been pointed out before, the Government had a means of dealing with this matter, which was provided in 1914. Although we asked for particulars of the amount of outstanding liabilities and also for the names of the pledgees of this stock, we have so far not received that information. We desire to obtain further information before we proceed further with this clause. I asked my honourable friend again last night whether he could not give me a better answer to a question that I had asked him regarding the loans and securities to Mackenzie and Mann, Limited.

Hon. Sir JAMES LOUGHEED: There are no loans to Mackenzie and Mann, Limited.

Hon. Mr. BOSTOCK: There are no loans at all?

Hon. Sir JAMES LOUGHEED: No. I may say to my honourable friend that all loans are to the Canadian Northern railway and are shown in bluebook 237, and when the loans are repaid all the securities held will revert to the Canadian Northern.

Hon. Mr. BOSTOCK: I would point out to my honourable friend that Mackenzie and Mann, Limited, are the owners of some $51,000,000 of this stock, and, as I understand, this stock has been pledged with financial institutions as security; and according to the answer given to me by my honourable friend, those advances have been made for the benefit of the Canadian Northern Railway system, although the advances have been made against the stock of that system held by Mackenzie and Mann, Limited.

There is a further point in regard to the matter—that there is no provision made in this Bill for dealing with the question of those income-charge convertible debentures. The Government, when they pay this money and take over the shares, will become responsible for those debentures.

Hon. Sir JAMES LOUGHEED: No. They are chargeable only against the net income of the road; and I may say they are not cumulative either.

Hon. Mr. BOSTOCK: But when the Government, under the Act of 1914, became responsible, and granted the $45,000,000 guarantee, and took security on the road and the shares and stocks, not only of the Canadian Northern railway but also of the constituent companies, they practically put themselves in the position of being respon sible for those income-charge convertible bonds, as I understand the situation.

Hon. Sir JAMES LOUGHEED: No. My honourable friend will pardon me for in-

terrupting him, but he entirely misapprehends the effect of the income convertible bonds. They are only a charge against the net income of the road after all the previous charges are paid. They are not cumulative. The holders of the bonds have a right to exchange them within a certain time for stock. There is little or no probability of that being done, if, as my honourable friend is pointing out, the stock is of no value.

Hon. Mr. BOSTOCK: I should like to point out to my honourable friend what is said by Messrs. Drayton and Acworth in regard to that matter at page 70 of their report, in dealing with the question of the trustees of the Dominion Board or company that they propose, to take over the Canadian Northern, the Grand Trunk Pacific and the National Transcontinental. These are the words:

The trustees will also have to consider at an early date the position of the holders of the Canadian Northern 5 per cent Convertible Income Debentures. These debentures to the amount of $25,000,000 were placed in London, in the years 1911 and 1912, some of them at a considerable premium, and the company obtained more than $24,000,000 in cash for them. The trust deed under which they were issued charges them upon the assets of the company subject to existing charges, but entitles the holders to receive interest only from income if earned.

Now, if they are charged upon the assets of the company subject to existing charges, and those charges were made before the Act of 1914 was passed, therefore any charges made against the assets of the company after that would be subsequent, if I understand the meaning of the words, and therefore the Government would have to protect and take care of the income convertible bonds. Then, the report goes on to say:

Since June, 1915, no interest has been paid. The Dominion Government in 1914 recognized that in respect of capital these Income Debentures rank in front of the Government's own loans. But the income on them is not being earned. Nor is it likely to be earned, at any rate in full, in the proximate future. The fact, however, that they are a charge upon the assets, or rather upon certain assets, and upon the income, if earned, of the Canadian Northern or some portions thereof, might cause complications in the operations and accounts of the unified system. And we think that on its own merits their case is entitled to sympathetic consideration.

Then they go on to suggest what sort of consideration should be given to these bonds; but I think it is quite clear from the statements made there that Messrs. Drayton and Acworth consider that these bonds have to be taken into consideration.

Hon. Sir JAMES LOUGHEED.

Hon. Sir JAMES LOUGHEED: Does my honourable friend see that they are only speaking of these bonds in relation to the unified system, namely, that of the Grand Trunk Pacific, the Transcontinental, and the Canadian Northern. We are not dealing with that problem. We are dealing with the clean-cut problem of the Canadian Northern. The reason that they state that they are entitled to consideration is on account of their relation to the unified system; but they are only chargeable to the income of the road, and the Government is not responsible.

Hon. Mr. BOSTOCK: The Government would be reponsible if they had to realize on their mortgage.

Hon. Sir JAMES LOUGHEED: They cannot realize until the term expires.

Hon. Mr. BOSTOCK: The Government at the present time have a demand loan of $15,000,000 against the company, and if they wanted to get that money paid back, they would have to take action and would be placed in the position of having to recognize those income convertible bonds. This only shows what the liabilities are that the Government and the country have to consider in regard to this matter. If they take over these shares and become entirely responsible, it means that their demand loan simply becomes another $15,000,000 that they have put into the company. Of course, if they treat that demand loan in that way, they may not proceed any further, and until they do take that action I can quite realize that those income convertible bonds do not come in as here stated. I have brought this question up for the purpose of showing the position in which we stand in regard to this matter, and I wish to move:

That all the words after the words "His Majesty" be struck out and the following substituted:

"His Majesty, upon the happening of any event of defauldt mentioned in section 21, chapter 20 of the statutes of 1914, may exercise the rights and powers mentioned in section 24 of the said Act; provided, however, that the Governor in Council may grant to whomsoever may appertain the right of reviving, within a period not exceeding five years from passage of this Act, the equity of redemption mentioned in section 24 of chapter 20 of the said statutes, upon paying all advances already made or to be made by His Majesty to or on behalf of the Canadian Northern Railway company, with such rate of interest as may be determined, and on such other terms as may be deemed proper for the protection of all other parties interested in the said company."

Hon. Mr. BEIQUE: Under the statute of 1914 the Government took power in case of default, after the $45,000,000 had been advanced to the Canadian Northern company, to foreclose the equity of redemption. It has been suggested that the foreclosure provided for in the Act of 1914 might be considered too drastic, and that some temperament should be accorded or introduced in the exercise of such a right of foreclosure. For my part, I think that it would be rather too drastic to wipe off claims against the Canadian Northern Company taking rank after the claims which are guaranteed by the Dominion Government and by the provinces. I think that the suggestion as embodied in the amendment which has been moved by the honourable the leader of the Opposition is quite proper. The amendment says:

His Majesty, upon the happening of any event of default mentioned in section 21, chapter 20, of the statutes of 1914, may exercise the rights and powers mentioned in section 24 of the said Act.

Honourable gentlemen are familiar with section 24. Under that section the Government took the power:

To declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed, and thereupon the equity of redemption of the Canadian Northern (and of such other persons) in the mortgaged premises and every part thereof shall be and become absolutely barred and foreclosed, and the same shall thereupon be vested in His Majesty in the right of the Dominion of Canada.

Now, the temperament which it is suggested should be applied in the exercise of this right of foreclosure is the following:

Provided, however, that the Governor in Council may grant to whomsoever may appertain the right of reviving, within a period not exceeding five years from the passage of this Act, the equity of redemption mentioned in section 24 of chapter 20 of the statutes, upon paying all advances already made or to be made by His Majesty to or on behalf of the Canadian Northern Railway company, with such rate of interest as may be determined, and on such other terms as may be deemed proper for the protection of all other parties interested in the said company.

Honourable gentlemen will see that it is a temperament of considerable value. The Government would have the power to make whatever advances were necessary for the operation of the lines, for their completion, for their improvement, for rolling stock, or for any other purpose in connection with that railway system, and all parties interested would be given a delay not exceeding five years to revive their rights of redemption, and power would be given the Government to charge, if they thought proper, only a nominal rate of interest on such advances as have already been made, or which may be made, and the Government would also be authorized and empowered to do what would be necessary in equity to protect all other parties interested. I presume that what is meant by the latter portion of that is that the right of redemption should be exercised in order to protect the different classes of creditors of the company, or of the different companies, that have any rights in equity. I hope that the honourable gentleman will see that it is a proper provision, one which would protect in a reasonable measure the public interest and would at the same leave to the Government, by Order in Council, the power to deal equitably with all other parties interested in the company.

Hon. Mr. THOMPSON: I think the most serious proposition covered in the section is :

The Governor in Council may, as between His Majesty and the owners—

In 1914, when the Government considered the question of granting a large aid to the Canadian Northern, and decided that the situation was such that they would ask Parliament and this country to give them a guaranteed loan of $45,000,000, Parliament believed that if the company failed to carry out their obligations or to operate successfully the road, the country should step in, and at that time an agreement was made which reads as follows:

That the contractors will not at any time make or seek to enforce any claim for contractors' profits, commissions or otherwise against the Canadian Northern, or against any of the constituent or subsidiary companies, upon or in respect of any express or implied contract, understanding, agreement, or stipulation of any kind, heretofore or hereafter made, whereby or whereunder they, or any one or more of them, may now or hereafter be entitled to receive from the Canadian Northern, or from any of the consituent or subsidiary companies any construction profits, in respect of work heretofore undertaken, or as consideration for transfers of properties, rights or franchises already transferred, or to be transferred under subclauses (a) and (b) of this clause, or for commission or remuneration for services in financing, or for any other services heretofore rendered, and all such claims are hereby by them and each of them absolutely renounced and released.

Has anything occurred in the history of the Canadian Northern between 1914 and now to change the opinion which Parliament expressed when it granted the $45,000,000? We granted $45,000,000; they

defaulted; we have advanced $15,000,000 more. In a sense, as far as Parliament was concerned, they admitted that if they had failed in that respect, they had sucked the orange dry. From this Bill it looks to me as though we were attempting to inject a little juice into the orange. Now, this agreement to which this Bill refers is to be made after the Bill is passed. Why is not this House taken into the confidence of the Government? In 1914 the House was told exactly what the Government and the country proposed to do in respect to this Canadian Northern proposition. I have no personal feeling against the individual members of the Canadian Northern. I regard them as exceptionally able, clever men. I have felt that they succeeded in doing what Lincoln said could be done: "You can fool all the people part of the time; you can fool part of the people all the time; but you cannot fool all the people all the time." They have been able to do that, and we are to blame. There is no question that the people or the Government of this country are to blame for the railway situation in Canada. When the Canadian Northern came before Parliament in 1914 asking for the grant of $45,000,000, the Government attached to that proposition the agreement. What was the judgment of the House in respect to the Canadian Northern if they defaulted. They have now defaulted, and we are asked to pass this Bill without reference to that agreement, or any understanding as to what the Government propose to do in respect to it after the Bill has gone through. Two days ago the honourable leader of the Government, in answer to a question of the honourable member from Hastings (Hon. Sir Mackenzie Bowell), said this:

I may say that the Government upon entering into the agreement provided for in the Bill, will fix a maximum amount to be paid for the stock, and will further provide, of course, that the fixing of the amount shall not as an element in fixing the value.

Now, if that is true, if they are to fix the amount, and yet do not amend this Bill so as to bind the arbitrators in respect to considering the value of that stock, the fixing of the amount will not affect the judgment of the arbitrators in determining what we have to pay, for the Bill reads:

—examine witnesses under oath and hear parties by counsel or representatives, and the unanimous determination of the arbitration shall be final.

You will notice that the remarks made by the honourable gentleman are these:

Hon. Mr. THOMPSON.

The Government, upon entering into agreement provided for the Bill, will fix a maximum amount to be paid for the stock, and will further provide, of course, that the fixing of the amount shall not be taken into consideration by the arbitrators as an element in fixing the value.

But, the Bill says the value that is determined by the arbitrators shall be final. Unless the Bill is amended to say that the valuation reached by the arbitrators in determining the value of the stock shall not exceed the amount which the Government proposes to name as the maximum, I think it is necessary that section 4 should be amended to conform to the proposition made by the leader of the Government, that the maximum amount to be paid should be fixed.

Hon. Mr. CLORAN: The discussion of this Bill evidently revolves around the question of the value of the $60,000,000 of stock which is not held by the Government. Nobody seems to be able to get at the bottom of this question.

Hon. Mr. DOMVILLE: Who does hold that stock?

Hon. Mr. CLORAN: According to the secretary of the company, it is owned by Mackenzie and Mann, 10,000 shares, and so on, and by honourable senators in this House. That was the report up to June 9th.

Hon. Mr. DOMVILLE: That was contradicted last night.

Hon. Mr. CLORAN: No, it was not contradicted; it was left uncontradicted. If you read your Hansard, you will find that my statement last night was left uncontradicted. The statement that two honourable senators in this House hold stock in this company has never been contradicted. And that brings me to the point I want to make. There seems to be a mystery about the value of this stock. On this side of the House we claim, under authority and by authority, that the stock is of no value. That authority is exceptionally official; it is from the Government itself; because, after all, the Commissioners who were appointed some time ago to investigate the financial affairs and physical condition of this road reported to the Government that this very stock was not worth a cent. The Government had accepted that report. Those Commissioners were the official mouthpieces of the Government of the day. They reported that the $60,000,000 of stock was not worth one cent. Now the Government comes

before Parliament and says that this stock may be of some value; and I am with the honourable leader of the Opposition in his puzzle over the fact that the words "par value" are introduced into this Bill. Everybody who wants to be honest and fair towards the country is also puzzled. Everybody who wants to protect the interests of the country against speculators, pirates, or whatever you want to call them, is puzzled. What does the Government mean by introducing that expression "par value?"

Hon. Mr. DOMVILLE: That is what the arbitration is to be on.

Hon. Mr. CLORAN: But the Government, through its officials, say that the stock is not worth a cent. When are we going to believe the Government. Are we going to believe the Government through its official reports, or through its Bill—its political party Bill? On which side are we going to place our belief that the Government is right. Now, to ferret out what the value of this stock is I leave it to this House. There are two honourable gentlemen of this House now, the honourable senator from Toronto (Hon. Mr. Nicholls) and the honourable senator from Kingston (Hon. Mr. Richardson), who hold over 2,000 shares of so-called par value, and what Parliament would like to know is, how much they paid for the stock.

Hon. Mr. DOMVILLE: How did they get it?

Hon. Mr. CLORAN: Well, if they paid for it, then we know how they got it. Then, Parliament is also entitled to know when they ceased to be owners of that stock—ceased to be unable to vote on this measure. I believe that when the leader of the Government last night undertook to answer for them, he was within the bounds of certainty when he said that they had desisted, and had ceased to own the stock. I quite comprehend that they might have assigned.

Hon. Mr. McSWEENEY: I do not think he said that.

Hon. Mr. CLORAN: No, he did not say that; he said that I had no proof that they were owners of the stock at the actual moment the vote was given. Well, there is no doubt about that: they might have sold the stock an hour before the House met; I could not be apprised of that.

Hon. Mr. POWER: I rise to a question of order. We are supposed to be discussing the first clause of this Bill.

Hon. Mr. CLORAN: I would like to know where the point of order is.

Hon. Mr. POWER: Sit down.

Hon. Mr. CLORAN: You cannot call in the police.

Hon. Mr. POWER: However, the Chairman can call in the Serjeant-at-Arms if I cannot call in the police. But we are not just at the present moment interested as to what certain honourable gentlemen have in the stock of the company; that is not before the House in any sense whatever, and I think it is just one of those things that any honourable gentleman with a proper feeling would wish to avoid; he would not wish to drag in the question.

Hon. Mr. CLORAN: Where is the point of order? Is it a speech, or what is it?

Hon. Mr. POWER: I have made my point of order.

The CHAIRMAN: The point of order is that the honourable gentleman is not confining his remarks to the amendment. My honourable friend would do that, I am sure.

Hon. Mr. CLORAN: I quite admit that. The honourable senator from Halifax, who has a persistent way of interrupting me especially, raises a point of order that I cannot comprehend; but the Chair is right, and I am with the Chair. I am trying to stick to this clause. I am sticking to the "par value" in this blessed clause; I am talking par value all along, and I cannot get at the bottom of it yet. I am trying to get at it through authorities. I have got, through the authority of the Government, that it is worth nothing. Now I come down to gentlemen who were directors of this company, and I want to know the value of the stock. They had occasion to sell this stock a short time ago, and they could give the House the information as to how much it was sold for. That is all I am getting at, and I think that is a good ground on which to place the value of the stock. If the honourable senator from Kingston and the honourable senator from Toronto will tell the House how much they got for this stock, it will establish a standard. I submit to you, Mr. Chairman, if this is not in line with this clause; and why the senior member for Halifax continually interrupts me with points of order I do not understand.

Hon. Mr. POWER: With the permission of the committee, I will withdraw my point

of order, because the honourable gentleman has now put himself in order.

Hon. Mr. CLORAN: I was about finishing when the honourable member rose, and I think I am putting it fairly before the House. There is no animus in the matter. Those two gentlemen are to-day the best authorities in Canada as to the value of that stock.

Hon. Mr. McSWEENEY: Hear, hear.

Hon. Mr. CLORAN: And why not tell this House for how much they sold this stock, and to whom, and on what date? That is all. I do not know whether they did or not. If they do not want to answer, of course silence is consent, that the stock is no good.

Hon. Mr. DANDURAND: The amendment proposed by the leader of the Opposition has the effect of putting into operation section 24 of the Act of 1914. I crave the attention of this Chamber upon the actual effect of putting into operation that section 24 as given by the Minister of Finance by the ex-Solicitor General, now Secretary of State, and the Prime Minister. So that my interpretation, I suppose, can hardly be met with contradiction from the leader of the Government. It is affirmed, and I believe the affirmation to be correct, that the putting into operation of section 24 when default occurs vests in His Majesty all the physical assets of the Canadian Northern system. If it has that effect, what does it mean? It means that the second mortgagee, His Majesty, takes possession of all the assets of the Canadian Northern system in payment of his claim. It means that His Majesty then becomes responsible only for the mortgages that stand in rank ahead of the Dominion mortgage. I think no one can controvert that affirmation—that the putting into operation of section 24 of the Act of 1914 has the effect of freeing the Dominion Government from all other liabilities but that of meeting the debentures which it guaranteed, and those debentures which precede the Federal guarantee.

Hon. Mr. BELCOURT: No, that is wrong. What are they going to do if the company does not pay its debts?

Hon. Mr. DANDURAND: I am speaking of putting into operation section 24, not of the present Bill. I believe my affirmation to be good law, and a correct understanding of section 24—that a foreclosure in virtue of section 24 gives the Government of Canada all the physical assets of the Canadian Northern, with the only obligation of meeting the debentures when they mature, which were endorsed by the Federal Government, and the debentures that rank prior to those, and which were endorsed by the provincial governments.

Hon. Sir JAMES LOUGHEED: And repudiate all unsecured debts?

Hon. Mr. DANDURAND: Yes, that is the same; it would free the second mortgagee, which is the Government, from the obligation of paying any unsecured debts, or any debts that rank after the second Federal mortgage. I am simply examining what section 24 of the Act of 1914, which is the law that governs the parties, would effect.

Hon. Sir JAMES LOUGHEED: I asked you about the unsecured debts prior to the guarantee.

Hon. Mr. CASGRAIN: They could buy the railroad themselves if they liked.

Hon. Sir JAMES LOUGHEED: They would probably do it, would they not?

Hon. Mr. DANDURAND: I am making no difference whatever. I say the Dominion Government is the second mortgagee, and would be responsible simply for its endorsation on those debentures, and for the debentures which would rank ahead.

Hon. Mr. BELCOURT: You mean the legal effect?

Hon. Mr. DANDURAND: I am speaking of the legal effect of section 24 of chapter 20 of George V. This is the view of the gentleman who drafted the contract and legislation of 1914, the Hon. Mr. Meighen. For the information of honourable gentlemen I make short extracts from his speech of May 13, 1914. What does the honourable gentleman say? What interpretation does he put upon his own section? Here are his words:

> Under the present Bill we have a summary method of taking over the road, a summary method which in effect gives us as security the other sixty per cent of stock. We know we have the ordinary right which any mortgagee has, and the right which any guarantor of a mortgage has, the right by subrogation of getting into the shoes of the lender and in the event of default exercising the rights of a mortgagee and taking possession of the road as a receiver; we know we have that right, but we have the additional summary remedy of proceeding by mere Act of Parliament to take over the road as the property of the people of this country and eliminate once and for all, all other parties interested in that railway.

This is the answer of the Hon. Mr. Meighen to the question put by the honourable leader of the Government just now:

And we have not only so arranged it that the interest of the Canadian Northern and all other persons whatsoever in the Canadian Northern system shall be alienated, and that in the event of default all shall be the property of the Canadian people.

Further on—and there is nothing I omit which would weaken that opinion, but I wish to shorten the quotation:

The idea of that is that we are at this time making the interested parties and all stockholders parties to this contract, and we say to them: We now and here bind you that should the day of default come you shall not appeal to the Parliament of Canada on the ground of your road being confiscated in any way whatever, but you here and now leave the Parliament of this country free from any such question and untrammelled in every way to dead with the property of the Canadian Northern as it may be advised in the interests of the people of this country. That is the summary procedure outlined here for taking over the road.

When we have that statement from the Government which brought in this legislation in 1914, which set up the machinery by which we should take possession of the road, it ill becomes that same Government to come before this Parliament and say: "We will arbitrate as to the value of any equity in common stock," which it is admitted has brought to the company nothing in the form of cash. It is a question, not of an opportunity of paying unsecured claims, but purely and simply of arbitrating an equity when we are faced with the obligation of assuming unknown or untold liabilities. It seems to me that Parliament should pause. The amendment now proposed is simply for the purpose of implementing the legislation of 1914 and giving a right to the interested parties within five years to re-enter into the property, if a means can be found by which the Government will be reimbursed for its advances.

Hon. Mr. BEIQUE: Does the honourable leader of the Government dispute the effect stated by the honourable member for De Lorimier, as to the foreclosure?

Hon. Sir JAMES LOUGHEED: My honourable friend has asked me a very fair question, and in answer to it I would say that the legislation of 1914, section 24, made provision that the disposition of the equity of redemption, or whatever action might be taken by the Government concerning it, would be authorized by the Parliament of Canada subject to the terms and conditions which Parliament might impose in reference to the equity or the foreclosure of the various interests therein. Now, certain things have happened since the legislation of June, 1914. The war has occurred. Up to that time the Canadian Northern system had been able to finance itself, with the assistance of the various governments which have contributed for that purpose. In other words, the Canadian Northern up to that period had made no default; it had been able to meet its obligations with governmental assistance. The war immediately destroyed the market for its securities. It destroyed the European markets for its securities; it destroyed the New York market. I ask honourable gentlemen if it would be British fair play, under the extraordinary conditions which had happened, for Parliament ruthlessly to come in and by one fell swoop wipe out the equity of all parties concerned and practically confiscate this property. My honourable friend from De Salaberry (Hon. Mr. Béique) says that in his judgment—and he appears to be a merciful man—those who are interested are entitled to some consideration and it should be given them. My honourable friend from De Lorimier (Hon. Mr. Dandurand) is not so merciful. He, like Shylock, would demand his pound of flesh.

Hon. Mr. DANDURAND: No; I beg the honourable gentleman's pardon.

Hon. Sir JAMES LOUGHEED: That is the position taken by my honourable friend.

Hon. Mr. DANDURAND: No. I stated yesterday that I would move in amendment to allow the stockholders to retain a share in the common stock.

Hon. Sir JAMES LOUGHEED: Yes. Well, then, my honourable friend at once admits the defensibility of the ground taken by the Government in this legislation.

Hon. Mr. DANDURAND: Ex misericordia.

Hon. Sir JAMES LOUGHEED: My honourable friend from De Salaberry (Hon. Mr. Béique) takes the ground that the parties owning the stock are entitled to consideration. My honourable friend (Hon. Mr. Dandurand) now recedes from the ground which he took a few moments ago, and admits that they are entitled to consideration. The Royal Commission which was appointed for the purpose of investigating this whole question states unhesitatingly that they are entitled to

every consideration at the hands of the Government. They say:

> We think that, on the whole, the equity of the case would be met if the Canadian Northern shareholders were permitted to retain a moderate portion of the $60,000,000 of shares which they now hold.

Hon. Mr. DANDURAND: Hear, hear. That is my stand.

Hon. Sir JAMES LOUGHEED: My honourable friends on the other side express very serious apprehension that the par value of these shares will be paid to the shareholders of the Canadian Northern system. We have the Royal Commission saying that a moderate portion of the $60,000,000 of shares should be paid them. Then, if their view be correct, that the value is $60,000,000 and that a moderate portion of that $60,000,000 should be paid to the shareholders of that company, how do my honourable friends justify in any way invoking the summary and extraordinary machinery embodied in section 24 of the Act? It would be rank injustice—would not be tolerated for a moment, I venture to say, by the people of Canada. Moreover, Parliament is doing to-day, in substance and in every essential, what is required by section 24 of that Act, namely, dealing with the matter and by the Bill now before us, is imposing terms and conditions as to the manner in which this equity shall be dealt with. If the arbitrators find that there is any value in that stock, the shareholders of the Canadian Northern will be entitled to it. If it is found that there is no value or simply a nominal value, then they will be dealt with accordingly. So, I ask, where is the difference? It is simply a case of tweedledum and tweedledee, if Parliament is to impose terms and conditions as provided by section 24. My honourable friend will not contend for a moment that the Government of Canada could invoke the machinery of section 24 without the intervention of Parliament; and if Parliament intervenes, as it is doing on this occasion, and departs from the strict letter of the statute respecting the character of the machinery that shall be put in motion, and says that instead of adopting the summary machinery provided therein, arbitrators shall be appointed to determine what is the value of the equity, I ask you, who will say it nay? I ask if that is not in accordance with British fair play? We know it is embodied in all British legislation.

Hon. Mr. CASGRAIN: Surely the honourable gentleman would not say that it requires an Act of the Parliament of Canada to entitle the Government, as a creditor, to put this road into insolvency. The Government is a creditor, and surely the Government has the same right as any individual would have, of going before the Exchequer Court.

Hon. Sir JAMES LOUGHEED: Precisely. But I would point out to my honourable friend that this machinery, which is so admired by my honourable friends, which has been eulogized to the very highest degree, cannot be put in motion except through the Parliament of Canada, and that it is for the Parliament of Canada to impose terms and conditions as to how this equity shall be dealt with. We are doing so in this Bill, and I say that no fairer method can be adopted than that which is to be found within the four corners of the Bill we are now considering.

Hon. Mr. BEIQUE: I put the question a moment ago to the honourable leader of the Government, because I inferred from the interruptions which he made when the honourable member for De Lorimier (Hon. Mr. Dandurand) was speaking, that he was disputing the effect, as stated, of the foreclosure in virtue of section 24 of the Act of 1914. I see that the honourable gentleman had no such intention.

Hon. Sir JAMES LOUGHEED: I cannot dispute section 24.

Hon. Mr. BEIQUE: And I am going to say in what I agree with the honourable leader of the Government. Of course, every member of this honourable House in dealing with this very important question has to decide for himself in what manner the Bill should be amended; but it is important that every member of this House should fully understand the question before a final decision is arrived at. It is with the English mortgage we are now dealing. All the bonds which were issued by the Canadian Northern railway or the constituent companies created what is known as the English mortgage. The English mortgage is not, as in the French law, merely a charge on the property, but is a sale of the property itself. It is elementary for any lawyer, and for many laymen, that the foreclosure means that the mortgagee is declared the owner of the property, and he takes the property free of all charges in favour of subsequent creditors. That is elementary. I agree with the honourable leader of the Government that it would have been monstrous for the Government to declare a forfeiture, and wipe out by a

stroke of the pen all debts subsequent to its lien, and that, notwithstanding the words used by the Hon. Mr. Meighen in 1914, it cannot have been the intention of the Government to deal with the matter in such a drastic way. I quite realize that when the wording in the first part of section 24 was adopted, when it was stated, "If authorized by the Parliament of Canada, the Governor in Council may, on such terms and conditions, if any, as Parliament may prescribe, exercise the right of foreclosure," it was the intention, as was stated a moment ago by the honourable leader of the Government, not merely that Parliament should intervene but that Parliament should intervene in a way which would be fair to all parties concerned. I think we are agreed so far.

The question before us now is merely what is the fair way of dealing with all parties concerned. The Government gave its guarantees to the amount of about $125,000,000. It has advanced to the company over $60,000,000 in cash. It proposes to advance may be $25,000,000 now or within a short time; and not only will it have to advance that $25,000,000, but no doubt, at next session the Government will have to be authorized to expend perhaps $75,000,000 more. There is no question about that. Anybody who has any knowledge of business, who will exercise his common sense and apply it to this proposition, can come to no other conclusion than that the Government must in the near future advance a very large amount of money to maintain this important system of railway.

Now, the question arises as to whether it would not be proper for the Government in this Bill to make provision for its being paid back its advances—and, as suggested by the amendment, it may be without interest—and at the same time to take power—the amendment does not dictate how it shall be exercised—to protect all other interests as they may deserve to be protected. Is that not fair? Is it not fair for the country, and fair to all parties interested, I ask you? And why? It is for the Government to avoid being obliged to foreclose or being loaded with amounts of liabilities which are not known, not ascertained, and which may be twice the value of the property taken over by the Government. I commend that to the attention of honourable gentlemen on this side as well as those on the other side of the House; and it seems to me that if sound judgment is exercised on the question, honourable gentlemen will see that the amendment is fair for all parties concerned.

Hon. Mr. BELCOURT: In order that this amendment may be properly understood, I think it is necessary that we should have a proper interpretation given to the words of section 24. As my honourable friend the leader of the Government has properly stated, the whole thing turns upon the meaning of the words, "such terms and conditions as Parliament may prescribe." What was meant by those words? If we remember that the section is one which provides for foreclosure in the event of default of payment of this loan, the immediate legal result, as explained by my honourable friend from De Lorimier (Hon. Mr. Dandurand), is that the Government of Canada becomes absolute owner of all the assets of this company and bound only to pay any prior secured claims, and that all the unsecured claims and all other claims would be barred, and that would be the end of them. So, as has been pointed out, the Government of Canada and the provinces who have prior claims would get this property for the money which is due to them for such claims. That would unquestionably leave a number of claims, some of them meritorious, some of them not meritorious. It would bar the claims of Mackenzie and Mann and the other stockholders, whoever they may be. It would bar also a number of claims against the company arising out of the construction or the operation of the railway. My interpretation of the intention of section 24 is that Parliament intended that the terms and conditions would be imposed in regard to the claims to which I have just referred, not simply those of Mackenzie and Mann. The intention of Parliament, as inferred from the Act and from the discussion in another place, is clearly shown to be that Mackenzie and Mann should not have any claim whatever, but that the claims of the persons to whom I have referred, unsecured creditors, men who had advanced materials to the railway company, men who had worked on the railway, and all sorts of claims of that kind, should be recognized by Parliament; That is the meaning. What other meaning can be attached to the words of the Hon. Mr. Meighen, the Solicitor General? He generally knows what he is talking about.

Hon. Sir JAMES LOUGHEED: Of course, my honorable friend will concede, I suppose, that the claims of Mackenzie and Mann are already barred; that is, any claims which they had up to the legislation

of 1914 are, under the contract, barred for all time.

Hon. Mr. BELCOURT: Of course, that only makes my position all the stronger. It shows that Parliament never could contemplate, even in 1914, that by any provision of the Act Mackenzie and Mann should get anything at all.

Hon. Mr. CASGRAIN: That is right.

Hon. Mr. BELCOURT: That only corroborates my views.

Hon. Sir JAMES LOUGHEED: But the honourable gentleman's amendment last night asked us expressly to bar the claims of Mackenzie and Mann.

Hon. Mr. BELCOURT: Certainly.

Hon. Sir JAMES LOUGHEED: They are all barred by the statute of 1914.

Hon. Mr. BELCOURT: My honourable friend will see that the amendment would not have been thought of and would certainly not have been proposed but for the construction which the honourable gentleman puts upon the contract of 1914. We, here, acting for the people of Canada, thought we should propose some amendment which would make it perfectly clear that Mackenzie and Mann had no such claim. If the amendment proposed by the honourable gentleman from De Lorimier (Hon. Mr. Dandurand) has for its purpose the protection of any claim which Mackenzie and Mann may urge, personally I am against it. However, I do not think it means that. It means that claims of others than Mackenzie and Mann are to be the subject of this legislation and this agreement, I hold strongly to the opinion, as I expressed myself last night, that Mackenzie and Mann have no claim against this country. They have been dealt with most generously by Canada, and I submit that Parliament cannot to-day, by any rule of law or morals, recognize any claim on their part. I repeat, what is the meaning of these words?

The idea of that is that we are at this time making the interested parties and all the stockholders parties to this contract, and we say to them: "We now and here bind you that should the day of default come, you shall not appeal to the Parliament of Canada on the ground of your road being confiscated in any way whatever, but you here and now leave the Parliament of this country free from any such question and untrammelled in every way to deal with the property of the Canadian Northern as it may be advised in the interests of the people of this country. That is the summary procedure outlined here for taking over the road.

Hon. Sir JAMES LOUGHEED.

What clearer language is there than that? Surely that means that Mackenzie and Mann were to be debarred from any claim whatever, and had left Parliament face to face with the obligation of dealing with these other claims to which I have referred, when the property is taken over. That is what we have to do now, and nothing more. for that reason I am going to support the amendment.

On a standing vote of 33 to 24 the amendment of Hon. Mr. Bostock was negatived.

Hon. Mr. CHOQUETTE: Before the clause is passed I have an amendment to add to it; but if some other amendment is substituted for the clause I am willing to give way to some other honourable gentleman.

Hon. Mr. POWER: My amendment differs from that of the honourable gentleman from Grandville (Hon. Mr. Choquette). The amendment which I am about to propose is to strike out certain words.

Hon. Sir JAMES LOUGHEED: The honourable gentleman will counteract that, by adding to it.

Hon. Mr. POWER: The amendment which I propose is this:

In clause 1, line 11, strike out all the words after "thereof."

These words are: "and for a price to be determined by arbitration as hereinafter provided." These words are quite unnecessary. The clause is perfectly complete without them, and the inclusion of those words would prejudice the case of the Government when they come to take over the property. The words as at present contained in the Bill imply that the stock has some value, and I do not think Parliament should say anything about it. Let the court dealing with the matter decide whether the stock has any value or not. I think it is only right and proper that these words should be stricken out.

Hon. Mr. CHOQUETTE: I object to that. If you accept the principle, the clause will stand. If you accept the clause without those words you accept the principle; so I am against the amendment.

Hon. Mr. BOSTOCK: I would suggest to my honourable friend that he might let that amendment stand for the present.

Some Hon. SENATORS: No, no.

Hon. Sir JAMES LOUGHEED: We had better dispose of it.

Hon. Mr. BOSTOCK: The contention has been that we do not want to adopt

this clause as it stands. We want to substitute something else for it.

Hon. Sir JAMES LOUGHEED: We will concede that.

Hon. Mr. BOSTOCK: If my honourable friend goes on with his amendment at the present time, if it is agreed to, we shall be admitting that we agree to certain parts of the clause.

The amendment of Hon. Mr. Power was negatived.

Hon. Mr. CASGRAIN: I desire to move:

That clause 1 be stricken out, and that the following be substituted therefor:

"His Majesty, upon the happening of any event of defaut mentioned in section 21, chapter 20, of the statutes of 1914, may by Order in Council cause the Canadian Northern railway system mentioned in said Act to be placed under the jurisdiction of the Exchequer Court, as provided for in sections 26 and 28 of chapter 140 of the Revised Statutes of 1906."

I only want to say a few words on this question. The whole burden of my speech—

Hon. Sir JAMES LOUGHEED: Before my honourable friend goes to the trouble and the intellectual effort of making a speech, may I point out that the amendment is directly in violation of the principle of the Bill? The Bill is for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway company.

Hon. Mr. CASGRAIN: I quite recognize that the amendment is not on all fours with the Bill, and I must admit that I have very little hope of the Government accepting this amendment. However, it was thought advisable that I should move this amendment, because it crystallizes the whole of my speech, in saying that this matter should be referred—as has been said a hundred times before—to the Exchequer Court. The honourable gentleman from De Salaberry (Hon. Mr. Béique) explained the position of the bondholders. The position of the bondholders is a very strong one. This is not like the hypotheque that we have in Quebec. Anacarsis relates that when he was travelling in Greece he could see on the different farm posts which gave the amount of the mortgage on each farm, so that no person could possibly be deceived. People did not have to go to the registry office to find out the amount of the mortgage. Now, the English mortgage would correspond to what we call that, a sale with redemption. That is to say when a mortgage is taken on a railroad, the railroad is vested in the mortgagees. They acquire a title to it; they have a "jus in rem"—a right in the thing itself; it belongs to them; and if any one comes afterwards and offers to pay the full amount of the bonds and the coupons, the road is returned to the company; but in the meanwhile the property belongs to the bondholders. Our own Railway Act shows that the bondholders can enter into possession without even going to court. I know of more than one case where the bondholders automatically became like the shareholders of a railway company, and voted according to the number of bonds they had. The whole burden of my speech is that if the Government would, as trustees, simply put this matter through the Exchequer Court, it would not mean at all that the Government would have to take all the other creditors by the throat and say, for instance: "Here is a contractor who built a bridge; he will not be paid; the bridge will be used for the general good." That would not be the case at all. What I say is that the Government is recreant to its trust if it does not exercise all its rights. In the first place, it is in a strong position, unassailable by any creditor. First take the right, and then temper justice with leniency and mercy. If this amendment were carried, and the Bill were dealt with in this way, the Government would of course enter into possession of the property through the Exchequer Court; and their position being unassailable and having made their legal position strong they could deal with the creditors in equity. No one dreams that this Government would take possession of a bridge and use it without paying all that was coming to the man who built it. But there are lots of these claims which are not bona fide. That is where the shoe pinches.

The discussion has been about the shares. You should never talk about shares until you have dealt with liabilities, known and unknown. First deal with the liabilities. Take, for instance, the case of a man who holds $100,000 of bonds. How did he come into possession of those bonds? Perhaps, as is very often the case, they were pledged to him. Perhaps he has advanced $50,000. As holder of the bonds, he says, "I want $100,000 and all of my coupons." How can the Government refuse him? It says, "Here is your money and the coupons, up to date." When this case goes to the Exchequer Court, what takes place? The judge inquires and says, "How much did you

pay? How did you come into possession of these bonds? Did you pay par value, or 85, or 80?" The man says, "They were pledged." He is asked, "For how much?" He says, " $40,000." The court says, "Very well, we will allow you to rank for $40,000, and will grant you participation for your $40,000 and interest to date." I think the amendment which I have moved is in the public interest.

THE CHAIRMAN: Under clause 74 of the Rules of the Senate which reads as follows:

> No arguments are admitted against the principle of a bill in a Committee of the Whole.

I think that I would be compelled to rule the honourable gentleman's motion out of order.

The amendment was ruled out of order.

Hon. Mr. DANDURAND: I said last night that, if this House decided to utilize the machinery provided for in clause 24 of the Act of 1914, and if it decided not to ask for the appointment of a receiver under the Exchequer Court Act, I would move that shares be allowed to the stockholders instead of money being paid as a result of the arbitration. My honourable friend has saved me the trouble of reading the Drayton-Acworth report, which suggests that a certain amount of the stock at present held by the shareholders be allowed to represent compensation for the work they did in the building of this road. The shareholders of the company are spoken of, but the builders of the road, Mackenzie and Mann, are mainly considered. I believe that if there is one feature of this Bill which the people of this country understand well, it is the fact that the Government admits, or impliedly admits, that Mackenzie and Mann are entitled to cash compensation for their services. It is a far greater responsibility and by far a greater charge upon the country to assume all the liabilities of the Canadian Northern system; yet, what is clear in the eye of the public is, as they see it on the face of the Act, that when an insolvent estate is about to be taken over by the Government, a large amount is to be paid in cash for an equity which everybody knows not to exist. The Drayton-Acworth report says that there is no equity; but it adds that it would be fair, inasmuch as Governments in the past had dealt generously with people with whom they had dealings that we should be somewhat generous and allow them something. Allow them what? Allow them shares in the company. If the shares appreciate in value, that is their gain. If they prove to be worthless, the shareholders are no worse off to-day than they would have been if the whole organization had gone into insolvency or into the hands of a receiver. I ask any honourable gentleman to rise in his place and state that the shareholders would stand to receive anything. Such a contention is preposterous. If this company went into the hands of a receiver, and if the Government withheld its hand, the shareholders would stand to be wiped out. Is not that admitted by all? Well, if we follow the suggestion of those Royal Commissioners and withhold a share of the stock, are we not doing the right thing by them, and by the people who have to shoulder this formidable load? Holding these views. I move that the first section of this Bill be replaced by the following:

> His Majesty, upon the happening of any event of default mentioned in section 1, chapter 20 of the statutes of 1914 (4-5 George V),may by Order in Council declare five hundred thousand shares of the capital stock of the Canadian Northern Railway company, being part of the six hundred thousand shares of said capital stock not now held by the Minister of Finance in trust for His Majesty, to be the property of the Minister of Finance in trust for His Majesty, and the same thereupon shall become the property of His Majesty.

It means that 100,000 shares are left to the shareholders.

Hon. Mr. LANDRY: I would ask the honourable gentleman what he means by this amendment.

Hon. Mr. DANDURAND: The Government will take hold of 500,000 shares, and will leave with the shareholders the difference, 100,000 shares.

Hon. Mr. BEIQUE: It will be noticed that, under the clause as it was printed in the Bill, "His Majesty may acquire the six hundred thousand shares of capital stock of the Canadian Northern railway company." The amount of the stock is $100,000,000. Four hundred thousand shares are vested in His Majesty, and six hundred thousand are owned by outsiders, or pledged as guarantees of advances which have been made. There are provisions also in the charter for the issuing of $25,000,000 more, to take care, by way of exchange, of the income-charge convertible debenture stock. Those $25,000,000 of shares have not been issued; they may be issued when occasion arises. The amendment proposed does not interfere at all with them. The amendment is substituted merely for the acquiring of

six hundred thousand shares, and provides for the acquiring by His Majesty of five hundred thousand shares, namely, $50,000,000 instead of $60,000,000, leaving one hundred thousand shares, or $10,000,000 par value of the stock, for the present shareholders or pledgees.

Hon. Mr. BOSTOCK: The honourable leader of the Government, when speaking a short time ago as to the position that the Government have taken in regard to section 1, quoted from the Drayton-Acworth report, showing that the Commissioners recognized that Mackenzie and Mann had some right for consideration in the fact that they had rendered services to the company in the construction of this road, and had not asked the ordinary commission usually charged by the contractors when building a road. The contention made in the report dealt with the question of giving these contractors certain interests in the future of the company. What was proposed was that they should hold a certain number of shares, the value of which would be contingent on the future of the company. After the Government had come to the assistance of the company and provided the necessary money for carrying it on, those shares might possibly become of some value, and under that arrangement these men would have something substantial. The difference between that suggestion and this Bill is that under this section the Government proposes to give those gentlemen an immediate value for their shares. It is with the object of dealing with that question that my honourable friend from De Lorimier (Hon. Mr. Dandurand) has moved the amendment which is before the Committee. We do not want to be too hard on those men, who have shown so much enterprise and energy in building this railway and developing the country, especially the western part; but I certainly think that it is a very much better proposition for the country and for all concerned that if we are going to do anything for Messrs. Mackenzie and Mann, what we do should be contingent on the future success of this railway. If I understand this section rightly, as it stands the Government would get rid completely of all interests that Messrs. Mackenzie and Mann have in this railway company. The Drayton-Acworth report gives credit to those men for their ability in financing the company up to the time they came to the Government in 1914, and also for the way in which they succeeded in building the road at a smaller cost, possibly, than that of other roads. For these reasons it is probably only fair that we should give Messrs. Mackenzie and Mann some consideration; but I think it very much better that we should do that by giving them an interest in the future of the company in the form of shares rather than by a present cash payment, relieving them of all further responsibility and interest in the company. I therefore support the amendment.

Hon. Mr. BELCOURT: This is indeed a very generous provision. The fact of the Government taking over this road, paying all the liabilities, completing construction, and furnishing it with complete rolling stock and equipment, is going to make this corporation a very large and very valuable one.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. BELCOURT: The honourable gentlemen ironically call, "Hear, hear." Do they suppose or pretend that they are going to take hundreds of millions of the public money and put it into this road and not do anything with it? Is that what they mean? Is that what they intend to do? Then, if that is so, this bargain smells stronger than ever.

Hon. Mr. GORDON: The honourable gentleman said just now that it is going to be a profitable investment for the people after this, but he spent all last evening arguing that it was going to be unprofitable.

Hon. Mr. BELCOURT: Certainly I say that if you put enough money into completing this road, if you take the people's money by the barrel and shovel it into this company, you are surely going to do something with it. If you spend $100,000,000 in completing the road, you are going to make a valuable thing of it; if not, you are going to waste all that money. Is it the intention to waste the money and not make a valuable thing of it? If you make a valuable road you make the stock valuable and those ten millions will be worth something. Otherwise the honourable gentlemen have no faith whatever in the policy of nationalization which they advocate. Either they believe that nationalization is a good thing for the country, or they do not. If they believe in it, they must admit that by putting all this money into the railway it will make a valuable thing of it. I am arguing from the point of view of the honourable gentlemen themselves, and I say that if nationalization is worth anything, it is going to make this company valuable,

and ten millions of stock for Messrs. Mackenzie and Mann is a big thing, particularly when it is considered that that stock to-day is not worth one dollar. Hence I say it is a very generous provision.

Hon. Sir JAMES LOUGHEED: Why not give them more, if that is the case?

Hon. Mr. BELCOURT: I dare say if it were left to my honourable friend he would give the whole country. The position I take is that those gentlemen have already got too much; they have bled this country; they have been doing it for thirty years; they have bled every province; they have bled everybody they came across; they have got 75 per cent of their enterprise paid by Canada, and to-day we have to pay them all over again for it. I think the proposition is too generous, as far as I can see.

The amendment of Hon. Mr. Dandurand was negatived.

Hon. Mr. CHOQUETTE: It strikes me that this section should be put aside; but I see that the Government has decided to stand by it, and thus give some value to stock which they describe as sixty millions at par. If Mackenzie and Mann are to have something, as estimated by the declaration of the Prime Minister that the experts may go as far as $10,000,000, I am bound to say that those who should be protected and get that money are not Mackenzie and Mann, but the shareholders of the subsidiary companies. The Federal and Provincial Governments have been most generous to Mackenzie and Mann. We have to compliment those men on the work they have done; they are very clever in building railways; they have shown energy and capacity; but they ought to be satisfied with their holdings in the subsidiary companies of the Canadian Northern system. I therefore wish to add the following words to section 1, which closes with the words, "for a price to be determined by arbitration, as hereinafter provided." I propose the following addition:

And the amount which will be granted for that stock will be divided pro rata between all the shareholders of the divers subsidiary companies according to the amount of their shares.

By the statute of 1914 this Parliament declared that in equity we owed Mackenzie and Mann nothing, their stock having no value then, and still less now. I say that the larger share of the Canadian Northern system belongs to Mackenzie and Mann; they have taken all their profits and their money practically from the subsidiary companies. The shareholders of those divers companies never got a cent of dividend; we know that. The province of Quebec holds $400,000 of stock, bought and paid for at par. Quebec residents put their money into the Lake St. John railway and the Canadian Northern Quebec railway, and they never got a cent in return. It is only fair to them that if the Government is going to pay money for this stock, it should be given to the shareholders of the subsidiary companies who have not yet had a cent. I move the adjournment of the debate till the next sitting.

The committee reported progress.

The Senate adjourned until three o'clock.

Second Sitting.

The Senate met at Three o'clock, the Speaker in the Chair.

CORRECTION OF THE MINUTES.

Before the Orders of the Day:

Hon. Mr. LANDRY: I would like to draw the attention of this House to an error which occurred in the Minutes of Proceedings. Towards the end of page 849 they read:

After debate, on motion of the Honourable Mr. Dandurand, it was Ordered, That further debate on the said inquiry be adjourned to the Second Distinct Sitting of the Senate to-morrow.

I think that is an error. It was not Hon. Mr. Dandurand, but Hon. Mr. Béique, as appears in the notice given farther on, at page 852, in the last line of paragraph 4. The name of Hon. Mr. Béique should be substituted for that of Hon. Mr. Dandurand on page 849. I think the vote was followed by a question which my honourable friend from Victoria division (Hon. Mr. Cloran) put to the Chair, that is, a challenge of the votes given by two of the members of this House. The honourable gentleman stated that the two votes should be struck out.

Hon. Mr. CLORAN: Not struck out, but disallowed.

Hon. Mr. LANDRY: Yes, because they had a pecuniary interest. Nothing of that appears in the Minutes. I think the Speaker declared the motion carried as it was. The honourable member for Victoria division (Hon. Mr. Cloran), addressing the Chair, asked the Chair to declare that those two votes should be disallowed, and the Chair——

Hon. Mr. CLORAN: The Chair said nothing.

Hon. Mr. LANDRY:—in giving the decision that the motion was carried, virtually set aside the challenge put by the honourable member for Victoria division. I would like to have that appear in the Minutes.

Hon. Mr. CLORAN: That is right.

Hon. Mr. BEIQUE: The Chair said, "Carried."

Hon. Mr. SPROULE: Those votes could be challenged only on a subsequent motion; otherwise the challenge would be out of order.

Hon. Mr. CLORAN: If you are going to stop public discussion by all kinds of points of order, I want to know where we are at. The honourable gentleman from Stadacona (Hon. Mr. Landry) has the floor, and let him have it.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: Order yourself.

Hon. Mr. LANDRY: A motion may be in order or out of order. If a motion is made and is in order it is put; if it is not in order, it is declared to be out of order.

Hon. Mr. BEIQUE: No point of order was taken.

Hon. Mr. LANDRY: I want a motion considered in order unless it is declared out of order.

The Hon. the SPEAKER: I believe that the objection made by the honourable member for Victoria division ought to be entered in the Minutes.

Hon. Mr. LANDRY: Yes; that is what I ask.

Hon. Sir JAMES LOUGHEED: As it was put.

Hon. Mr. CLORAN: I would point out to His Honour the Speaker that I made no objection; I simply called the attention of this honourable House and of the Speaker to the fact. It was not an objection at all.

Hon. Mr. CROSBY: It was not well founded.

Hon. Mr. CLORAN: I wish to tell this honourable House I made no objection whatever. I simply called the attention of the Senate and the Speaker to our rule 53, wherein it is provided that no senator having any pecuniary interest whatever, no matter how small, has a right to vote. Then I quoted the official documents of the Canadian Northern railway, which is under discussion, to the effect that two senators were interested to the extent of $200,000—2,000 shares each—in that company. I simply called attention to that fact, and made no objection. It was then the duty of these senators to say—

Hon. Sir JAMES LOUGHEED: I rise to a point of order.

Hon. Mr. CLORAN: Certainly you do.

Hon. Sir JAMES LOUGHEED: I am going to object to any discussion or repetition of this. The point made by the honourable gentleman from Stadacona (Hon. Mr. Landry) was that the Minutes should record what took place. The House is desirous that that shall be done. That should be an end of the matter.

Hon. Mr. CLORAN: Then I am in accord with the honourable leader of the Government for a second time anyway. It should be recorded.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

CONSIDERED IN COMMITTEE.

The Senate again went into Committee on Bill 125, an Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway Company.—Hon. Sir James Lougheed. Hon. Mr. Blain in the Chair.

Hon. Mr. CHOQUETTE: At the last sitting, Mr. Chairman, I was just giving the reasons why I intended to move an amendment to the effect that the amount which may be granted for the stock which the Government wish to buy should be divided pro rata among all the shareholders of the divers subsidiary companies, according to the amount of their shares. I now wish to refer the House to the financial statement respecting the Canadian Northern Railway system, copies of which have been distributed to members of this House. At page 6 you will find the names of all those subsidiary companies, of which there are ten or twelve. You will find in the list the two companies of which I was speaking yesterday, and in which the city of Quebec and the province of Quebec had great interest, having given large amounts in cash and assistance in land subsidies to those two companies, which now form part of the Canadian Northern Railway system. I do not desire to say more on this subject than simply to explain to the House what I want. All the private citizens who

have invested their money in those two companies have never had a cent of return, dividends or otherwise, and it is only fair that if something is to be realized on those shares of the Canadian Northern Railway system, it should not go to Messrs. Mackenzie and Mann, who must have made a great deal of money out of all those companies, but should be divided, as stated in my motion. I therefore move this amendment, seconded by the honourable gentleman from De la Durantaye (Hon. Mr. Tessier):

That the following words be added after the last word of section 1:

"The amount which will be granted for that stock shall be divided pro rata among all the shareholders in the divers subsidiary companies according to the amount of their shares."

Hon. JULES TESSIER: Honourable gentlemen, some citizens of Quebec have asked me to express the hope that the Government will find its way to protect the minority shareholders of the affiliated companies forming part of the Canadian Railway system, namely, the Canadian Northern Quebec, the Northern Consolidated Holding Co., Ltd., the Great Northern Railway of Canada, The Quebec and Lake St. John Railway, and others who, according to the statement presented to the House of Commons on the 17th of August last (Hansard p. 4807), seem to own $5,947,100 of paid-up stock of said companies, and that these holders will share rateably in the amount to be paid by the Government under the arbitrators' award for the said sixty millions of stock.

The Great Northern Railway of Canada and the Quebec and Lake St. John Railway, which comprise 500 miles of the mileage to be acquired by the Government, were built by Quebec people under the management of Mr. J. G. Scott, who is now president of the Quebec Board of Trade. I may say that Mr. J. G. Scott is an authority on railway and transportation questions, that he has devoted his life to working for the development of railways and transportation in the province of Quebec and the Dominion of Canada. Everybody in Quebec would be glad to see his talents utilized and his services recognized by the Government.

These two roads have turned out to be amongst the most beneficial public works ever constructed in Canada, and form part of the most valuable and productive mileage of the Canadian Northern system. They run through the greatest spruce forests in America, and have been the means of developing the enormous water powers of the St. Maurice and of the Saguenay to such an extent that it is estimated that eighty million dollars have been invested in pulp mills, paper mills, aluminum plants, hydraulic powers and other industries along these railways, notably at Grand'Mère, Shawinigan, La Tuque, Chicoutimi, Jonquiere, Roberval and Lake Edward—industries which give employment to about twenty thousand men. In addition to this, vast tracts of arable lands have been thrown open to settlers, and probably one hundred thousand new settlers have found homes there. It is no exaggeration to say that these two railways, settling up the north country, have been the means of keeping the population of the province of Quebec in the province, and have contributed very largely to our holding our own and more than holding our proportional representation in Parliament, under the last census.

I have personal knowledge of what I am stating, because I was a director in both railways for many years.

The Quebec gentlemen who built these roads were so engrossed in trying to do good for their country that they omitted to properly protect their own interests, and allowed the control of the stock to get into the hands of London and New York financiers who had advanced money, with the result that one fine day they found that, against their will, the controlling interest in the stock had been transferred to the gentlemen who control the Canadian Northern.

A minority of the stock is still held by the Quebec people. The statement submitted to the House of Commons on the 17th August, page 4807 of Hansard, shows that the following stock is still held by the public:

Canadian Northern Quebec—which I presume includes Great Northern of Canada—and Northern Consolidated Holding Company, $2,405,400; Quebec and Lake St. John, $521,200; making a total of $2,926,600, which I have no doubt includes the stock in these railways for which the City of Quebec paid $650,000 in cash. That is the reason why the Mayor of Quebec a few days ago sent to the Prime Minister a telegram which has been published in the papers, asking him to protect the interests of the Quebec people who are so much interested in this question. I am sure that the Government will feel that it is its duty to protect the interests that are involved, and I am sure that I have only to draw the attention of the honourable the leader of the House to these

facts in order that the Government may look after the interests of the gentlemen who have done such patriotic service for their country in connection with these railways.

Now, coming to the question of the Canadian Northern stock, I think that the most reasonable settlement would be by putting the road in the hands of a receiver. In so doing, the country would not become responsible for the immense liabilities of the company, and after a few years of administration by the receiver, we should be in a position to know the real value of the stock and of the whole system.

Hon. Mr. LANDRY: I join with great pleasure in the remarks which have been made by the two gentlemen who have preceded me, the honourable member from Grandville (Hon. Mr. Choquette) and the honourable member from De la Durantaye (Hon. Mr. Tessier), in moving and seconding this motion, and I hope that the Government will see its way clear to adopt such a proposal. This proposal is not opposed to the principle of the Bill; on the contrary, it accepts the principle of the Bill; but it goes further and says that the amount which will be granted for the stock shall be divided pro rata among all the shareholders in the divers subsidiary companies according to the amount of their shares. The Lake St. John railway is one of those subsidiary companies. I hope that the Government will be able to accept this amendment, which is founded on justice, and which will give to those companies a fair share of the amount that would be granted for the stock that those companies have taken in the Canadian Northern Company.

Hon. Mr. BEIQUE: I have the misfortune of being unable to support this amendment, and for this reason: as I understand the Bill, it provides for the taking over by the Government of Canada of the shares in the Canadian Northern Company; but it does not provide for taking over the shares of any of the constituent or subsidiary companies. On the second reading, I called the attention of this honourable House to a fact which I think is very objectionable on the face of this Bill, that whereas the Government's object seems to be the control of the whole enterprise, under the Bill as it is worded the Government will control merely the stock of the Canadian Northern, but will leave in the hands of the public a large proportion of the shares in the constituent and subsidiary companies. I think this is very improper and against the public interest. But we have to deal with the Bill as it is. The Bill does not affect the stock to which the amendment refers. These shareholders will retain that stock, they will get the benefit of all the money put up by the Government from year to year, and I can see no reason why they should be indemnified when they are not disturbed.

Hon. Mr. GORDON: I am sure that the honourable gentleman from Stadacona (Hon. Mr. Landry) is trying to force something upon the Government which will work an injustice upon the stockholders whom he seeks to benefit. As I understand it, Mackenzie and Mann are liable to get nothing at all for the stock. I believe that the city of Quebec holds some $400,000 worth of stock in the Quebec and Lake St. John railway. If I am right so far, what would it mean? It would mean this, that if they got the proportion that Mackenzie and Mann were getting, they would receive nothing for their $400,000 of stock. Assuming that Mackenzie and Mann would get $5,000,000 for $60,000,000 of stock, that would be one-twelfth; therefore the city of Quebec would be entitled to one-twelfth of $400,000, and in consideration of that they would have to hand over that $400,000 of stock to the Government. Is it not obvious to every honourable gentleman here that it is far better and more in the interests of the city of Quebec to remain in the partnership with the Government? The honourable member for Ottawa (Hon. Mr. Belcourt) this morning spoiled what I consider to be a strong speech, which he made yesterday in opposing this transaction, by intimating that after the Government got hold of this road it was going to be a prosperous and paying institution. I am quite pleased that he has come to that conclusion after reflection; and if he is right, and if we on this side of the House who are upholding this agreement are right, it is certainly in the interests of the minor stockholders to retain their interest in the road. Therefore I say that the honourable gentleman is supporting something which is not in the interests of the people whom he wishes to protect.

Hon. Mr. BELCOURT: My honourable friend misunderstood me altogether. I was taking the argument of honourable gentlemen opposite, and I said that if their view was correct, the fact that this Government is going to put in a large sum of money in completing the road, in providing it with

proper equipment and so on, whether administered by the Government or by a board, would make it of some value. It would turn a bankrupt concern into a solvent one, and by reason of that this $60,000,000 of stock will acquire a value. It cannot be supposed that a large sum can be put into this undertaking without increasing its value. Consequently, we are going to enhance the value of this stock very largely. I was putting that forward as an argument as to why $10,000,000 ought to be considered a very generous allowance in the eyes of honourable gentlemen opposite. I for one thought it was too generous. I do not think that Mackenzie and Mann should get anything for this stock, because to me it is absolutely valueless. I do not contradict the position I took yesterday. I maintain that the stock is absolutely worthless, but that the Government is going to make it valuable at the expense of the taxpayer and the people's money.

The amendment of Hon. Mr. Choquette was negatived.

Hon. Mr. BOSTOCK: We want to try to make this clause as acceptable to the people of Canada as we possibly can. I think that an amendment in line 12 of the clause would be a great improvement, and I therefore propose that in line 12 of clause 1 the word "arbitration" be stricken out, and the words "Exchequer Court of Canada" be substituted therefor. The country has had experience of the way in which the Exchequer Court deals with railway questions, and I think the country appreciates the work which has been done by that court in the past in dealing with these matters. We have had experience of the work done by the judge of the Exchequer Court in dealing with the Quebec and Saguenay railroad, and I think every one throughout the country who has any knowledge of the way in which the court did its work on that occasion must appreciate the action of the judge, and the fair and equitable way in which he dealt with that situation. I therefore have very much pleasure in moving this amendment, which I hope we shall see adopted.

The amendment was negatived.

Section 1 was agreed to.

On section 2—transfer of shares:

Hon. Mr. BOSTOCK: This clause provides for the taking over by the Government of five-sixths of the 600,000 shares. As I understand it, it declares that the Government can force the transfer of the balance of one-sixth of the shares to themselves. Am I correct, or will those shares still be outstanding?

Hon. Sir JAMES LOUGHEED: As stated in the section:

> The Governor in Council may declare the said shares to be the property of the Minister of Finance in trust for His Majesty, and the same shall thereupon become the property of His Majesty and shall be paid for pro rata with the shares so transferred.

The shares pass automatically to the Government upon payment pro rata for the 50,000 shares which will be acquired under the Bill.

Hon. Mr. BOSTOCK: Does this Act give power to the Government to compel the holders of the shares if they object to such an arrangement?

Hon. Sir JAMES LOUGHEED: Yes, it is a statutory declaration that they belong to the Crown.

Hon. Mr. BELCOURT: Are we to understand that we are to go through the whole Bill without having submitted to us the draft agreement between the Government and these gentlemen?

Hon. Sir JAMES LOUGHEED: It is not proposed to bring down the draft agreement, because I presume it will not be prepared until this Bill is passed. It will be an agreement that will constitute, I presume, a submission to the award of the arbitrators. It will contain such terms and conditions as the Government may think necessary for the protection of the public interests; but I do not think it necessary that this agreement should be brought down to Parliament. It is to be presumed that the agreement will be framed in pursuance of the terms of the Bill.

Hon. Mr. McHUGH: Is it proposed by the Government to give any information at all?

Hon. Sir JAMES LOUGHEED: Oh, yes.

Hon. Mr. McHUGH: We have been like the boy on the street: we have been asked to shut our eyes and open our mouths, and see what we would get. I do not think that there is a business man before me who would put $50 of his own funds into the transaction on the information that has been given to us. I do not think that we are being treated fairly, or that the friends of the Government on the other side of the House are

being treated fairly when they are asked to consent to legislation of this kind without having all the information obtainable. We are here to do the business of the country as best we can, but how are we to do it without this information?

Hon. Mr. DANDURAND: The honourable gentleman states that he will not bring before this House the agreement that will be entered into with the Canadian Northern or Mackenzie and Mann?

Hon. Sir JAMES LOUGHEED: I said that as far as I knew the agreement had not been prepared.

Hon. Mr. DANDURAND: I have considerable confidence in the spirit of fair play and common sense of my honourable friend. I will draw his attention to clause 24 of the Act of 1914 and will ask if Parliament is really performing the task that was provided for under that clause. The clause says:

24. If authorized by the Parliament of Canada, the Governor in Council may on such terms and conditions (if any) as Parliament may prescribe, at any time while any event of default shall exist, and be continuing, by order declare the equity of redemption of the Canadian Northern and of all other persons whomsoever in the mortgaged premises to be foreclosed.

Now, of course, my honourable friend may say: "Are we not prescribing conditions? Are there not four clauses of this Act in which we are prescribing conditions under which we will take possession of the railway?" Generally speaking, the answer would be satisfactory as far as it goes; but when we come to one of the most important parts of the agreement to be entered into—when we come to the valuing of that stock and declare to the arbitrators that they may fix the amount of equity which this $60,000,000 of stock represents; when we have the statement by my honourable friend, which was made solemnly before this House in answer to a written question by the honourable senator for Hastings, that a limitation will be fixed; surely my honourable friend will not claim that this is a mere detail which should not interest this Chamber. I ask him, therefore, before we reach the third reading, to consult with his colleagues and with the Prime Minister, in order to be able to decide if Parliament and the country are not entitled to know what will be the maximum sum that the arbitrators will fix. Newspapers throughout the land stated on Saturday last that it would be provided in the agreement that the maximum sum of $10,000,000 would be the figure beyond which the arbitrators would not go. I know, and have reason to believe, that my honourable friend has said so somewhere within the last four days; I am quite sure he will not deny it. And yet Parliament and this Chamber will not, before they pass this Bill, have the figure which I am informed my honourable friend has given out as the maximum, though newspaper men have been informed, and I am told that it is no guess work on their part. Why should not the two branches of Parliament be informed before this Bill has been read the third time?

Hon. Sir JAMES LOUGHEED: The question submitted by my honourable friend is not an unreasonable one. If there were only the viewpoint mentioned by my honourable friend there would be some force in his remarks; but honourable gentlemen have to consider this matter from an entirely different viewpoint. I might preface my reply by saying that the Government of the day is as anxious as honourable gentlemen opposite that this stock should be valued at as low a figure as possible. They are not anxious to pay out of the public treasury an extraordinary or exorbitant amount for this stock. They have to take into consideration, however, what would be the effect upon public opinion if the amount were mentioned in the Bill. What would be the effect? You would immediately divide the public into two camps, one urging that the amount is excessive, the other urging that it should be increased. It would be in the interest of those holding the stock of the company that a current of public opinion should be created to advocate an increase of the amount; that would be the outcome; consequently you would find the press and public of Canada contending among themselves as to whether it was enough, or whether it should not be greater.

Hon. Mr. WATSON: Is not that element working at the present time?

Hon. Sir JAMES LOUGHEED: If that element is working at the present time, they have not the opportunity of knowing what the amount will be. Furthermore, it is not unreasonable to say that the arbitrators might be influenced, possibly subconsciouly, by a strong current of public opinion as to what the value of this stock is. I will say to honourable gentlemen that, when publicity will be given as to the amount which will be fixed in the agreement, they will feel thoroughly satisfied that the interests of Canada are being protected.

Hon. Mr. BEIQUE: Section 5 of the Act of 1914 referred to an agreement which was called: "The agreement the draft whereof is set forth in the schedules hereto." It was thought proper then to draft the agreement in order to put it before Parliament and to inform Parliament of its contents. I thought that was the proper course, and I would have expected and hoped that the Government would have proceeded likewise in the present instance, especially when dealing with a matter of far greater importance—with a sum exceeding $600,000,000, as compared with $45,000,000, especially in view of the fact that the Government is being committed to assuming also the debts and liabilities of other railways, such as the Grand Trunk Pacific, at a future session. But if the Government does not see its way to drafting the agreement, surely there are all possible reasons for them to say what the maximum amount is which they propose to fix to which the arbitrators may go. A moment ago the honourable leader gave the very best reason why this should be done, when referring to people exerting pressure on the one hand to have the amount decreased and on the other to have it enlarged. My honourable friend will surely see that this argument does not apply to the fixing of the maximum amount, because that would close the door to any further argument on the question; but it applies to the state of things which is now continuing because the maximum amount is not mentioned. I have no doubt there is a pressure to-day, and there will be a greater pressure to-morrow, on all the members of the Government to have this amount fixed as large as possible; and it seems to me the clear duty of the Government to make up its mind as soon as possible in determining that amount and thus close the door to this unhealthy pressure. I think that not only this House and the House of Commons and members on the Government side are interested in knowing that maximum, but also members on this side, and the country at large, which is very much exercised over the matter, and is entitled to know the maximum amount to which the country will be committed by this arbitration.

Hon. Mr. DANDURAND: May I be allowed to add one word in reference to the frank statement of the honourable leader of the Government, that if a figure is fixed there will be immediately a cabal, a pressure, on the part of newspaper men and by public opinion, in favour of reducing the amount, and also pressure from the interested parties to increase it. In what state is public opinion to-day? It has been apprised of the fact that a maximum figure will be fixed, but does not know what that figure is. Those interested in having the figure made as large as possible, the private interests, are on the job, and will be on the job until they sign that document. They will not leave; they will follow the ministers and be at their heels day and night. The public have the conviction that that is what will take place in the natural course of things. The interested parties will attend to their business, and, as everybody knows, Messrs. Mackenzie and Mann will be able to look after their own affairs and use the necessary pressure. Wherever I have gone and within the past few days—I have passed through two or three cities in coming here—I have heard gossip to the effect that, if the Government does not show its hand and say now what is the maximum amount, they will be facing Mackenzie and Mann on the eve of a general election, and that there will be a formidable temptation for a dicker with those people—I will not go beyond these words. We have all reached the meridian of life, and understand what this gossip means. Is it not in the interest of the Government to clear the atmosphere? Have we not enough scandal mongers in the community without adding fuel to this gossip that goes on about public men? Is it not for the better administration of public affairs that in such a large and complicated question as that of the purchase of the Canadian Northern we should not add all the suspicion that will naturally arise? I said that the newspapers of Canada have already been apprised of the figure. I have reason to believe that they know the maximum figure that the members of the Government have fixed among themselves, if it is not regularly official. I would again ask my honourable friend to seize the first opportunity, when sitting with his colleagues, to discuss again the advisability of appeasing the public mind by fixing that maximum.

Hon. Mr. CASGRAIN: Some people are wicked enough to think that the Government are very friendly with the Canadian Northern people, and that the thing which happened in the case of the Quebec and Saguenay arbitration may be repeated, when the Government's own lawyer wanted to allow $500,000 and $794,000, but the judge said, "No," and barred it out. Evidently that lawyer must have been representing his client, and must have had instructions,

yet the judge actually wiped out a million and a quarter on a small amount of five or six millions. I would ask if the Government would not be wise to have the public represented on this arbitration by a public solicitor, because there is an opinion in the country that the Government are very friendly to the interests engaged in this transaction. In many royal commissions a public representative has been allowed; and, if they would permit one in this arbitration, would they not say now that they would agree to have one? I have no doubt it would be very easy to make a case for these arbitrators, and show that there is no equity at all, because the Royal Commission appointed to value this concern—although the Government employed the best talent they could get in the United States, and spent $70,000 of public money—could only find $402,000,000. Consequently it would be useless to talk about an equity, when the company is $200,000,000 shy. But if, forsooth, the Government lawyers on this arbitration happen to be like the lawyer for the Government on the Quebec and Saguenay case before one arbitrator—and it is understood that one of the arbitrators will be Sir William Meredith——

Hon. Mr. CROSBY: I rise to a point of order. We have got past the discussion of the arbitration, which is altogether provided for in section 1 which we have passed.

Hon. Mr. DANDURAND: No, in section 4.

Hon. Mr. CROSBY: I am getting my information from the Chairman, if you please.

The CHAIRMAN: I would like members of the Committee to confine themselves as much as possible to the point.

Hon. Mr. CASGRAIN: I am just winding up, anyway. I was asking that the Government would allow counsel for the public to be retained in order to protect the interests of the public. I think the Government should welcome such a suggestion, as I believe the leader of the Government especially wants to see a fair deal. If a solicitor representing the public could be there and prove that the liabilities and charges and bonds, etc., were much more than the value of the road, then there would be no equity, and the arbitrators would find, as has been found already by Sir Henry Drayton and Mr. Acworth, that there is no equity, and thus the whole thing would be settled. I think it would relieve the public mind if the Government would say that the arbitration would be conducted openly, and that there would be some representative of the public; because, as we have seen in the instance I cited, the attorneys of the Government are not always faithful to their trust, and are willing to allow more money than the Exchequer Court would.

Hon. Mr. THOMPSON I think the Government would be relieved of a great responsibility if they would come to Parliament and let us share with them the fixing of the limit for the arbitrators. If the amount were stated in Parliament and passed upon here, the Government would be relieved from agitation by newspapers and parties interested, because they could say, "The Parliament of Canada have done this, and it is not within our right or privilege to change it." I really think the Government are not treating Parliament as it should be treated. I believe the people's representatives on the floor of Parliament are the proper ones for this duty. If we had more information about this matter, we would be able to exercise better judgment than we can by merely thinking out or guessing about certain matters. In 1914 the Government frankly brought the agreement down and Parliament knew exactly what the proposition was. To-day, if the Government would only give Parliament this information, they could obtain the assistance of the people's representatives and also transfer to them the responsibility of the arbitration. As it is, we denude ourselves of the powers of Parliament, pass the matter over with confidence to the Government, and the Government themselves transfer it to an outside body whose verdict in respect to this matter shall be final. What could those newspapers do if it were known that Parliament had fixed the figure at $10,000,000? My honourable friend referred to the influences that might be exerted outside, but it would really result very similarly to what my honourable friend's associate in business said in Parliament in 1914. He said:

Mr. Speaker, those loyal, devoted Canadians who believe that democracy's mission is not fulfilled, and that popular government is upon trial, know what that means—a long protracted lobby as to how much we are going to pay to get rid of them. Do not you think you see that lobby, do not you think you see that session of Parliament and the corridors black with the lobbyists moving to and fro, trying to see that the Government does not foreclose unless it pays this much or that much. Is that the way we are going to deal with this matter? What about your unpaid contractors

then—and these men are still free to contract. What about the unpaid labourers then and the unpaid equipment men? This company, and these men, are still free to run into debt, still free to create further obligations, to pledge the credit of the company, and they come to us when this Parliament is asked to authorize foreclosure. Mark you, it says: "that if authorized by the Parliament of Canada"—and they say: Behold what we have done; you must not foreclose us unless you take care of this man, that man and the other; look what we have done; all we got was common stock; do not wipe us out without something; give us something; we are the champion mendicants of our day—peradventure we starve if you do not give us something."

Now, we could relieve the Government of all that if we knew, and if Parliament knew, that $10,000,000 was the outside limit to which the arbitration could go in determining the value. If Parliament were advised of that fact, I am quite sure that the outside influence could not have much effect.

Hon. Sir JAMES LOUGHEED: I think my honourable friend will readily admit that this Chamber could have no authority to fix a sum in the Bill. It is peculiarly a matter in regard to which the House of Commons should have acted if they considered it desirable so to do; but for this Chamber to make such an amendment would be equivalent practically to originating a money Bill and saying to the shareholders that there should be an amount not to exceed that stated.

Hon. Mr. THOMPSON: I think the honourable gentleman misunderstands me. I mean to say that if the honourable leader of the Government, being in a position to voice the determination of the Government, should say to this Parliament to-day that $10,000,000 shall be the maximum sum, and if this Parliament acted on that intimation, it would be just the same as if we had it in the Bill.

Hon. Mr. BELCOURT: My honourable friend's objection will not hold, because, if it were part of the agreement, there would be no objection such as that which he has just stated.

Hon. Sir JAMES LOUGHEED: I thought the honourable gentleman (Hon. Mr. Thompson) was speaking about putting it into the Bill.

Hon. Mr. BELCOURT: I do hope my honourable friend (Hon. Sir James Lougheed) will see that it is only proper and just to submit to us a draft of this agreement before the Bill passes the third reading.

My honourable friend has already stated, in the course of the debate, that the Government will see to the details, and the Government could be trusted to see that proper provisions were included in the agreement. But surely the people are interested in knowing what the terms of this agreement are going to be. There are many things which will be provided for in this agreement that are only very vaguely, if at all, indicated in the Bill. My honourable friend will see how logical it is to submit the terms of the agreement. The discussion by the public, which my honourable friend is afraid of, is taking place, by reason of the fact that the Bill has been submitted to Parliament and, in being submitted to Parliament, to the public. After all, who is going to pay for this railway? It is the people of Canada surely. Who are better qualified to discuss the terms of this agreement than the people of Canada? I cannot help being amused at the perfect candor with which my honourable friend, good Tory as he is, has expressed the good old Tory doctrine that all knowledge is centred in themselves—for instance, the statement that the Tory Government to-day can be trusted in everything and that its measures need not be discussed; the public need not know what the Government propose to do, and we may go to sleep with the perfect assurance that everything will be done properly. That is the old Tory doctrine of which my honourable friend is evidently a good disciple, and also a good preacher when occasion requires. But I submit that the very reason which my honourable friend has given, that the mention of the amount would create public discussion, is the very reason why the amount should be stated. We ought to know it. Parliament ought to be advised as to what is the public opinion in the matter. I repeat, my honourable friend must see the absolute fairness of submitting this agreement, not only with reference to the maximum sum to be fixed, but also with reference to all its other terms; and if my honourable friend is not disposed to say now that he will before we dispose of this Bill submit a draft of the agreement, I shall have to propose an amendment to the effect that any agreement to be made by the Government with those people shall be subject to ratification by Parliament. I do not think I will propose it now. I shall defer doing so in the hope that my honourable friend will see the wisdom and justice

of submitting the draft agreement before we proceed much further.

Hon. Mr. DANDURAND: I hope my honourable friend (Hon. Sir James Lougheed) will keep an open mind, to a certain degree at all events, on the question of the right of this House to fix the maximum amount when we are facing a possible award of $60,000,000. We might fix a maximum amount of $1,000,000 in cash. I said $10,000,000 in shares. I would not be so liberal with the money of the people, because I do not hold exactly the view of my honourable friend from Ottawa, that if the Government add a few hundred millions to what has already been expended, it will considerably enhance the value of those shares. A good administration may in time give some value to them, but the millions of dollars that will need to be voted will be so much more capital that will have to carry interest, and it will be a long, long time, I think, before any dividend is declared on whatever shares we leave to the shareholders, in spite of the opinion expressed by Sir William Mackenzie. But I am convinced that there is in this Chamber a majority of members who feel that the Senate has the right to reduce an amount in a money Bill which is submitted to us. I do not believe that this is a money Bill which we would be precluded from modifying in any way. I am convinced that we have a right to declare that the arbitrators may not go beyond a certain figure, and it is because I hold strongly to that view that I would like my honourable friend, when the time comes—because we may move in the matter—not to have a prejudiced mind on this question.

Hon. Mr. CLORAN: I think a great debt of gratitude is due by this Senate, and especially by the workers on the Canadian Northern railway, to the honourable senator from Fredericton (Hon. Mr. Thompson). In his brief remarks on this question, he has called attention to a feature which is absolutely ignored in the Bill. The feature is this, that the servants of the company, whether in the management or the operation thereof, or the contractors of that railway system, have been completely left aside. The object of this Bill, to my mind, is not so much to advance the interests of those two gentlemen, knights of the Empire, Sir William Mackenzie and Sir Donald Mann, as to protect the interests of their associates, whether in banks, insurance companies or trust companies. The Bill passing through Parliament, to my mind, has not for its sole object to increase the millions of wealth of Sir William Mackenzie or Sir Donald Mann; but it is presented to Parliament to protect the interests of their associates in this system, men whom we call high financiers. Most of them reside in Toronto or thereabouts. That is, to my mind, the object of this Bill. I really believe that Sir William Mackenzie and Sir Donald Mann do not give a rap whether this Bill passes or not. They have got their millions laid aside. But they have had friends in the banks of our country—and I will name especially the Bank of Commerce—and other financial institutions, insurance and trust companies, backing their enterprise. Their wealth is stowed away, and now they are playing the game of fair poker-players: they do not want to see their partners beaten, and they come to Parliament for power to safeguard and protect the interests of their associates—so-called financiers. Well, "financier" in its legitimate use is a good word—

Hon. Mr. DOMVILLE: Robbers.

Hon. Mr. CLORAN: But financiers sometimes are bigger thieves than the man who steals a loaf of bread to live on. Millionaires can take millions and never go to the penitentiary, but a poor man who takes a loaf of bread off a counter to keep from starving is sent to the penitentiary for seven years. These are facts, but they are facts which the Government of Canada have never dealt with as they have been dealt with in the United States.

Hon. Mr. TAYLOR: Mr. Chairman, I think it is your duty to see that the speakers, in addressing the House, keep to the question, and my honourable friend certainly knows he is not in order.

Hon. Mr. CLORAN: What is the point of order? Do you not want to hear the truth? I am talking about section 2.

Hon. Mr. TAYLOR: Put it in its right place.

The CHAIRMAN: Perhaps my honourable friend will try to confine his remarks to the clause before the Chair.

Hon. Mr. CLORAN: Yes. Section 2 reads as follows—I will not read the whole of it:

> Upon the making of said agreement—

My purpose is not to dispute this section. My proposition, which I hold in my hand, is not to amend the section, but to add to it; and so as to put myself in

line with the ruling of the Chair, which I respect very highly—I think we have a very fair Chairman—I will move in amendment to section 2 of Bill 125:

That there be added after the word "agreement" in line one of the said clause:

"That, in any agreement to be made between His Majesty and the said Canadian Northern Railway Company and its other allied and subsidiary companies, that claims of all servants of the company, whether in the management or in the operation thereof, and all claims of contractors in the contruction of the said railway system, be submitted to the board of arbitration, as provided in this Act."

That amendment appeals to the sense of the country, if it does not appeal to the majority opposite. My first aim is that it shall appeal to the men who, I know, for the past 20 years have been working under starvation wages, from the highest to the lowest, and to contractors who have been fleeced out of their money. This amendment is not placed before this honourable House without a purpose. It is based on fact, and I hope it will be based on the justice of the Government in dealing with the matter. These men, to my own personal knowledge, have served this company for the past 20 years under starvation wages. Some of the highest officials to-day, who are the mainstay of the company and of the system, are receiving salaries infinitely lower than what any other company would pay to men of the same standing. I am not going to give you their names. Some of them have been here in the corridors. You would be astounded, honourable gentlemen, if you knew what this railway system has been paying to these devoted servants, who have given their entire time, their abilities, their talents, their work and their energy for paltry sums. So this motion is not made to placate the vote of honourable gentlemen opposite, who have decided to support the claims of the financial magnates of the company against the rights and interests of the working classes on that system. The Bill is submitted for the purpose of protecting the interests of men who are already wealthy, owning millions. All I want this Parliament to do is to give a little solace to the men who have actually built up the system and made it popular throughout the entire Dominion of Canada. That is all I am asking by this amendment, and I am not asking that this Parliament should give a certain amount on the spot. I am asking that their humble claims be considered. They are afraid to show themselves, unlike the financiers of Toronto who come down brazen-faced and demand and obtain from this Government millions upon millions, whereas the poor men who have worked faithfully and devotedly for this company for the past 20 years are afraid to show their heads. Cannot they have a single voice in Parliament, no matter how humble it may be, to present their claims for recognition? And why should the loyal Government party try to put these claims down? Have you no fellow-feeling for the people outside of this Chamber? Is the Government security here to support the claims of men who are already wealthy, revelling in luxury, and is the poor man to remain where he is? The object of this amendment is to overcome that. It is not asking too much of the Government to submit the claims of these people to arbitration, in face of the fact that the Government is asking Parliament to sanction the placing of the claims of millionaires and financial magnates. Is this Parliament of Canada going to pit the autocracy of wealth against poverty? Is this Parliament going to lead us where Russia has been led? Is this Government going to give examples of anarchy to the people of Canada, by the measures which they are forcing through Parliament, by suppressing free speech and muzzling the representatives of the people? Beware! it may not take centuries, as it did in Russia, to overthrow the whole system. It may take only a few years in this very enlightened country of Ganada to overthrow a Government which attempts such measures as they are attempting to-day. I hold that this amendment is in the right direction, and honourable gentlemen opposite, if they will only consult the interests of the people of the country, if they will only consult the future of the country—I do not want to be a false prophet, and especially I do not want to be a true prophet; but if legislation of this kind is going to be passed by Parliament, you will have a condition of things in Canada that you probably will not regret, but that your children will regret. When this Parliament is dealing with a proposition of this kind, and voting and granting millions of the people's money, undertaking obligations for the future of untold millions—unknown millions—the Government will not even let us know how many millions are involved in this problem. They refuse us information; they have refused it up to the present, notwithstanding the urgent appeals of the leader of His Majesty's loyal Opposition, notwithstanding the appeals of men who have all their interests centred in Canada. The Government sits with a number of men behind it choking off discussion, refusing light on the situation.

The Hon. the CHAIRMAN: Perhaps my honourable friend will confine his remarks to the clause. If I may offer a suggestion, I would say that I think his remarks would be more in order under clause 3. Perhaps he will postpone them until we come to that clause.

Hon. Mr. CLORAN: I agree with the Chairman all the time. He is the fairest man we ever had in the Chair, so far as I can see. I accept his suggestion. The only thing is that I have been a little premature in asserting these facts and expressing these sentiments. I think the honourable the Chairman will not find fault with me for defending the rights of the people. That is what I am trying to do. I am not trying to impress the other side at all. I am trying to put before the people of the country the facts as I see them, and as they see them, which have just been put into my hands within the last half hour. The motion has been drafted on statements made by officers and contractors of this company. If I could tell you all I know, honourable gentlemen, you would be surprised. The Chairman says that this motion may more properly be spoken to under clause 3. On that understanding I withdraw the amendment, and later on I will probably have an opportunity to repeat my remarks.

The amendment was withdrawn.

Hon. Mr. CHOQUETTE: I am glad to know that the honourable gentleman from Ottawa (Hon. Mr. Belcourt) is going to make a formal motion that the agreement ought to be submitted to Parliament. That is only fair in a transaction of this kind. It is only fair to both parties representing the people of Canada. If that amendment is voted down, and I am afraid it will be, I would ask the Government why not, after the House has prorogued, submit the agreement to the leader of the Opposition (Hon. Mr. Bostock) and my honourable friend from Ottawa (Hon. Mr. Belcourt). Both of these gentlemen live at the seat of Government, and it will give the greatest satisfaction to the public at large, if Parliament cannot pass judgment on the agreement, to have the information placed before these honourable gentlemen. Even if the amendment is not carried, that would afford some satisfaction; and I daresay that some of the suggestions of these two gentlemen would be agreed to by the Government, because the interest which they have at heart is to make the agreement as fair as possible to the people of the country. I will ask my honourable friend from Hastings (Hon. Sir Mackenzie Bowell), who had the other day to put a question to the Government as to the maximum amount to be fixed for the shares which are going to be bought by the Government, if he will permit the suggestion that this is a proper time to put his question, and to ask the Government to mention the maximum amount. Would not this be a good opportunity to put on Hansard the question of my honourable friend and the answer of the Government, which answer I hope will contain the figure talked about.

Hon. Mr. DOMVILLE: When anything is reasonably put before this House, it should be reasonably received. I have no fault to find with the leader of the House. He thinks one way and I think another. I do not object and holloa at any honourable gentleman who is trying to make himself understood. Of course, we must make allowances for new men who are not accustomed to this Chamber, and I make that allowance. I think it would be very unfortunate if the public should get it into its mind that there is any thimble-rigging going on here, not by this House, but by those who may be trying to influence the Government. Surely it is not unreasonable to ask, before going into such a big transaction as this, that something should be laid before us. It might not be the entire scheme; a skeleton draft might be sufficient. The people will naturally say, "Why has so much time been taken in laying this before you?" The argument would be that the gentlemen who are bringing this down, or whoever it may be, must have looked into the question. Surely they would not subject the country to it if they had not. I do not think it would be unreasonable to ask the honourable the leader of the House to give us some idea as to what is done before the finality of this question is reached. Perhaps they cannot make up the agreement now. But the impression should not go abroad, as my honourable friend has said, that opinion is being stifled here, or that speech is being curtailed. Let the public know that both sides are doing their best. This is an unfortunate occurrence in the country, and we should have the benefit of the people saying, "Well, they are doing the best they can under the circumstances." That would be a desirable thing. There is a future after all, and I warn honourable gentlemen. I would try to satisfy the people that undue influence will not be brought to bear on the Government, and that the Government

will give some idea of how far they will go, and will take this House into their confidence—not this afternoon, but a little later on. I consider that it is unreasonable to ask us to go on with this clause, or any other clause, until we get some information. I cannot tell the Government to bring it down. Assuming that things that are being said outside are true—perhaps they are not—there is an impression around as to the immoral procedure that has gone on in the past, and that may go on in the future if it is not controlled and in some way brought within the purview of this Chamber, which has the right to express itself so long as it does so in a moderate way.

Section 2 was agreed to.

On section 3, subsection 1—after transfer Canadian Northern Railway Company may be assisted:

Hon. Mr. DANDURAND: I would crave your attention, honourable gentlemen, for just a few minutes, to make a suggestion which I think is worthy of consideration. I put myself upon the judgment of my honourable colleagues. We are all intent upon doing the best that we can for the country, and I suppose that any proposition made in this Chamber will be received with sympathy and examined with a view to bettering the Bill, if it is possible to do so. The proposal which I have to make is, I think, in the right direction. I do not say that it is perfect, that it cannot be improved upon; but I give it as I have drafted it, and will leave it on the table of the House. I first want to draw the attention of my honourable colleagues to the fact that we are assuming, as mortgagees, second-rank mortgages, not only our own liabilities, our own obligations, but the obligations which precede us, which amount in all to $211,000,000. Besides that, we have advanced $15,000,000, which would make a total of $226,000,000 that the Government and the country are committed to. Now, when we do acquire the whole or the majority of the shares of this company, we become liable for all the liabilities, because we do not want the company to go into liquidation, and by that action we assume a further known liability, a liability admitted by the company, of $245,000,000, that ranks after our second mortgage. Now, a foreclosure would imperil, to say the least, a considerable part of those liabilities which stand behind us. It has been stated that the Government of the country could not think of wiping out all these liabilities and standing upon its rights as second mortgage creditor. The majority in this Chamber is intent upon endorsing the principle of the Bill. I suppose every honourable member will admit that as second mortgage creditors, if we turn towards the unsecured creditors—at all events creditors unsecured by the guarantees of the provinces or the guarantees of the Dominion—and tell them that this company stands within the grasp of the receiver, liable to be liquidated, but that the Government has decided to purchase all the shares and to develop the system and administer it, and that the Government will pay to all those unsecured creditors 100 cents on the dollar plus interest, of the actual money advanced to the company, ranking after the mortgage which the Government of Canada has obtained by the Act of 1914, the Government would be doing the right thing, and would be acting right royally towards those unsecured creditors?

It has been said in this Chamber that the creditors who stand behind us to the amount of $245,000,000 have not paid more than 75 per cent over to the company for the paper or the notes or bonds that they took from them. If that is true, should we not devise a scheme by which the Government of Canada and the people will have only to repay those people the amount actually advanced by them? With that idea in mind, I suggest that we add the following words to the first subsection of section 3:

> And provided also that, as regards any indebtedness for moneys advanced to the Canadian Northern Railway Company or to any company included in the Canadian Northern Railway system, and taking rank after the mortgage held by the Minister of Finance in trust for His Majesty under the Act of 1914 (4-5 George V) no payment be made of such indebtedness beyond the actual amount received by said company or companies, with interest; said amount thus received to be ascertained by the Exchequer Court of Canada.

If 75 per cent of the face value of the $245,000,000 admitted liabilities were all that the Government were obliged to pay thereon, it would represent a saving to the people of Canada of $61,000,000. Why should the people enrich the holders of those securities to the tune of $61,000,000 if 75 per cent is the outside figure that the holders of those securities paid for them?

Hon. Mr. GORDON: Why should you say the company have only received 75 per cent of the face value of those securities? Where do you get such figures?

Hon. Mr. DANDURAND: My general knowledge of the financing of that railway.

Hon. Mr. GORDON: Which railway?

Hon. Mr. DANDURAND: The Canadian Northern, as well as my knowledge of many other public corporations, which leads me to believe that this company has not received for its unsecured paper and its short notes more than 75 per cent; and I am told that in very many instances it received less. If that figure is somewhat unjust, let us say that it was 80 per cent that they brought to the company; is it not worth while that the Government, when facing such immense debts, and not morally obliged to pay those debts, and able to foreclose by virtue of the Act of 1914, should not pay more than the people advanced?

Hon. Mr. BEIQUE: My honourable friend has only to refer to the report of the commissioners to obtain an answer to that question. They found that whereas the debt of this railway amounted to over $600,000,000, yet there was only $370,000,000 invested in the enterprise.

Hon. Mr. DANDURAND: So that you get there the difference between what the company owe and what was really expended.

Hon. Mr. GORDON: I think you will find from the Drayton-Acworth report that the $370,000,000 was after deducting depreciations for a certain number of years.

Some Hon. SENATORS: No, no.

Hon. Mr. GORDON: I think that report shows that the cost of the road, in addition to the rolling stock, was something over $400,000,000. Now you are using the depreciation for the purpose of showing that the bonds were sold at 25 per cent less than their value.

Hon. Mr. DANDURAND: I think if we go into the figures given by the Royal Commissioners, it will easily be found that there is at least that margin between what was really expended and the liabilities of the company. Whatever may be the margin, is it not well that we should provide only for the payment of what has actually been received for those securities outstanding, and which we are not obliged to protect? I draw the attention of my honourable friend to page 44 of the report of the Royal Commission, wherein I read:

> We find, then, $370,000,000 to be the maximum possible cost of the Canadian Northern system as at present existing.

I think it would be possible, on examining into the financial operations of the company, to find that those outstanding securities, which rank after the second mortgage which the Government of Canada has by virtue of the Act of 1914, have not brought more than 75 per cent of their face value; and, if so, should the holders of those securities not consider themselves very fortunate indeed to get back their money with interest thereon without getting a margin which the Government is not obliged to pay, a margin which they themselves did not pay? I leave it to you, honourable gentleman. You all know in what situation the Government of Canada is—its difficulties in financing, the high rate of interest we are paying, our heavy obligations pertaining to the war, in doing all we can to bring it to a victorious end; and should we not take some precautions to see that that large amount be not paid recklessly to people who are not entitled to it when facing the Government of Canada as second mortgage creditors? For that reason I move the amendment.

Hon. Sir JAMES LOUGHEED: May I say to my honourable friend that he entirely misapprehends the situation. He seems to attach to the management of the Canadian Northern railway system a simplicity that is childlike. One would fancy that they are being taken advantage of daily by their creditors—that to raise 75 cents they pay a dollar, and so on. Now, if my honourable friend, instead of working himself up into the state of indignation with which he is flagellating himself, would only look into the balance-sheet in blue-book No. 237, which is in your hands, he would see precisely the financial condition of this company. He would observe that, so far as floating liabilities are concerned, the current liabilities of this company amount to $12,000,000 odd. Those floating liabilities are current liabilities, made up of pay-rolls, audited vouchers, and other floating liabilities. This is not an extraordinarily large amount for a railway system covering over 9,500 miles. And I would furthermore say to my honourable friend, for the purpose of giving him the necessary assurance which might bring some comfort to his harried soul about those unsecured liabilities, that the Government of Canada for the last two years has followed with the closest investigation the auditing of those accounts. They have been audited not only by the shareholders' auditor, but by Marwick, Mitchell, Peet and

Company, who are admittedly the leading auditors in Great Britain and in the English-speaking world.

Hon. Mr. BOSTOCK:: Has the honourable gentleman got that statement?

Hon. Sir JAMES LOUGHEED: They conduct a monthly audit of all the affairs of the Canadian Northern system. Then, that is further checked by all the experts of the different departments of Government whose duty it is to give attention to those matters—the experts of the Railway Department and of the Finance Department, and we have also the assistance of the experts upon the Railway Board. My honourable friends on the opposite side seem to think that the Government has absolutely gone asleep; that they are forgetting the fact that there is a Canadian Northern system and that the country is a very large creditor of the system; and to hear my honourable friends addressing the House, one would fancy that they are the personification of vigilance, and that nobody else in this vast country has thought of making inquiry into these matters. My honourable friends talk glibly of the liabilities of this country, and of the Government assuming no less than $600,000,000 of liabilities, which is all nonsense. If my honourable friends would only cencentrate their attention for one hour, say, upon the bluebooks, and upon the information which has been laid upon the Table, instead of thrashing space as they are doing in the discussion of this matter, their souls would be comforted in knowing precisely what the liabilities of this company are, and they would know that the Government of Canada has reduced this matter down to a certainty. We know precisely where we stand. As I say, the liabilities of this company fall slightly below $400,000,000, and if my honourable friend will look at the——

Hon. Mr. BELCOURT: Did not my honourable friend the other day hear the honourable member for Kingston (Hon. Mr. Richardson), who is the representative director of the Government on this Board, say that the liabilities were $510,000,000?

Hon. Sir JAMES LOUGHEED: Yes, because my honourable friend, in looking over the list of liabilities, included the $100,000,000 of stock; but of course that is not a liability.

Hon. Mr. BELCOURT: It is included in the statement.

Hon. Sir JAMES LOUGHEED.

Hon. Sir JAMES LOUGHEED: Of course, in a formal statement prepared by any auditors all stock is put down as a liability; but if my honourable friends will check up this bluebook they will see that they are relieved of, I suppose, $150,000,000, if they eliminate all the items which are really not liabilities. My honourable friends must exercise some little intelligence in looking over a balance-sheet of this kind; they must scrutinize it; they must examine it with the intelligence of business men, and not simply jump to the conclusion that because they find the figure of $500,000,000 that means $500,000,000 of liabilities.

Hon. Mr. McSWEENEY: Is that $100,000,000 an asset?

Hon. Sir JAMES LOUGHEED: Let us eliminate it, if you will; it is not a liability.

Hon. Mr. McSWEENEY: Is it an asset?

Hon. Sir JAMES LOUGHEED: The Canadian Northern system is in no way liable for the payment of $100,000,000 of stock. Furthermore, if my honourable friends will examine the Drayton-Acworth report, they will very clearly observe that the value of the road, in round figures, is $400,000,000, and the obligations of the road are $400,000,000; and they admittedly did not include all the assets contained in the list of assets on page 1½ of bluebook No. 237. If my honourable friends will spend sufficient time in examining that report, they will see clearly that those assets are not included. They include such items as deferred payments and accrued interest on sales, $7,000,000; cash with the National Trust Company; nearly $2,500,000; lands unsold represent nearly $20,000,000; current assets, cash account, over $20,000,000; and the value of material and supplies and other miscellaneous accounts reprensent $35,000,000.

Hon. Mr. BELCOURT: My honourable friend told us the other day that the company was insolvent.

Hon. Sir JAMES LOUGHEED: Yes, I say that. Did my honourable friend never learn of a company that might have assets representing more than 100 per cent of its liabilities and yet be insolvent, and unable to meet its immediate demands? My honourable friend knows, as a lawyer, and cannot controvert the proposition, that immediately a company cannot meet its

obligations, no matter what its assets may be, it is insolvent.

Hon. Mr. BELCOURT: There is a difference between being insolvent and being unable to meet one's obligations, and as a lawyer I need not say that the law treats them in a very different way. If my honourable friend said that the Canadian Northern was unable to meet its obligations, I could understand that, and that would be consistent with what he tells us now; but he said the other day distinctly that it was insolvent.

Hon. Sir JAMES LOUGHEED: My honourable friend very well knows that if a transportation company cannot meet the interest on its bonds, no matter what its value may be, you can place it in liquidation and it is regarded as insolvent. Now, I have no intention of going into any very lengthy analysis of the enormous financial affairs of this company except to say this. My honourable friends are skeptical as to where all this money has gone. We are not in a position to examine critically the application of every dollar that was raised by this company; but is it not sufficient for them to know that the Canadian Northern Railway company has constructed a transportation system that is the equal of the National Transcontinental and the Grand Trunk Pacific systems, at one-half its cost? Is that not the test? When I say one-half, I am not quite accurate. that is but approximate.

Hon. Mr. DANDURAND: Would the honourable gentleman allow me?

Hon. Sir JAMES LOUGHEED: Is not the railway spoken of by Mr. Tye in his report, and by the members of the Royal Commission, as a commercial and earning concern equal to almost any other railway in Canada? These are the tests as to whether this money has been properly expended or not. Why should we spend our time, hour after hour, day after day, in threshing out questions relating to a critical examination of affairs about which we know nothing, when there are those great central facts presenting themselves to our minds: that these people have raised by their financial transactions loans on a much more satisfactory basis than the Government of Canada could to-day negotiate a loan; that they have built a transportation system, commercially equally to any in Canada, and costing approximately 50 per cent less than the Dominion of Canada, represented by the Government of my honourable friend, had to pay in constructing the National Transcontinental and the Grand Trunk Pacific system. I think these central facts should be sufficient to convince honourable gentlemen who are dealing with this question to-day that this great undertaking has been carried out economically. Time and time again you will find the three members of the Royal Commission speaking of the economical management and the economical ability which were exercised in the carrying out of this huge enterprise. Notwithstanding the condemnation, the wholesale condemnation and denunciation of my honourable friends opposite of the promoters of this great system and of the system itself, I say that there is not a tittle of evidence adduced since we commenced the discussion of this matter as to bad faith having been shown by those men in carrying out this great enterprise.

Hon. Mr. BEIQUE: Will the honourable gentleman allow me to ask him this question: is it not acknowledged that there is a floating debt of over $98,000,000? That is admitted. I think the honourable gentleman will admit it.

Hon. Mr. DANDURAND: It was stated by the Minister of Finance.

Hon. Sir JAMES LOUGHEED: Yes, but we have securities for it.

Hon. Mr. BEIQUE: No; it is acknowledged that there is a floating debt of $98,000,000.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. McSWEENEY: What page?

Hon. Mr. BEIQUE: It is on page 8 of the financial statement. Now, will the honourable gentleman show me in the balance-sheet, among the liabilities, where this amount appears.

Hon. Sir JAMES LOUGHEED: It is included in the item of $285,416,264, the fourth item on the right-hand side of the balance-sheet.

Hon. Mr. BEIQUE: I would point out to the honourable gentleman that it cannot be included there, because the item to which the honourable gentleman refers is funded debt and the other is floating debt, which are quite different and cannot be included in the items. It cannot be found there.

Hon. Sir JAMES LOUGHEED: But will my honourable friend draw a distinction between the securities which have been

issued? Those are the securities which are outstanding, and for the debt itself we have securities representing that amount, and it is all under the funded debt—funded in the way of securities.

Hon. Mr. BEIQUE: No. The honourable gentleman refers me to the item of $285,000,000, which is the funded debt, and I am drawing his attention to a floating debt of $98,000,000, which is something altogether different. Therefore, the honourable gentleman cannot find the $98,000,000. Of course the two statements are not of the same date; one is the balance-sheet to June 30, 1916, and the other is a statement dated June 15, 1917, a year later, and my understanding is, though I may be mistaken, that very likely it is for securities that have been floated subsequently to the making of the statement of June 30, 1916. Apart from that, I draw the honourable gentleman's attention to this. Let us take, if he likes, the balance sheet. He says quite properly that the liabilities mentioned as $578,000,000 comprise $100,000,000 of capital stock, which represent no liability in the sense that he mentions. Has the honourable gentleman another answer to give me after consulting?

Hon. Sir JAMES LOUGHEED: They are all in that column which I have pointed out to my honourable friend, beginning with the "Funded debt" and the other obligations mentioned immediately underneath it. All the obligations of the company at that time are in that column.

Hon. Mr. BEIQUE: Of course, it is not in the common stock. Then, there is the item, "Five Per Cent Income-Charge Convertible Debenture Stock." It cannot be in that.

Hon. Sir JAMES LOUGHEED: No, it is not there.

Hon. Mr. BEIQUE: Then, there is the "Funded debt—Canadian Northern railway, schedule A," $162,000,000; I take only the round figures. It cannot be that. Then, "Funded debt—Affiliated Companies, schedule B," $123,000,000. It cannot be in that, and there is the list. And you will find in the Commission's report the list of all those securities, and—

Hon. Sir JAMES LOUGHEED: If my honourable friend will read the balance sheet he will find the item:

Hon. Sir JAMES LOUGHEED.

Equipment trust obligations..	$16,862,500 00
Temporary loans against deposit as collateral of inter alia Government guaranteed securities, etc..	55,912,961 80
Due to other companies on construction account..	16,666,957 26

And there are securities for all those.

Hon. Mr. BEIQUE: These amounts do not compare at all.

Hon. Sir JAMES LOUGHEED: They do approximately.

Hon. Mr. BEIQUE: No, not approximately. They do not compare at all with the amounts which appear on page 8. But I am going to take for the moment the figures on which the honourable gentleman relies, which are to be found in the balance sheet, showing liabilities to the amount of $578,747,291.25. From that amount is to be deducted $100,000,000 capital stock.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: There remains $478,000,000 in round figures.

Hon. Sir JAMES LOUGHEED: Would my honourable friend also deduct "Capital stock—affiliated companies, less held in treasury, $5,872,000?" Then, my honourable friend will deduct, turning over the page: "Affiliated companies, advance account, $10,250,506."

Hon. Mr. BOSTOCK: That is just a cross-entry.

Hon. Sir JAMES LOUGHEED: That is just a cross-entry. My honourable friend (Hon. Mr. Béique) will deduct that. And he will deduct $39,823,459.20, which is "Surplus land account and railway account." He will then find that the total liabilities will be about $417,000,000.

Hon. Mr. BEIQUE: I do not admit that

Hon. Sir JAMES LOUGHEED: Oh, the honourable gentleman will not admit it.

Hon. Mr. BEIQUE: I think I am not in the habit of talking for amusement. If the honourable gentleman will bear with me for one moment and follow the remarks to which I direct his attention, I will invite his answer to them, if there is an answer. I do not admit the deductions. But I am quite willing, for the sake of argument, to take the figure which he mentioned, $417,000,000. How will the honourable gentleman reconcile that with the statement of the commission, appearing on page 43 of their report? We find there $370,000,000 as being the maximum possible cost of the Canadian

Northern system as at present existing. How does he harmonize this figure with his $417,000,000?

Hon. Sir JAMES LOUGHEED: In this way. If my honourable friend will look at "assets," he will see that the property investment represents $594,112,489.43. My honourable friend must know that those bonds do not sell at par.

Hon. Mr. BEIQUE: That is exactly what I understand.

Hon. Sir JAMES LOUGHEED: Then you have to take what the proceeds were.

Hon. Mr. BEIQUE: That is exactly my understanding of it.

Hon. Sir JAMES LOUGHEED: Then there is the accumulated interest, commissions, etc. So what would apparently be a discrepancy, such as pointed out by my honourable friend, will be seen when examined into, to be a charge that was quite legitimate.

Hon. Mr. DANDURAND: If my honourable friend desires, he may answer my remarks. It is claimed that the financing of the last year of the company has been very costly to it; that it has not in many instances received 75 per cent for its paper. Whatever the amount may be, I am sure the Government could save millions by agreeing to limit its obligation to pay those liabilities still outstanding to the amount actually advanced. That is my proposition. Is there any harm in surrounding this transaction with such a safeguard? Is there any harm in trying to save the country even if it were but a few millions by declaring that those unsecured liabilities will be paid at only the amount which has been advanced upon them?

Hon. Mr. RICHARDSON: Honourable gentlemen, I desire to call attention to a remark made yesterday by the honourable gentleman from Ottawa (Hon. Mr. Belcourt) which I am sure he would not have made had he read my remarks carefully. He mentioned several times that I had stated that the liabilities of the Canadian Northern Railway company amounted to $510,000,000. I was referring to the figures given by the honourable leader of the Opposition, but I did not at all acknowledge that the debt amounted to that figure.

Hon. Mr. BELCOURT: My honourable friend mentioned the figure $510,000,000, and I took it from the Official Report.

Hon. Mr. RICHARDSON: If the honourable gentleman will refer to page 957 he will see exactly what I said.

Hon. Mr. BOSTOCK: Before we leave that question, I want to draw the attention of the honourable leader of the Government to this balance-sheet, which is one issued by the chartered accountants, not one for which the commission or Sir Henry Drayton or Mr. Acworth are in any way responsible, but a totally different thing from the statement made in the Drayton-Acworth report. In this balance-sheet, which is vouched for by the chartered accounts, Messrs. Webb, Read, Hegan, Callingham & Company, there is included as assets a sum amounting to $20,000,000. I take one of the items, about which I know perhaps more than about any other: "Province of British Columbia, $6,403,989.06." As I understand it, that is money which is now lying in the bank to the credit of the province, which was obtained by the flotation of the branch lines bonds.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: And some of that money, of course, has been used in the branch lines, but the rest of it should not, I think, be taken in as an asset until the road is actually built. The answer that I received the other day from the honourable leader of the Government with regard to these branch lines was that on account of the war it was not intended to proceed any further with them—that the work was now practically at a standstill. Yet when I compare the statement of these chartered accountants with the statement I read to the House the other day, made by the chief accountant of the road, I find that the amount of $1,678,000 has been paid out between June 30, 1916, and April 30, 1917, but so far as I am aware there has been practically no work done on those branch lines. I fail to see how they can claim that they are entitled to include that money in the balance sheet as an asset of the company, because they have to do that work in order to earn that money before they can receive it.

Hon. Sir JAMES LOUGHEED: The answer is quite manifest. My honourable friend is basing his valuation upon the valuation made by the Royal Commission. That valuation must, of necessity, be based upon the physical work as it appears. If that money is standing in the bank to carry out additional work, it is quite obvious that

it is an asset which is to be applied in adding further value to the road. Furthermore, let me say this. We have those securities charged as liabilities against the company. If they have not been fully expended, the unexpended portion will appear as an asset on the other side of the ledger. But my honourable friends proceed to charge up against the company the whole of the obligation for the securities which have been issued by the company, notwithstanding that many of them have not been marketed but are still in the treasury, and consequently they should of course appear as an asset on the other side of the ledger.

Hon. Mr. BOSTOCK: I cannot follow the reasoning of my honourable friend in that matter. He states that this amount of the funded debt is the amount of securities; but those, I take it, are the securities actually issued.

Hon. Sir JAMES LOUGHEED: No, they are not. When we speak of the funded debt, or, if you omit the other items, they are the securities which have actually been sold.

Hon. Mr. BOSTOCK: The securities have actually been sold. Then, another item which we come to is:

Temporary loans against deposit as collateral of, inter alia, Government guaranteed securities, the value of which, at current prices, exceeds the amount borrowed, $55,912,000 odd.

I take it that that amount is the amount actually borrowed and that might be included in the amount, on page 8, of $98,000,000; but it is rather difficult to see exactly how it comes out, because if we turn over to page 8, we find that this $98,000,000 is divided into four different items. I will not bother about the figures of the first three items. They are secured against bonds that have been pledged as collateral against advances. The last item, amounting to $24,289,000 odd, put down as temporary loans and advances, covering interest, construction, betterment and equipment, etc., amounts due to construction contractors; amounts due on sundry accounts, pay rolls, audited vouchers, etc.; coupon warrants, etc. Therefore, these temporary loans in the list of liabilities do not appear to agree with the temporary loans shown on page 8. That is one of the difficulties of understanding the statement in this blue book which is published for the information of the House.

Hon. Mr. DANDURAND: I would like to make a last appeal to my honourable friend

before this question is put to the House. I said that I was laying before the House a proposition that could be transformed, could be modified, by some better proposition, and I wonder if the Government would not welcome some proposition that would protect it and protect the treasury against the claims of thousands of people that will arise from the Atlantic to the Pacific—the people who, knowing that the Government is in possession of this road, will try to get the pound of flesh. We all know the ambition of people when they think they can press a claim against the Government. They will be ten times more insistent than they would be in pressing a claim upon an individual. Inasmuch as we are assuming the administration of a railway system—of twenty-six companies—which has brought to us a statement showing liabilities to an amount which they disclose when there may be thousands of other claims, it seems that we should try to devise a scheme by which these can be liquidated in a way that will be fair to the people of Canada. The fair way would be the valuing of those claims and the paying of the moneys that have been advanced and nothing more. This is my amendment:

Provided also that as regards any indebtedness for moneys advanced to the Canadian Northern Railway company or to any company included in the Canadian Northern Railway system and taking rank after the mortgage held by the Minister of Finance in trust for His Majesty under the Act of 1914, 4 and 5, George Fifth, no payment be made of such indebtedness beyond the actual amount received by said company or companies with interest; said amount thus received to be ascertained by the Exchequer Court of Canada.

The amendment was negatived.

Hon. Mr. DANDURAND: I intend to divide the House on this amendment on the third reading.

Hon. Mr. BEIQUE: I will not take up the time of the House. I will simply move an amendment to add, in the seventh line on page two, after the words "million dollars," the following:

And provided also that no part of the said sum of $25,000,000 shall be used in payment of debts incurred by others than the Canadian Northern Railway company, or of any company included in the Canadian Northern railway system, and incurred for the exclusive benefit of such company.

The amendment was negatived.

Hon. Mr. CLORAN: Mr. Chairman, in reply to your kind suggestion, I now think it devolves upon me to propose an amendment. The honourable the leader of the

Government has told the Senate, particularly this side of the Senate, that we were threshing thin air and space. I think the word "space" was used. I hope by this amendment to offer something more than thin air and space. I will give the honourable gentleman some stiff wheat to thresh. It is a pity that men such as are on this side of the House should be told that they are only threshing space. I move in amendment to this clause:

That in any agreement to be made between His Majesty and the said Canadian Northern Railway company, and its other allied and subsidiary companies, the claims of all servants of the company, whether in the management or in the operation thereof; and of all claims of contractors in the construction of the said railway system be submitted to the Board of Arbitration, as provided in this Act.

I hope the honourable the leader of the Government will not find that to be threshing space or thin air. I hope the honourable senator from Welland (Hon. Mr. Robertson) is here. He is the representative of labour, the representative of hard-working men. I believe he is here to see that their rights and their interests are protected. I hope he will take this amendment to heart. It is not an amendment to the Bill, it is an improvement and an addition. I am speaking for the class that he directly represents, and I am asking for them the same recognition at the hands of the Government that is given to their masters who own the wealth of the nation and the wealth of the corporations for which the labourers whom the honourable gentleman from Welland represents are working day and night. I hope that he will rise in his place as the representative of Canadian labour and plead with the Government to accept this as an addition to the Bill. I am not asking for immediate action. I am asking that the claims of these people be submitted to this Board of Arbitration. I think I have done my duty, not being the direct representative of the labour people. God knows that heart and soul, I am their representative on the floor of this House. I am not their direct representative. If I were, the Government would not act as it is doing. I speak here on behalf of my fellowman in this country, whom I know, with whom I am in touch and I must say that I am more in touch with him than the men who pretend to be their masters and their slave-drivers and I ask the honourable senator who represents the labouring class to take up their rights and have them protected by this Government.

The amendment was negatived.

Subsection 1 of section 3 was agreed to.

On subsection 1 of section 4—arbitrators, appointment of :

Hon. Mr. BELCOURT: I want to propose the following amendment:

That section 4 be amended by striking out the first subsection thereof and substituting therefor the following: The senior judge of Exchequer Court of Canada shall act as one arbitrator, another arbitrator shall be appointed by the said owners and pledgees, and the two arbitrators so appointed shall appoint a third, or, failing agreement as to such appointment, the third arbitrator shall be appointed by the Chief Justice of the Supreme Court of Canada.

The amendment was negatived.

Hon. Mr. BOSTOCK. Although we do not seem to get very far, I desire to move an amendment. We do not know who these arbitrators will be. On section 1, I moved to have the words "Exchequer Court" substituted for the words "by arbitration." I did not succeed. I now propose that subsection 1 of section 4 should be amended by striking out all the words after "another" and substituting the words:

"The senior judge of the Exchequer Court of Canada shall act as the third arbitrator."

Honourable gentlemen will see that the clause will then read:

The Governor in Council shall appoint an arbitrator, a majority of the said owners and pledgees shall appoint another, and the senior judge of the Exchequer Court of Canada shall act as the third arbitrator.

I think this is a more satisfactory way of providing for the third arbitrator. I think it is better that we should say in the Bill who the third arbitrator will be. As I have already said, I think the whole country has confidence in the senior judge of the Exchequer Court, and in the way in which he has carried on the business of that court in similar matters to this.

Hon. Mr. DANDURAND: I draw the attention of my honourable friend to the fact that the Governor General has the appointing of one arbitrator. It has been said, I think—I stand to be corrected—that Chief Justice Meredith will be the arbitrator representing the Government.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: The owners of the stock and pledgees shall appoint another, and it is added that if the two so appointed cannot agree upon a third arbitrator, he shall be appointed by the judge of the Exchequer Court of Canada. I am

convinced that the country would view with favour the appointment in person of the judge of the Exchequer Court. We are giving him the right to appoint the third arbitrator in case the others do not agree. Should we not make sure of the services of the senior judge of the Exchequer Court, whose principal business has been to attend to matters of arbitration and the liquidation of railway companies? Then we should have Chief Justice Meredith, the senior judge of the Exchequer Court, and an arbitrator appointed by the owners and pledgees. It seems to me that the public would have confidence in a tribunal so constituted.

Hon. Sir JAMES LOUGHEED: Has it not occurred to my honourable friend that the Government would then be appointing two of the three arbitrators? The Government is now appointing the Chief Justice of Ontario as representing their interests. My honourable friend proposes that the Government, or Parliament—which is practically the same thing—should appoint a second arbitrator, namely, the judge of the Exchequer Court. Of course, he generously allows the shareholders to appoint a third arbitrator. There is nothing to prevent the Government arbitrator and the arbitrator representing the shareholders from appointing the judge of the Exchequer Court.

Hon. Mr. BELCOURT: I suppose it does not matter very much, but I must say that I cannot agree with my honourable friend. I do not agree with the Government in appointing the Chief Justice of Ontario as one of the arbitrators. I dissent from that. I think it is very bad policy. It is not long since we discussed the propriety of appointing judges as commissioners, and passed a law——

Hon. Sir JAMES LOUGHEED: This is an arbitrator.

Hon. Mr. BELCOURT: I helped to pass a law a few weeks ago to prevent judges acting in this capacity. I protest against the appointment of the Chief Justice of Ontario or any other judge. I cannot agree with my honourable friend from De Lorimier (Hon. Mr. Dandurand) that the Exchequer Court Judge should be appointed.

Hon. Mr. BOSTOCK: Before the motion is put, I should like to say that the honourable the leader of the Government pointed out that the Governor in Council would appoint one arbitrator. That is, the Government is to be represented by the man they appoint. Then, we give the owners and pledges a chance of appointing their own arbitrator; and, inasmuch as this is to some extent a carrying out of the Act of 1914, which said in section 24 that Parliament should agree to terms and conditions—that is, presumably, that Parliament should arrange on this occasion to appoint one of the arbitrators,—I do not see that it would be any injustice to the owners and pledgees of that stock that the arbitrator should be appointed in that way. I think the recommendation we make is a suitable one, and I would say to my honourable friend from Ottawa that I would make an exception in the case of the judge of the Exchequer Court, because a good deal of his work is in the nature of inquiring into matters and practically the work of a commission.

Hon. Mr. BELCOURT: I could present an excellent reason for sending the whole matter to a judge of the Exchequer Court as a judge, not as an arbitrator. Leave the whole matter to the court.

Hon. Mr. BOSTOCK: For that reason I do not share the same objection that my honourable friend from Ottawa raised to the judge of the Exchequer Court.

The amendment of Hon. Mr Bostock was negatived.

On subsection 2 of section 4—how shares to be valued:

Hon. Mr. POWER: On the second reading of this Bill I directed the attention of the honourable the leader of the Government to the desirability of making some change in lines 25 and 27, which read:

> The said arbitrators shall determine the value of the said six hundred thousand shares as of the date of the said agreement.

One can see that that opens the door for a very great increase in the amount for which the country is likely to be made liable. I have no doubt that the stock of the Canadian Northern company, which at the date of the report of the commissioners was worth nothing, has by this time developed a certain value, and if this Bill in its present shape becomes law, that stock will have developed a very much larger value, and the difference will probably amount to millions which the country will be obliged to pay. If this valuation is to bear the date of the signing of the agreement, which cannot properly take place before the 1st of October, then the country will be called upon to pay the value of the

shares at that date, which I think is more than it should be asked to pay. If two parties were dealing with one another in a businesslike way on equal terms, they would select some date anterior to the making of the agreement—some date so much before the date of the agreement as to ensure that the valuation would not be influenced by the knowledge that the agreement was made or was to be made. I think that in the present case a suitable date would be the first day of May, 1917. At that time there may have been some little talk of this arrangement, but it had not assumed any very concrete form; and I think it is our duty, representing the country at large, to amend this subsection so as to provide that the valuation shall take place as of the first day of May. I therefore move to strike out the words, "date of the said agreement" in line 2, and substitute therefor the words, "first day of May, 1917."

Hon. Mr. CLORAN: I consider this is the strongest point that has been made against this Bill; and that in moving this amendment the senior member for Halifax has rendered a service to the country. The country will know that this Government is prepared to pay after parliamentary action is taken in boosting the stock from no value to par value. According to the commissioners' report, that stock was not worth a cent on the dollar on the date of that report. By the action of the Government, Parliament undertakes to give value to that stock, and puts the holders of that stock in a position to make all that can possibly be made out of it by fixing the date after the people who speculate in stock will have a guarantee that what they can buy for five cents on the dollar will be worth anywhere from 25 to 50 or 100 cents on the dollar after the sanction of this Bill. What right has the Parliament to play a flim-flam game like that against the people of Canada? I would suggest to my honourable friend, in order to make his amendment more forcible before the public, that the date be fixed as that when the Government accepted the report of the Drayton-Acworth Commission—the day that report was signed. I do not believe that the stock went up after that report was made and the Government accepted it, but it has been going up since this Bill has been introduced; and when the speculators will have a certainty that the Bill has passed, that stock will jump as much as any in the country, and the taxpayers of Canada will have to pay for that. The proposition of the honourable senator from Halifax is fair and proper, and in the interest of the taxpayers of this country. Why should we who are here vote away millions to a dozen or twenty financiers? Cannot you consider yourselves able to play fair with the people? Why do you want to play generously towards these men? Their stock is worth nothing, and you are going to put it in their power to create a value that does not exist. Why does not the country wake up and chase this Parliament out of power at once? I make my last appeal on this measure—

Some Hon. SENATORS: Hear, hear.

Hon. Mr. CLORAN: Oh, you unrepentant sinners, you will die nailed to the cross on the seventh of October. You cannot die before, because the constitution will not allow you to die—not us; but I wish the constitution could put us out of business right now. This body is not like a body representing the voice of the people. I say that the amendment proposed by the honourable senator from Halifax should appeal to the members of this House; but I know it will appeal to the taxpayer and to the labourer of this country.

Hon. Mr. BELCOURT: In all fairness, in all seriousness, will my honourable friend the leader of the Government, who is responsible for this measure, not give a second thought to the amendment now before the House? The other day the venerable member for Hastings appealed to my honourable friend for something to render this Bill more acceptable to the people of Canada. He acceded to the request of the honourable member for Hastings, and agreed to put in the agreement, not in the Bill, some provision which would in a measure protect the public interests. Now, we on this side, with all the urgency and all the seriousness of which we are capable, appeal to the honourable leader of the Government to afford to the public of Canada the protection to which it is manifestly entitled. There is not one honourable gentleman in this House who is not quite certain that this stock has very appreciably increased in value since this Bill has been introduced into the House, by reason of the Bill itself, and no one in this House or outside of it can seriously deny that that stock will be greatly enhanced in value on the day the Governor General gives his assent to this Bill. I leave it to my honourable friend if that stock has not now been greatly enhanced by this measure, from a cause which does not emanate from the gentlemen to whom this money is to be paid. This

Bill proposes to pay 100 cents on the dollar for stock which a few months ago was not worth one cent, and, if I am not mistaken in that, surely my honourable friend will give some attention to this amendment. I may be accused of speaking from the party point of view or from the standpoint of what the ultimate result may be; but from the point of view of our duty as guardians of the public interest, we ought to provide some measure of the kind proposed in the amendment. We are not doing injustice to those gentlemen. This agreement with them was made some months ago, I do not know when. They agreed to this Bill; a definite agreement was made. Why and by what rule or principle should the day on which this agreement was made be the one upon which the value of this stock shall be determined? I most earnestly appeal to my honourable friend to prevent the certain perpetration of a great injury to the Canadian public, and I think on reflection he must admit we owe the people of Canada protection against having to pay one hundred dollars where one dollar would be sufficient compensation. I think I voice the strong, earnest feeling of every honourable gentleman on this side of the House in addressing to my honourable friend this appeal not to dismiss this amendment without giving it serious consideration, and I hope that he will do that. If he give the matter the reflection and consideration that he generally gives matters of this sort, I think he must come to the conclusion that he must adopt this amendment.

At six o'clock the Committee took recess.

The Committee resumed at eight o'clock.

Hon. Mr. BOSTOCK: When the Committee rose at 6 o'clock, we were discussing the amendment moved by the honourable senator from Halifax (Hon. Mr. Power), on subsection 2 of section 4, to strike out the words, "the date of the said agreement," and substitute therefor, "the first day of May, 1917." The object of that amendment is to fix a date anterior to the introduction of this legislation, which honourable gentlemen on this side of the House maintain has given a certain value to the stock of the company. On section 1 I raised the question as to the statements made by the Government regarding the par value of the $60,000,000 stock. I contend that the very fact of this legislation being passed, and this Bill becoming an Act of the Parliament of Canada, practically states that the Government consider that this stock has a par value. Further than that, when the blue-book, sessional paper No. 237, was issued, it was issued with the imprimatur of the Government. It sets forth a balance-sheet signed by chartered accountants, in which they put this stock down as a liability of the company of $100,000, again practically endorsing the idea that this stock is worth par. We on this side of the House have contended that there is very little, if any, value in this stock, and until this legislation was brought in I do not think anybody considered that there was very much value in the stock. There may be a future value, but at the present time the value would amount to little, if anything. As showing the kind of effect the legislation of this Government which is now before us has had in regard to securities connected with the Canadian Northern railway system, I would like to draw honourable gentlemen's attention to a paragraph that appeared in the Ottawa Citizen of August 4, 1917, which was headed: "G. T. P. and C. N. R. Stocks Soared in England." This purports to be a telegram from London, dated August 3:

> The feature of the trading on the Stock Exchange to-day was a sharp rise in Canadian rails on reports of the Government controlling Canadian Northern and financing Grand Trunk Pacific.

It shows that as soon as ever the word went abroad to the financial markets of the world where the securities of the Canadian Northern system were held, the persons holding those securities or trading in them realized that they had a much greater value than before this announcement was made. I do not myself quite see how this present legislation is going to increase the value of these securities very much, except, of course, that the fact that the whole of the stock of the company being in the hands of the Government, and the Government being practically the owners of the road, will give the securities a better value in the eyes of the public. But if that is the case with regard to these securities, it must be more so with regard to the stock of the company; and, as honourable gentlemen know, the Government is not getting the whole of this stock; there are also stocks belonging to some of these constituent companies, which are also outstanding at the present time. Further, I have here another quotation, one from a paper published in England, the Westminster Gazette of August 7, 1917, in which the rise in the value of the stock is referred to as follows:

> Naturally the rises ranging from 2 to 15 points in the prices of Grand Trunk, Canadian

Northern and Grand Trunk Pacific issues have been due to the market estimate of the change in the situation and not to any rush to buy the stocks. Quotations were raised automatically excepting in a very few cases, e.g., Grand Trunk Ordinary and Third Preference, where the shadow of a market still exists. Canadian Northern Land Mortgage Bonds jumped 15 (points) because the Government's action confirms the expectations or hopes of those who had looked for something of this kind, although their faith was not robust enough to make them support the bonds at 75. This particular issue has passed through a lean time ever since it came out a few years ago at 95. The bonds never got comfortably placed, underwriters stock hanging over the market from the time of the allotment. On paper the security was excellent and the yield very attractive with redemption at par in 1923. Now the holders may be congratulated upon the remarkable change of front that is reflected in the market price.

That refers more particularly to the land bonds, which do not seem to have been very freely taken up when they were placed on the market in London. My contention is that in this clause we certainly should make the amendment which has been moved by my honourable friend from Halifax (Hon. Mr. Power), so as to ensure as far as possible that no fictitious value shall be given to the shares of this stock owing to the action of the Government, and that the judgment of the arbitrators may not be influenced by the fact that people consider that this stock has a certain value to-day. I hope that the honourable leader of the Government will see his way to accept this amendment.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I should appreciate the anxiety shown by my honourable friends opposite that the public interest should be protected in the way indicated provided there were grounds for their apprehensions. It seems to me that my honourable friends are starting off entirely from wrong premises. They are assuming that this stock has been put upon the market, that a market has been created for it, that it is a marketable commodity—

Hon. Mr. CLORAN: No.

Hon. Sir JAMES LOUGHEED: —that it has been allocated amongst a large body of shareholders, and that there have been transactions in it, thus fixing a value for it. Now, none of this has happened. This stock has never been quoted upon the market; it has never been placed upon the market; it has never been subject to any stock transactions. My honourable friend (Hon. Mr. Bostock) is placing this upon a parity with the other stocks to which he has alluded, and which have been quoted on the stock exchange—which have long been marketed, are marketable commodities and possessed of a fixed value on the stock market. This issue of $100,000,000 of stock is nothing more or less than evidence of the title of the equity or the corporate control of that particular company. It is nothing more than that; it is purely an evidence of the equity. We might have put this in some other form.

My honourable friend (Hon. Mr. Power) who has moved this amendment speaks of the desirability of going back to May last. If this stock had a value, it was more valuable the farther back you go. You could have realized more for this stock if it possessed a value in June, 1914, when the legislation in question was passed by this Parliament, than you could to-day. There is $50,000,000 held by the pledgees of this stock. There is $10,000,000 outstanding distributed among a small group. Let us assume that a transaction in that stock were to take place to-morrow. Can my honourable friend conceive of any one buying it and holding it for a rise in value? There are two reasons why that could not be done. In the first place, the legislation provides that the outstanding $10,000,000 of stock shall be in the same position as the $50,000,000 which we are acquiring. Immediately the $50,000,000 of stock is acquired, the outstanding $10,000,000 becomes impressed with the provisions of the Act, whereby it becomes the property of His Majesty, and its value is fixed on the pro rata basis of the $50,000,000 of stock which we have acquired. My honourable friend who has moved the amendment based the alleged increase of the value of the stock entirely on the provisions of this Bill. The Bill renders it valueless as a marketable commodity. It cannot possibly pass into the hands of purchasers for value, and assuming that it did pass into their hands, no matter what they gave for it, it would be impressed with the pro rata value which we pay for the $50,000,000 of stock. As I said before, if the stock ever did possess any value, it was in June, 1914; but since that time it has lost any value of which it might be possessed. In fact, it may be said it has lost any potential value, for this reason: that liquidation faced the company immediately default was made, and none of us can conceive of stocks being seriously quoted upon the market, or transactions in them being made, concerning a company that is about to go into liquidation or that has placed itself in such a position that its creditors may put it in liquidation. Therefore, if the ground existed which my hon-

ourable friends have maintained, one could very well appreciate the solicitude which they show for the legislation being surrounded by proper safeguards; but, with all due deference to the presentation of the case as made by them, I submit to honourable gentlemen that there are no grounds whatsoever for the apprehension they have expressed.

Hon Mr. BEIQUE: Will the honourable gentleman allow me to ask why the date of the agreement is not fixed in the Bill?

Hon. Sir JAMES LOUGHEED: I would say that in any legal transaction the date of the transaction, or of what is contemplated in the agreement arrived at between the parties, would be fixed as the date of the agreement. In the first place, the agreement cannot be prepared, nor can a date be fixed until this legislation is passed. Then, presumably, the agreement will, in pursuance of this legislation, be at once drafted and entered into, and the date will be the date when the agreement was made. I really cannot appreciate, I regret to say, the points which my honourable friends have been so desirous of making in that respect.

Hon. Mr. BEIQUE: Does not the honourable gentleman realize this possibility: that when the arbitration takes place the owners of the stock may be able to prove that sales of the stock were made, say, previous to the 1st of May last, at, say, 10 cents on the dollar or 5 cents on the dollar, and that after the passing of this Act sales have taken place at 25 or 30 cents on the dollar? The honourable gentleman cannot say that is an impossibility. If that possibility should be realized, if the interested parties were able to show that sales of that kind had been made, would not the honourable gentleman appreciate and understand that it would have a very serious effect on the valuation which would have to be made of that stock?

Hon. Sir JAMES LOUGHEED: No, I should say not. I should say to my honourable friend, in the first place, that there is no probability of that $10,000,000 stock being placed on the market, because it has been distributed amongst a group which must necessarily hold it; and immediately negotiations took place between the Government and the two groups, namely, the pledgees for $50,000,000 stock and the other group, the whole of the $60,000,000 would become impressed, with the result that the whole would pass over to the Government.

Hon. Sir JAMES LOUGHEED:

Hon. Mr. BEIQUE: The fact that the whole passed over to the Government in virtue of this Act does not prevent it being sold from A to B, again and again. It is sold subject to being thus impressed; but it may be sold and re-sold, and the Government will have to deal with the last purchaser, and in the meantime those who have sold the stock will have received the price of sale of the stock. I fail to see the force of the argument which is made by the honourable gentleman, that because the stock is impressed by this Bill it cannot be sold. Surely that is not the case. The stock can be sold as freely as if this Act had not been passed, subject, of course, to its being taken over at such valuation as shall be made by the arbitration. I hesitate to offer any amendment. We have tried to discharge what we consider to be our duty to this Parliament and to the country in devising, not party amendments, not critical amendments for the purpose of obstruction, but amendments which should commend themselves to the judgment of the Government, if, as the leader of the Government stated this afternoon, the Government is really desirous of paying as little as possible for this stock.

Hon. Mr. POWER: In dealing with this question the honourable leader of the Government has shown the astuteness and the capability for executing remarkable intellectual curves which characterize the company with whose stock we are dealing. I hope that association with them has not in any way interfered with his usual integrity and clearness of vision. The honourable gentleman told us, as I understand, that the whole of this stock which will be held by the Government when this Bill goes into operation, is really of no value. It is not a thing that can be quoted on the market; it is a thing of no value. It seems to me, honourable gentlemen, that the leader of the Government has proved a little too much. What does the first clause of the Bill say? It says:

> His Majesty may acquire the six hundred thousand shares of capital stock of the Canadian Northern Railway company (par value, $60,000,000).

Now, if the stock is not worth anything, why should we say that the par value is $60,000,000? Then the Bill goes on to say:

> —on such terms and conditions satisfactory to the Governor in Council as may be set out in an agreement to be made between His Majesty and the owners and pledgees of not less than five-sixths thereof, and for a price to be

determined by arbitration as hereinafter provided.

If the stock is a non-marketable commodity and practically a non-existent commodity, how are the arbitrators going to determine the price? I think that is a conundrum which the honourable gentleman will find it a little difficult to answer. Then, dealing with the 100,000 shares that are transferred by the first clause of the Bill, it says that they shall be paid for pro rata with the shares so transferred. Although the honourable gentleman does not seem to think that the shares are worth anything, the Bill in all its clauses treats them as of value. Of course, deals in these shares can take place and probably are taking place just now. Judging from the extracts which have been read by the honourable the leader of the Opposition from English newspapers, it would appear that transactions have already taken place as a direct result of the proposed action of the Government. The clause which we are dealing with says:

The said arbitrators shall determine the value of the said 600,000 shares as of the date of the said agreement.

In order to remove any doubt, the amendment suggests that we substitute the first day of May, 1917, so that people who do not understand the stock market will not be induced to value it more highly than it should be valued. I fail to see the slightest objection to the amendment which I propose. I quite agree with the two honourable gentlemen on this side of the House that the results of this provision of the Bill may be very serious and may involve a very serious loss to the treasury of Canada.

Hon. W. B. ROSS: I do not agree with my honourable friend from Halifax. The value of the stock of any company depends upon its assets and its liabilities.

Hon. Mr. POWER: Does not the honourable gentleman think that the fact that the Government is taking over the road is a valuable asset?

Hon. W. B. ROSS: It affects the general situation, of course. You cannot do anything without having some result; but the value of the stock depends on its assets and its liabilities. If you go back and fix the date as of the 1st of May, some of the assets of that company may disappear or go bad or, on the other hand, new liabilities may arise between the 1st of May and the date of the agreement. There may be a change in the affairs of the company, and the honourable gentleman will cut the Government out of taking advantage of them. You have to fix some date, and the later you fix that date—

Hon. Mr. CLORAN: The worse for the Government.

Hon. W. B. ROSS: Not at all; the better for the Government. I regard the proposed amendment as a distinct injury to the Bill, and as being entirely against the interests of the people of this country. The confusion, I think, arises from attaching some value to the word "stock" that it has not got. A certificate or stock is no more than the deed to a man's house. The value of the deed depends on the house. If I have shares in a company the value of those shares is not determined by the mere piece of paper with $100 written on it; it depends upon what assets and what liabilities there are in the company. This provision gives the Government an oportunity to take advantage of the changes, and to charge the company with any diminution of assets or any increase of liabilities when they start the arbitration.

Hon. Mr. BELCOURT: I take it that the Government will not accept the amendment.

Hon. Sir JAMES LOUGHEED: No.

Hon. Mr BELCOURT: May I ask if it is still the intention of the Government to set a maximum figure beyond which the arbitrators will not be allowed to go.

Hon. Sir JAMES LOUGHEED: I made that statement the other day.

Hon. Mr. BELCOURT: That holds good.

Hon. Sir JAMES LOUGHEED: That holds good.

Hon. Mr. BELCOURT: If that is so, I take it that we may hope that the amount to be placed as the maximum will be proportionate to the estimate which my honourable friend has just now placed on this stock. My honourable friend has told us that the stock is worth nothing.

Hon. Sir JAMES LOUGHEED: My honourable friend does not do me justice. I said the stock, as stock, was not worth anything. I said it did represent the title of the company, the control of the equity, and the equity may have some value.

Hon. Mr. BELCOURT: I do not intend to misconstrue what my honourable friend has said; but I think it is a very fair inference, from what he has said, that the stock is to-day worthless, and I hope when the Government fixes the maximum beyond which the arbitrators will not be allowed

to go, that that valuation will prevail and that the maximum will be probably a few dollars.

Hon. Sir JAMES LOUGHEED: I shall remember my honourable friend's views.

Hon. Mr. CLORAN: There are lots of people in this country who are ignorant of what is going on to-day, there are many of them, millions of them. What the people of the country want to know to-day is, if by passing this Bill the Government becomes the owner and proprietor of the Canadian Northern railway system and the allied and subsidiary companies. I ask the leader of the Government that question. Does the Government become the proprietor and owner of the whole system?

Some Hon. SENATORS: Question.

Hon. Mr. CLORAN: No answer from the Government. No answer from the Government to a pertinent question. This is not an impertinent question; it is a pertinent one. By this Bill does the Government become the owner and proprietor of the Canadian Northern railway system? No answer from the Government. None.

Hon. Sir JAMES LOUGHEED: The honourable gentleman can judge that from the Bill itself.

Hon. Mr. CLORAN: I want an answer from the Government. There is no answer from the Government, and yet the Government asks us to place this tremendous burden upon the shoulders of the people. No answer from the Government, Mr. Chairman. What do you think of them? I ask a fair question on behalf of 7,000,000 of people of this country. Why does not the Government answer? The Government does not answer the question as to whether it becomes the owner and proprietor of that system of railways, and still the Government is asking the people of Canada to find funds for that company which, as the leader of the Government said, is bankrupt to-day.

Some Hon. SENATORS: Question.

Hon. Mr. CLORAN: Now, Mr. Chairman, I hold, and many of my fellow-citizens think, that we are entitled to all this information; but we cannot get anything out of the Government. I say that if this Bill is passed it will saddle the people of Canada with a tremendous debt and leave the same men in control of this system. Is not that an awful state of affairs? Mackenzie and Mann have done their best. I do not deny it. I am one of the first to acknowledge their ability and cleverness. Their ability is without question. Their cleverness has been too much shown, especially against the interests of this country. Now, Mr. Chairman, what I am asking from the Government is refused. Let it go on the records of this country that a plain question put by a representative of the people was refused an answer by the Government of Canada to-day. I want that to go on record. "Refused an answer." The people who are to pay what this Government is asking them to pay are refused an answer. That is on record. Now, Mr. Chairman, we are not opposed, at least I am not, and many of my friends on this side of the House are not opposed to any fair play or any measure of justice that can be accorded to Mackenzie and Mann; but we are opposed to any measure of injustice against the people of Canada in this transaction. There is the difference. Gentlemen on the other side of the House are in favour of full justice to men, who, apart from Lord Mount Stephen and Lord Strathcona, who built the Canadian Pacific railway, are among the most able men in Canada. I hope the day will not finish before these gentlemen are made barons of the Empire, or something higher. I hold, Mr. Chairman, that we are entitled to this information, but we cannot get it from the Government. Let the Government be responsible. I wash my hands of it.

Hon. Mr. LAVERGNE (translation): As the honourable senator from Victoria has said, the country will lose $60,000,000. This is a robbery. The Government has taken the precaution to gag the representatives of the people in the House of Commons, not allowing them to discuss this nefarious bill for grabbing the money of the country. The Government have acted like bandits in first gagging their victims and then taking their money. The passage of this Bill will be a disaster for the country, and I will certainly vote against it and against tbe clause now under discussion.

Hon. Mr. POWER: I do not rise for the purpose of moving an amendment, but to ask the honourable leader of the Government to throw some light on a point which does not seem perfectly clear. At line 33 it is stated that "the unanimous determination of the arbitrators shall be final." Then, in subsection 3 of section 4 it is stated that "the amount of the value so determined shall be paid out of the Consolidated Revenue Fund." So that the language of the Bill is clear and definite. On Friday last, however, the honourable leader

of the Government, in reply to a question of the honourable gentleman from Hastings (Hon. Mr. Mackenzie Bowell) said that in the agreement a maximum amount to be paid for the stock would be fixed, but that the fixing of that amount would not be taken into consideration by the arbitrators in fixing the value, if any, of the stock to be acquired. Here we have the Bill making a clear and definite statement, and then we have the honourable leader making a verbal statement in direct contradiction of the language of the Bill. I think it is only right that the honourable gentleman should explain.

Hon. Sir JAMES LOUGHEED: I am at a loss to appreciate the point which my honourable friend has made, with all due regard to his question. Explain what?

Hon. Mr. POWER: It is stated in the Bill that the unanimous determination of the arbitrators shall be final

Hon. Sir JAMES LOUGHEED: Yes, that is all right.

Hon. Mr. POWER: And that the amount of the value so determined shall be paid.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. POWER: Then, the honourable gentleman stated on Friday that the Government would fix a maximum amount. But suppose that the arbitrators, under the authority given them in the Bill, should fix the amount higher than the maximum amount named by the Government?

Hon. Sir JAMES LOUGHEED: They will not do that.

Hon. Mr. POWER: Will not the language of the Bill take precedence of the language used by the honourable gentleman?

Hon. Sir JAMES LOUGHEED: No, because in the language of the Bill, whatever the value is will certainly be below the maximum fixed in the agreement for determining the value.

Hon. Mr. BELCOURT: May I ask my honourable friend just what is meant by the words in line 32, "hear parties by counsel or representatives"? Is it intended by the Government to appoint counsel before the arbitrators? Or will the arbitrators be authorized to recognise counsel that may appear there on behalf of the public?

Hon. Sir JAMES LOUGHEED: The parties interested, both parties to the arbitration, namely, the Government and the shareholders, presumably will be represented by counsel. If there are others with claims against the system who have to be examined I presume they will appear by counsel before the arbitrators, who will hear evidence as to all claims that may be sought to be arbitrated.

Hon. Mr. BELCOURT: Then, what is meant by "representative"?

Hon. Sir JAMES LOUGHEED: The representative need not be the counsel. A corporation may appear by an agent representing them.

Hon. Mr. CHOQUETTE: Can the public be represented? Suppose a lawyer appears and asks to show cause why the stock is of no value, say on behalf of ratepayers of Montreal or of Quebec, can a citizen of this country generally have a right to appear before that tribunal?

Hon. Sir JAMES LOUGHEED: I do not know; the arbitrators will determine that.

Hon. Mr. CLORAN: Parliament should define that, not the arbitrators.

Subsection 2 of section 4 was agreed to.

On subsection 3 of section 4—payments out of Consolidated Revenue Fund:

Hon. Mr. WATSON: I wish to offer an amendment to this section, to add the words:

The award shall be subject to the approval of Parliament.

I have paid a good deal of attention to this legislation. I have heard the arguments advanced in this House for and against this Bill, and have also read most of the debates in the House of Commons. I was a little surprised this afternoon at the action of our usually genial leader of the Government in this House in criticising the Opposition very severely for not reading between the covers of the bluebook laid on the table of this House. He rather had the advantage of the members in that little controversy, as he had not only a brief prepared for him, but I suppose had the bluebook as well as the gentleman behind the bar, whom he consulted very frequently. That being the case, I think he ought to allow a little latitude to members on this side of the House when they want a little information in regard to this Bill. A great many suggestions have been offered in all sincerity by the members of this House in an attempt to make the Bill more perfect, and not one of those suggestions has been seriously considered by gentlemen on the other side of the House. Last night, when a gentleman on this side sug-

gested that a certain amendment be made and asked whether the Government would consider it or not, the answer was that it would likely be number 3347. That was the answer one of the gentlemen sitting behind the honourable leader—not a very complimentary answer, for they voted as if they were used as rubber stamps by the leader of the Government to record their vote. I do not think it was very complimentary to the Government's followers.

Some Hon. SENATORS: Order; withdraw.

Hon. Mr. McMEANS: I do not think the honourable gentleman has any right to characterize the members on this side as rubber stamps. If anybody in this Senate is to be characterized as a rubber stamp, it would be the honourable gentleman who is on his feet at the present time.

Hon. Mr. WATSON: I have been in this Senate for some eighteen years, and I think that any honourable gentleman who has the same standing in the Senate after eighteen years may be able to compliment himself.

Hon. Mr. McMEANS: The honourable gentleman also has a record as Minister of Public Works in the Province of Manitoba. Perhaps he will not refer to that.

Hon. Mr. WATSON: My record in public works in Manitoba was a good deal better than that of the Minister of Public Works whom the honourable gentleman supported in the legislature. This Bill affects the province of Manitoba and the Northwest Territories, Alberta, Saskatchewan, and British Columbia, more than it does the East, and it involves the principle of government ownership, which should be very carefully considered. There is a very strong sentiment in the Northwest in favour of government ownership; but the people there should be consulted before a policy of that kind is adopted by the Dominion Government, especially with such a railway as the Canadian Northern, which serves so much of the territory of the Northwest. The year 1896 was the first year of the Canadian Northern railway, and it has just reached its majority, and now, as one of the proprietors told me the other day, he was down at Ottawa to attend the funeral of the Canadian Northern railway. Why should that railway be put out of existence at the present time? In my judgment, the Canadian Northern is one of the best organizations in the Dominion of Canada; I think I can defy contradiction on that point. Sir William Mackenzie has the faculty of bringing about him the best possible men he can have to attend to that particular kind of business. I will name three executives, whom I have known intimately since the inception of that road, and they have been with it practically ever since. The first is Vice-President Hanna, who was taken over from the Manitoba and Northwestern railway at the inception of the Canadian Northern. As he tells us himself, he and nine men and a boy formed the total staff of the Canadian Northern and operated that railway the first year of its inception. At that time the construction of that road was guaranteed by the Manitoba Government to the extent of $8,000 per mile. And the very first year of its operation it paid its interest. The next gentleman, who has been with the road almost from its inception, was taken from the Canadian Pacific railway, and is one of the best traffic men in Canada; I refer to Mr. Shaw. The next man I shall mention is Mr. McLeod, the general manager, one of the highest class engineers in Canada, and he has proved himself a first-class general manager of that road. We were told to-day that this road was built for about one-half the cost of the Transcontinental, and I think my friend would agree to add the Canadian Pacific railway. I have no hesitation in saying that there is no transcontinental railway in Canada that has as good producing territory as the Canadian Northern. It occupies a territory between the open plains, sometimes called arid, and the timber country, and it matters not whether the season is dry or wet, that country pays. It is a country peculiarly adapted for mixed traffic. Hardly a farmer on that line can boast more than half a section; most of the farms are quarter-sections, 160 acres; hence the settlements are dense and pay well. That being the case, why does not that road pay, with all its favourable conditions? I think it is on account of the fact that the Canadian Northern, or rather Messrs. Mackenzie and Mann, and probably Sir William Mackenzie rather than Mr. Mann——

Hon. Mr. SHARPE: I would like to raise a point of order. This speech would be quite in order on the second reading of the Bill, but it is out of order on this section. I would like the Chairman's ruling.

Hon. Mr. CLORAN: Any fool can get up and raise a point of order.

The CHAIRMAN: The amendment is: "The award shall be subject to the approval of Parliament." My honourable friend will try to confine himself to the point.

Hon. Mr. WATSON: The western country has not to-day full representation in the House of Commons. It has four representatives in the Senate, because they are appointed. I hope that what I am saying to-day will reach the western country. I say that one of the reasons why this Bill is here is because less men have gone out of the field of railroading and into other enterprises. It seems to me that if I make a point there, I am arguing the very question before this Parliament to-day, as to why this company is insolvent—why it is here and cannot pay its debts. You can hardly name any kind of enterprise in Canada with which Sir William Mackenzie has not been connected—the Toronto Street railway, the Winnipeg Street railway——

Hon. Mr. SHARPE: Mr. Chairman, I object to this entirely. As whip of the Opposition in this House, the honourable member knows just as well as anybody in the House that he is absolutely out of order, and I ask for your ruling if these matters can be discussed on subsection 3.

Hon. Mr. DANDURAND: I would draw the attention of the honourable member, who has been sitting for some time in the other House, to the fact that the rules of debate are far less stringent in this Chamber and that far greater latitude is given to the members here. We generally address ourselves to the question, and not to our electors, since we have none. Our debates are short; we do not prepare essays independent of what has been said before; we simply generally answer the arguments that have just been made; and for many years since I have been here we have gone on without members being called strictly to the observance of the rules. Sitting in front of my honourable friend is one of the veterans, whom we all admire and respect and love, Sir Mackenzie Bowell, and he could say that ever since he has been in this Chamber we have proceeded, although having our rules for debate and discussion, with far greater latitude than is allowed in the House of Commons.

Hon. Sir MACKENZIE BOWELL: I must confess that I am quite in accord with the honourable gentleman's remarks that we have paid very little attention to rules of order in this House. We have acted more like the ordinary electioneering boors in a bar-room than we have in accord with the dignity of the Senate Chamber of Canada. No one knows better than my honourable friend that, so far as rules are concerned, we have paid no attention to them; not only that, but we have allowed members to go on in the most flagrant manner. For example, to-day every single member has been quoting the actions of the House of Commons. My honourable friend knows very well that we have no right in this House to refer to and comment on the actions of members of the House of Commons, nor has the House of Commons, under the rules of Parliament, both in England and in this country, the right to refer to and comment on the actions of members of the Senate. And yet we are doing it all the time, and the sooner we put a stop to it and adopt a system more dignified, such as used to characterize this Senate some twenty or thirty years ago, the better for us. The rule of debate is so plain that the newest member, if he reads it once, will understand it. In Committee of the Whole we have no right to discuss the general principle of a Bill. Permission to do so may be given before the Bill is referred to the committee. The principle of a Bill may be discussed and affirmed or rejected on the second reading. We are violating that rule all the time. We have had an instance of it here to-day when the Chairman had to rule out a motion which was offered by one of the most eloquent and most active members of the Senate. My honourable friend (Hon. Mr. Dandurand) appealed to me. You will excuse me for saying it, but I have remarked to a number of members of the Senate, particularly the older members, the difference there is in the dignity, behaviour and decorum of the Senate at the present time as compared with the time when I entered the Senate, many years ago. The sooner we return to our old habits and practices the more credit it will be to the honourable members of this House.

Hon. Mr. SHARPE: Mr. Chairman, I ask for your ruling.

The CHAIRMAN: Since objection has been taken, I shall have to ask the honourable gentleman who is addressing the House (Hon. Mr. Watson) to confine his remarks to the clause, and I am sure my honourable friend will do so.

Hon. Mr. WATSON: I have been doing that, and cannot conceive how I can pos-

sibly do it more closely. My motion is that the findings of the arbitration should be referred for concurrence to the Parliament of Canada, and it seems to me that in showing reasons why that should be done I am dealing with the question before the House. I am rather surprised that the honourable gentleman should have taken this particular occasion to advocate a stricter adherence to the rules of the House, because I am not in the habit of being unruly in this Chamber and this is, I think, the first time I have been called to order. However, I congratulate myself that the honourable gentlemen who are raising the point of order have not been very long in this House.

I was enumerating some of the businesses which I believe to be the cause of the present bankrupt condition of the Canadian Northern I believe it is due to their outside relations. I believe that if Messrs. Mackenzie and Mann and the Canadian Northern had confined themselves to the railroad between the head of lake Superior and the Rocky mountains, the Canadian Northern would be today one of the richest corporations in the Dominion of Canada; but they reached out too far. They have invested a great deal of money, which must have gone somewhere. I know they have received enormous amounts of money from Provincial governments from the Atlantic to the Pacific, and from the Dominion Government. They have received more money, I think, than they have ever put into the railroad. I think some of it must have been put into these various enterprises; and I was naming some of the enterprises in which I know they are interested. I think I referred to the Toronto and Winnipeg street railways. They are interested in the development of power, the Toronto Foundry, the General Electric, coal mining, lumbering, acetylene carbide, which Sir William Mackenzie has controlled for a number of years, whale fishing, and fishing for subsidies. I may say that in fishing for subsidies they baited their hook for both political parties and have had the confidence apparently of both in getting subsidies.

Hon. Mr. SHARPE: Mr. Chairman, I would ask if this has anything to do with section 3.

The CHAIRMAN: I expect the cooperation of the members of the Senate. I am a new member myself. I shall have to ask the honourable gentleman (Hon. Mr. Watson) to confine his remarks to his own motion, the motion being that the award shall be subject to the approval of Parliament. I think my honourable friend would be justified in——

Hon. Mr. WATSON: In giving the reasons——

The CHAIRMAN:—in giving reasons why the award should be subject to the approval of Parliament. I do not think my honourable friend would be justified in enumerating all the transactions of the Canadian Northern Railway company.

Hon. Mr. LANDRY: I think the honourable gentleman who has been speaking——

Hon. Mr. WATSON: I am nearly done.

Hon. Mr. LANDRY: At all events, if the honourable gentleman cannot proceed further, he might keep his speech for the third reading. At the third reading he has a perfect right to refer to the principle of the Bill.

Hon. Mr. CROSBY: That is right.

Hon. Mr. CLORAN: Give us the light now.

Hon. Mr. WATSON: I have finished the enumeration. Now, there is a point which bears directly upon the motion I have made. The western provinces are unrepresented in Parliament to-day. For the past two or three years there have been 23 additional parliamentary representatives due to the western provinces, and they have not got them. There are also three vacancies, two for Manitoba and one for Saskatchewan. Consequently there are 26 seats that should be filled by representatives of the western provinces. I say it is unfair to deal with a matter of such great importance to the Northwest without its having a full representation in Parliament, and for that reason I say that the report of any arbitration that is made ought to be submitted to Parliament when the people of the West will be properly represented in Parliament. Now, I am not going to take much time——

Hon. Mr. CLORAN: Take all the time you want.

Hon. Mr. WATSON: No, I do not want to take up any more time. I have tried to confine my remarks to this one point. I preferred to submit this amendment in Committee, in order that the Government might have an opporunity of considering it. I think if they consider it fairly, they will give the western provinces the opportunity to be fully represented when the entirely

new policy of government ownership of railways is being decided upon.

I am not here to criticise Mackenzie and Mann. They are enterprising men; I wish we had more men of that description in Canada; but I do not see that they have acted wisely in the spending of the money. I believe they have entered into too many enterprises. As I said before, if they had confined themselves to a railroad from the head of lake Superior to the Rocky mountains, they would be one of the richest firms in Canada to-day and would not be here seeking assistance.

I have nothing more to say. I am satisfied that I have not irritated very many members of the Senate by my remarks. Some honourable gentlemen from the West do not appear to appreciate them, but so far as I am concerned, my conscience is perfectly clear. I feel that I have at least done my duty in bringing this matter before the Senate and before the Government, and I trust the Government will give it some consideration.

I think that some of the amendments which have been suggested by the Opposition should be carefully considered by the Senate. My honourable friend from Halifax (Hon. Mr. Power), I think, moved an important amendment, which ought to be given very careful consideration. I do not think we have money to throw away. We are undertaking an enormous liability on behalf of this Dominion of Canada at this particular time. So far as I am personally concerned, I would say to the Government, give Mackenzie and Mann some aid to tide them over their difficulties temporarily, because I am satisfied that they could settle with their creditors for a much lower sum than the Government could do. I think the present proposition is a most extravagant one to introduce under the present circumstances, when money is so scarce. We are going to encourage all who have a chance to put in a claim to come before the Dominion Government and demand payment. And no doubt they will get it. So I believe it would be better in the interests of the Dominion of Canada to-day to give Messrs. Mackenzie and Mann some consideration, sufficient to tide them over for two or three years, until after this war is over and we can square up, than to undertake this legislation at the present time.

The amendment of Hon. Mr. Watson was negatived.

Section 3 was agreed to.

The Bill was reported without amendment.

CORRECTNESS OF THE MINUTES.

The Hon. the SPEAKER: Honourable gentlemen, before proceeding to the next order of business, I would ask the permission of the House to make a correction in a statement which I made this afternoon, when the honourable member for Stadacona (Hon. Mr. Landry) raised the point that the objection made by the honourable gentleman from Victoria division (Hon. Mr. Cloran) yesterday was not entered in the Minutes of the House. I was then under the impression that the honourable member for Victoria had made a formal motion, which is the only way to call the attention of the House to the votes of members who are alleged to have a pecuniary interest in a question before the House. In fairness to the Clerk of the House I must say that he was perfectly in order in not mentioning in the Minutes the objection made by the honourable member for Victoria division. I see in Bourinot at page 183:

> In recording the minutes, the clerk must always wait for the directions of the Speaker. Consequently the clerk cannot record any motion until it is formally proposed from the Chair.

I find also that Hatsell says:

> The rule is to wait for the directions of the Speaker, and not to look upon the call of one member, or any number of members, as the directions of the house, unless they are conveyed to the clerk through the usual and only channel by which he can receive them.

I find also in Bourinot, Third Edition, page 511:

> An objection to a vote on the ground of personal interest cannot be raised except upon a substantive motion that the vote given be disallowed, and cannot be brought forward as a point of order.

So I believe that our Clerk was perfectly right in not mentioning the subject.

Hon. Mr. LANDRY: I do not want to discuss the point of order at all. I think it is a correct one. I want only to call the attention of this House to the fact that the House has not reversed its decision, but His Honour the Speaker has reversed his.

Mon. Mr. CLORAN: What is it?

The Hon. the SPEAKER: I stated that the clerk was correct.

Hon. Mr. CLORAN: Do I understand that according to the Speaker's decision I should have made a motion? If that is his decision, then it is open to me to make a motion. I shall do so at the first opportunity available. I thought that under

rule 53 all I had to do was to call the attention of the House. That was my impression. I was wrongly impressed. The Speaker tells me I should have made a substantive motion. I accept the ruling of the Chair, and I can assure this honourable House that at the first opportunity I will make a motion.

MILITARY VOTERS' BILL.

SECOND READING.

The Senate resumed from September 10 the adjourned debate on the motion of Hon. Sir James Lougheed that Bill 127, the Military Voters' Act, 1917, be now read a second time.

Hon. HEWITT BOSTOCK: Honourable gentlemen, I have not had an opportunity of perusing the statement of the honourable leader of the Government (Hon. Sir James Lougheed), made last night, as for some reason the official report of the debates of yesterday has not been received; so I cannot deal with his statement as fully as I should like to do. The Act which is now before us is one which affects the members of the other Chamber much more than it does honourable gentlemen in this House, but for that very reason the members of this House are, I think, in a position to give to a Bill of this nature a consideration which is free from prejudices that might arise when honourable gentlemen in another place were discussing it. The Bill is not altogether new to us, inasmuch as a Bill of a similar nature was before us in the year 1915, when the Parliament of Canada first adopted the principle of giving votes to men who were on military service for their country. This Bill has in it many clauses which will require a great deal of consideration, and we can, no doubt, deal with it much better in Committee than at the present stage; but I think it only right to point out that there are certain questions in connection with the Bill which deserve particular consideration.

In the first place, I would refer to a statement which was made by the Prime Minister a few months ago with respect to the question of soldiers voting. He then took the stand that it was very difficult indeed to take the soldiers' vote, and cast cold water on the idea of attempting to take a soldiers' vote in Europe; but since that time he has apparently changed his mind, and as a result the Government have brought in this Bill which, I understand, is for the purpose of enabling them to deal with the question more easily and under better arrangements than were provided in the Bill which we passed in 1915.

The taking of a soldiers' vote has been dealt with by some of the provinces since we passed the former Bill. And I must say that the taking of the soldiers' vote under the Act passed in the province from which I come was not a very great success. Under that Act we found a considerable amount of difficulty. There was a great deal of discussion, and a great deal of fault was found with the way in which the vote was taken. It may have been due to the fact that much time was allowed to elapse from the commencement of the taking of the vote until its termination. The results obtained in the working out of the Act, I think it may be said, were very unsatisfactory. It led to a Commission being appointed and sent to England to inquire into alleged irregularities in taking the vote. The result was that when the Commission returned to British Columbia they struck off the register between 3,000 and 4,000 votes that were cast, not in connection with the vote on an election but in connection with the question as to whether a Prohibition Bill should pass in the province of British Columbia.

I think that honourable gentlemen will agree that the question as to whether a certain law should be placed on the statute book subject to a referendum, would not create the same excitement, or should not necessitate the same restrictions that would be necessary in the case of an election, when very often party feeling runs high and people sometimes consider that they are justified in doing things that they would not otherwise do. In this particular case there was a great deal of dissatisfaction as to the way in which the vote was recorded, and as I have said, the result was that a large number of votes were thrown out when the matter was inquired into. I mention this to show the necessity of looking very carefully into this Act to see that every possible safeguard is provided that the vote shall be properly and straightforwardly recorded and that there shall be no opportunity for such occurrences as happened in the case which I have mentioned, when men were allowed to vote several times over in certain places.

I do not see any provision in the Bill whereby soldiers who have joined the Canadian forces and who were afterwards transferred to the British forces can vote. As I understand the Bill all the men who joined the Canadian forces in this country and

afterwards proceeded to England and joined the British forces will be unable to vote.

Hon. Sir JAMES LOUGHEED: I think my honourable friend is mistaken. The Bill takes in all persons, male and female, who are serving in Britain, North America, or Europe.

Hon. Mr. BOSTOCK: It includes all Canadians?

Hon. Sir JAMES LOUGHEED: So I am informed. If my honourable friend will look at line 10 on the second page of the Bill he will see:

> Every person, male or female, who, being a British subject ordinarily resident in Canada, whether or not a minor or an Indian, is on active service in Europe in any other of the forces or services, military or naval, of His Majesty or of His allies.

Hon. Mr. BOSTOCK: That is the interpretation clause dealing with who is a military elector.

Hon. Sir JAMES LOUGHEED: I presume that will cover who the electors are.

Hon. Mr. BOSTOCK: Will it enable men to vote who are at present in British regiments?

Hon. Sir JAMES LOUGHEED: If they can get to a voting place, yes. Details of that kind are very difficult to go into.

Hon. Mr. BOSTOCK: Of course, we will take them up in Committee. I think that subsection 4 of section 3 will require a great deal of consideration. Subsection 1 of section 3 says:

> Every military elector shall be qualified and entitled to vote at a general election.

Subsection 4 of section 3 says:

> If he cannot, because of non-residence or otherwise, so state or specify, he shall be deemed an elector of, and his vote shall be applied to, such electoral district as he may indicate.

That leaves it open to the elector to say in what particular part of Canada he wishes to have his vote recorded. I think that a man who has just come to this country to be enrolled, and who has probably remained here a very short time, knows next to nothing about Canada or the condition of things in Canada, and he will have a very slight knowledge of any of the candidates who are standing in the different constituencies. It will be very difficult for him to say where he wishes to have his vote recorded. These men will very often submit their judgment to the recommendation or suggestion of someone who might possibly have a better knowledge of the country and of the different candidates. I think that when we come to that section we shall have to consider this question very carefully. If I interpret it correctly, it leaves the door open to very serious trouble. I think that we can probably discuss the other sections of the Bill very much better in Committee than at the present time. I therefore do not propose to take up the time of the House except to refer to the case of presiding officers. The deputy presiding officers, who, I understand, are the men who will take the vote in France and England, will be provided with a locked bag for the purpose of taking the vote. If I am not mistaken these men will be in a position to take the vote at places where there may be very few electors, or practically no one to assist in the taking of the vote. I understand that each deputy presiding officer will have a clerk with him, and that these two men will go to the places appointed to them. It is going to be difficult for the scrutineers to follow up the deputy presiding officer, who, I understand, will be travelling from one place to another. When we reach the Committee stage we shall be better able to consider just what danger there is of any irregularity occurring in connection with handling of the vote in this regard. I do not purpose discussing the measure further at the present time.

Hon. Mr. BEIQUE: Honourable gentlemen, I wish to call attention to two points in connection with this Bill which I believe are of considerable importance. In my opinion some of the provisions of the Bill are ultra vires of this Parliament, and in violation of the Constitution. Before taking up that point, I desire to call the attention of the House to the last line of section 1 of the Bill. Section 1 says:

> This part of this Act shall apply only to a general election held during the present war or after the conclusion of peace, but before complete demobilization.

Of course, the Conservative party is now in power, but we are on the eve of a general election, and the Conservative party may be continued in power or the Liberal party may come into power. I think that both parties are interested in closing the door to any abuse being made of a bill of this kind. I call the attention of this honourable House to the fact that it would be very easy for a Government, whether Conservative or Liberal, to continue this Act in operation by delaying the demobilization of part of the

forces. Therefore, I think that when we deal with this Bill in Committee we should agree to fix a date, after the conclusion of peace to discontinue the Act. The main point to which I desire to direct attention is the fact that this Bill qualifies persons as voters who are not resident in this country and who have never been residents of this country. I will try to show that this is a violation of the Constitution. The definition which is to be found in paragraph c of section 2 says:

"Military elector" means and includes every person, male or female, who, being a British subject, whether or not ordinarily resident in Canada and whether or not an Indian, has been, while within or without Canada, appointed, enlisted, enrolled or called out for and placed on active service as one of the Canadian Expeditionary Force, the Royal Canadian Navy, the Canadian Militia on active service, or the Royal Naval Canadian Volunteer Reserve, or has been, while within Canada, appointed, enlisted, or enrolled as one of the British Royal Flying Corps, Royal Naval Aviation Service, or Auxiliary Motor Boat Patrol Service, whether as officer, soldier, sailor, dentist, nurse, aviator, mechanician or otherwise, and who remains one of any such forces or services or has been honourably discharged therefrom, and every person, male or female, who, being a British subject ordinarily resident in Canada, whether or not a minor or an Indian, is on active service in Europe in any other of the forces or services, military or naval, of His Majesty or of His allies.

The only qualification is that a person be enlisted, whether in service or not, and that he be a British subject; therefore the qualification applies to a person who has not resided in Canada at all. This provision might as well embrace the whole population of the British Isles, or of any part of the British Empire. If Parliament can make voters of people such as are defined in this paragraph of section 2, it would be open to Parliament to qualify, as voters in this country, the whole British army and the whole British population all over the world, and it would be possible to qualify any person, whatever might be the residence of that person.

Hon. Mr. TANNER: Does the honourable gentleman understand that residence is an essential qualification for voting in all the provinces?

Hon. Mr. BEIQUE: Yes.

Hon. Mr. TANNER: The honourable gentleman's understanding is incorrect. In Nova Scotia residence is not necessary.

Hon. Mr. BEIQUE: If the honourable gentleman takes the trouble to hear the point which I propose to make, he will understand the distinction between the Constitution of Canada and the Constitution of any of the provinces.

Hon. Mr. TANNER: I merely wished to tell my honourable friend that there might be 10,000 people who never resided in Nova Scotia but who might be qualified to vote there.

Hon. Mr. BEIQUE: There is no question that in any of the provinces of Canada it would be open to qualify any person as a voter. They may not be residents at all. The legislature is the absolute master of the subject under the Constitution, in fact, the legislature may change its constitution; but Parliament cannot change its constitution. Of course, all members of this House are aware and realize that by virtue of the Canadian Constitution we are under a federal system. It is a kind of partnership between the different provinces, which form one Parliament, the House of Commons and the Senate of Canada. I desire to call attention to the following sections of the Constitution. Section 8 says:

In the general census of the population of Canada which is hereby required to be taken in the year one thousand eight hundred and seventy-one, and in every tenth year thereafter, the respective populations of the four provinces shall be distinguished.

I draw your attention to the wording "the general census of the population of Canada." That is not the population of any other part of the world. Then, section 37 deals with the House of Commons:

The House of Commons shall, subject to the provisions of this Act, consist of one hundred and eighty-one members, of whom eighty-two shall be elected for Ontario, sixty-five for Quebec, nineteen for Nova Scotia, and fifteen for New Brunswick.

Then section 40:

Until the Parliament of Canada otherwise provides, Ontario, Quebec, Nova Scotia and New Brunswick shall for the purposes of the election of members to serve in the House of Commons, be divided into Electoral Districts as follows:

And then follow the divisions in different provinces:

Quebec shall be divided into sixty-five electoral districts, composed of the sixty-five Electoral Divisions into which lower Canada is at the passing of this Act divided under chapter two of the Consolidated Statutes of Canada, chapter seventy-five of the Consolidated Statutes of Lower Canada, and the Act of the Province of Canada of the twenty-third year of the Queen, chapter one, or any other Act amending the same in force at the Union, so that each electoral division shall be for the purposes of this Act an Electoral District entitled to return one member.

Then the Constitution proceeds with Nova Scotia and New Brunswick. Under this part of the Constitution, the House of Commons was composed of 181 members, with 65 in Quebec; and it is provided by the part of the statute which I have read that the membership of Quebec is the standard, which cannot be increased or decreased. The numbers to be elected in the other provinces are based upon the population of Quebec as compared with the population of each of the other provinces. Therefore it would not be open to Quebec to qualify as voters persons who would not form part of the population of Quebec. Doing that would be decreasing the representation of the other provinces. Surely it would not be open to this Parliament to permit of people in the United States or British subjects outside of Canada to be treated and counted as forming part of the population of Quebec. The necessary qualification for the vote is that the person must form part of the population, be a resident of the province.

Hon. Sir JAMES LOUGHEED: But it does not increase the representation.

Hon. Mr. BEIQUE: The representation is based upon the census, which has to be taken every ten years. Representation in every province is based on population; therefore you cannot increase the population at the will of this Parliament. You are restricted by the Constitution, by virtue of each province the electors must be residents of that province. Now, this Bill goes still further, and let me show how unconstitutional is the procedure. When we come to subsections 4 and 5 of section 3 what do we find? I will read the whole section:

3. (1) Every military elector shall be qualified and entitled to vote at a general election.

(2) If he can state the electoral district wherein he last continuously resided during at least four months of the twelve months immediately preceding his appointment, enlistment, enrolment or calling out on active service, or so particularly specify a place or places within an electoral district whereat during such period of time he so resided that such electoral disttrict can therefrom be ascertained he shall be deemed an elector of the electoral district so stated or to be ascertained, and his vote shall be applied thereto.

I do not take exception to subsection 2. Then number 3 reads:

(3) If he cannot state or so specify an electoral district or place wherein he has so resided for the time and within the period mentioned in subsection two but can state an electoral district or so specify a place within Canada wherein he has at any other time resided, he shall be deemed an elector of the electoral district so stated or made ascertainable and his vote shall be applied thereto.

Again the qualification, that he has been a resident for at least four months. I do not take exception to this paragraph, but I take exception to number 4:

(4) If he cannot, because of non-residence or otherwise, so state or specify, he shall be deemed an elector of, and his vote shall be applied to, such electoral district as he may indicate.

(5) No person shall be entitled, because of anything in this Part contained, to vote more than once at any election

Under subsection 4, he is not required to have been a resident of any district, therefore not a resident of any part of Canada, and he may vote for any district. He may vote for the province of Quebec, and thereby increase, so to speak, the population of Quebec for the purpose of representation by fifteen, twenty, fifty, one hundred thousand persons, and increase the quantum represented by each member of the province of Quebec and thereby decrease the representation in all the other provinces. Surely that cannot be done. If it can be done for a British subject, it can be done for an American or anybody else. I submit that that is clearly a violation of the powers of this Parliament and of the Constitution. I repeat, we are under a written Constitution; we must remain within the four corners of the Constitution; it is a federation, a kind of partnership between the different provinces, and the representation of each province is based on the number of population of such province. The population in one province for the purpose of representation cannot be used from one province to another, and the population outside of the Dominion cannot be imported for the purpose of representation, into this country. I therefore hope that the honourable leader of the Government will give his serious consideration to that part of the Bill, and be prepared to alter it accordingly.

Another point, of minor importance, is this, that under this Act provision is made for the taking of the vote of military electors within or without Canada within the twenty-eight days following the nomination. There is a provision calling upon the electoral officers to post up the names of the candidates in the camp or wherever the voters may be. But under the first subsection of section 8 it would be open to allow the electors to vote the very day after the nomination, and therefore before

the names of the candidates have been posted and made known to the electors. That might lead to very serious trouble and abuse, because parties who would desire to take advantage of the Bill might on the very day after the nomination day, and before the names of all the candidates are made known by the proper officer, to induce the electors to vote for one of the candidates. They may be told that the candidate is so-and-so, or that there is only one candidate, and they might be asked to register their votes, and the votes would be perfectly legal although given in ignorance of other candidates at the time.

Hon. Sir JAMES LOUGHEED: When do I understand my honourable friend to say that polling may take place?

Hon. Mr. BEIQUE: On the following day.

Hon. Sir JAMES LOUGHEED: So that no polling shall take place before the day following the nomination.

Hon. Mr. BEIQUE: That is too soon. I think it should be, not before the names of the candidates have been posted, or so many days after the nomination.

I omitted to refer to two other sections which have some bearing on the point, sections 51 and 52 of the British North America Act. Section 51 reads:

On the completion of the Census in the year one thousand eight hundred and seventy-one, and of each subsequent decennial Census, the representation of the four Provinces shall be readjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following Rules:—

(1) Quebec shall have the fixed number of sixty-five members:

(2) There shall be assigned to each of the other Provinces such a number of members as will bear the same proportion to the number of its population (ascertained at such Census) as he number sixty-five hears to the number of the population of Quebec (so ascertained):

(4) On any such re-adjustment the number of members for a Province shall not be reduced unless the proportion which the number of the population of the Province bore to the number of the aggregate population of Canada at the then last preceding re-adjustment of the number of members for the Province is ascertained at the then latest Census to be diminished by one-twentieth part or upwards:

(5) Such re-adjustment shall not take effect until the termination of the then existing Parliament.

52. The number of the members of the House of Commons may be from time to time increased by the Parliament of Canada, provided the proportionate representation of the Provinces prescribed by this Act is not thereby disturbed.

Hon. Mr. DANIEL: The statement by the honourable member for De Salaberry (Hon. Mr. Béique) to which I wish to call the attention of the Senate, is to the effect that under section 3 the whole British army might be made electors of Canada. I cannot see where the honourable member finds any reason to make that statement with reference to section 3.

Hon. Mr. BEIQUE: The honourable gentleman did not understand me. I say that if we go to the extent allowed by this Bill, in the section to which I referred, it could be extended so as to cover all British subjects in the British Isles.

Hon. Mr. DANIEL: I entirely disagree with the honourable gentleman, because there is nothing in this section that I can see that would bear out any such contention. In paragraph c the honourable gentleman will find that military electors are divided into three classes. The elector in the first of these classes whether or not ordinarily resident in Canada, must be a British subject and must be a member of the Canadian Expeditionary Force. The next class includes those who have been " while within Canada, appointed, enlisted or enrolled as one of the British Royal Flying Corps, Royal Naval Aviation Service, or Auxiliary Motor Boat Patrol Service." Then there is the third class:

Every person, male or female, who, being a British subject ordinarily resident in Canada, whether or not a minor or an Indian, is on active service in Europe in any other of the forces or services, military or naval, of His Majesty or of his allies.

Hon. Mr. CASGRAIN: Go on. That is not the clause.

Hon. Mr. DANIEL: The second or intermediate class must be enlisted in Canada. They are practically residents. The first class may be resident in Canada or not, but they must be members of the Canadian Expeditionary Force.

Hon. Mr. CLORAN: Residents or not.

Hon. Mr. DANIEL: It appears to me that if they are members of the Canadian Expeditionary Force they are good enough citizens for us to recognize and to give the vote to them.

Hon Mr. CLORAN: No.

Hon. Mr. DANIEL: I cannot for the life of me see where the honourable gentleman (Hon. Mr. Béique) has the reason of right to make the statement that under that clause we could give the vote to any part of His Majesty's army.

Hon. Mr. DANDURAND: Honourable gentlemen, it is obvious that under that

section containing a definition of "military elector" recruits from the British Isles who join the Canadian Expeditionary Force, the Royal Canadian Navy, the Canadian Militia on active service, or the Royal Naval Canadian Volunteer Reserve would become ipso facto electors of Canada.

Hon. Mr. DANIEL: Yes, but they must be members of the Expeditionary Force.

Hon. Mr. DANDURAND: They must, but does not my honourable friend think that it would be going far to get electors for Canada, when these same persons were already electors elsewhere—In their own country?

Hon. Mr. DANIEL: I think that if they are good enough to fight for us they are good enough to vote.

Hon. Mr. BEIQUE: I am not taking exception to the Bill because it would not be advisable to enroll them as voters, but because I claim that we have not the right to do so. That is the only point I raise.

Hon. Mr. DANDURAND: I am following my honourable friend from St. John (Hon. Mr. Daniel), and I say that my honourable friend is labouring under a misapprehension when he thinks that those recruits who happen to be in the Canadian Expeditionary Force and fighting in France would be entitled to a vote in Canada because they are defending Canada. Surely my honourable friend realizes that in defending Great Britain and the whole Empire, they are doing so not because they happen to be in our Naval Forces, our Canadian Expeditionary Force, or the Aviation or Flying Corps. They may have joined our Canadian Expeditionary Force in order to get better pay. Should they for the reason that they have crossed from Great Britain to Flanders be entitled to vote in Canada? They have seen nothing of this country. They are electors in their own country. Why should they have a second vote here? By what principle should those persons who are British electors in their own land be made Canadian electors?

Hon. Mr. DANIEL: They may not be British at all.

Hon. Mr. CLORAN: All the worse.

Hon. Mr. DANDURAND: I am speaking of British subjects, because under this, as my honourable friend will see, only British subjects can vote in Canada. Consequently I say it is a wrong principle to declare that a British subject, because he has enlisted in the Canadian Expeditionary Force should by that fact alone be made an elector of Canada. I do not know how many there are in the Canadian Forces, but there may be 5,000 or 10,000 British subjects who have never seen Canada, who have crossed the Atlantic from Great Britain to the United States. They have been enlisted in the United States and been taken overseas, or have joined the Naval Service and gone on board a steamer at Portland or New York. There may be some who have gone overseas from Newfoundland or who went from Newfoundland to the United States and enlisted there. We know there are thousands of Newfoundlanders who have never set foot on Canadian soil. The bill provides that such persons, even though they have never set foot on Canadian soil, but because they are members of the Canadian Expeditionary Forces, have a right to vote in Canada. Newfoundlanders who have enlisted in the United States may have a vote in Newfoundland. Britishers may have decided to join our forces because that was the easiest way for them to return and fight for their country—for Great Britain. They are likewise fighting for Canada, because it is part of the British Empire, but my honourable friend and many others are under a delusion if they think that these men are fighting for the love of Canada. Surely the men from Newfoundland or from Great Britain are fighting primarily for their own homes and for the Empire at large. But why make them Canadian electors when they are already electors in Newfoundland or Great Britain?

Hon. Mr. CLORAN: Or in the United States.

Hon. Mr. DANDURAND: Our own Canadians who are to-day in Great Britain and not made British electors because in fighting for the Empire they are at the same time fighting for Great Britain.

Hon. Mr. DANIEL: Do not omit France.

Hon. Mr. DANDURAND: But is France giving the right to vote to the members of our Canadian forces who are defending her soil? Are the French people giving a right to vote to the Belgians, the British, the Portuguese and the members of the Russian Expeditionary Force who are on their soil—because they happen to be in France?— It is preposterous. Has Great Britain placed on her voters' lists the Canadian soldiers who have now been over-

seas for a year, who may be there longer, perhaps until the end of the war, who have gone to the defence of Great Britain as well as Canada—Great Britain rather, because Great Britain is the more exposed? I put the question to my honourable friend.

Hon. Mr. DANIEL: I do not see what that has to do with the matter. It is not what Great Britain has done or is going to do; it is not what France or any other country has done. The question before us is what we think ought to be done in Canada.

Hon. Mr. DANDURAND: And that is why my honourable friend will allow me to tell him what I think. I will listen to him stating his own views, provided he will kindly consent to allow me to express mine. There are other objections to giving the vote to British subjects who have lived in the United States but have never been in Canada, and who may have votes in their own land. There is an objection in the fact that they are unable to select a riding in which to cast their vote. What does this Act say? They may elect to poll their vote in any one of the 235 ridings which we shall have at the next elections. What will be the effect of that choice which is given them? There are in all of the provinces a certain number of ridings where the vote between the two parties is very close. Lists will be made up in each province by the two organizations, Liberal and Conservative, of all the close counties. Friends will be found within the Expeditionary Forces who will have those lists of close counties, and American citizens or British subjects hailing from the United States, will be chased for their vote by the friends of both parties and asked to poll their vote in one of those close ridings. That is what will take place throughout Flanders and France. I wonder if that is proper, if it is decent even.

Hon. Mr. CLORAN: It is not.

Hon. Mr. DANDURAND: Should we sanction or allow such a state of affairs? There are, I suppose, among the 350,000 soldiers overseas some men with strong political tendencies. Should those soldiers be allowed to go about amongst the British-Americans to solicit them to poll their vote in a certain close riding? Members of both political parties will be doing it. What will be the effect in a county where the majority may be only 50 and may swing from one side to the other? The effect will be that one candidate may corral 75 out of 100 of the votes of those British-Americans and by that vote may be elected.

Hon. Mr. TANNER: It is a good vote.

Hon. Mr. DANDURAND: It is a good vote, but it is no better than the vote of the Canadian soldiers who belong to that riding.

Hon. Mr. TANNER: It is better than the vote of the fellows who have stayed at home.

Hon. Mr. DANDURAND: I will simply compare it with the vote of the Canadian soldiers from that same riding.

Hon. Mr. TANNER: What about the slackers?

Hon. Mr. DANDURAND: There may have been 300 votes from members of the Canadian Expeditionary Force belonging to that riding. The majority of those 300 may have favoured one of the candidates—for instance, the Conservative candidate, for all I know. Those 100 British-Americans—

Hon. Mr. TANNER: Nothing like that happens in any of the constituencies in Canada. There is no chasing after voters in Canada, is there?

Hon. Mr. DANDURAND: In Canada the voters know something of the candidates and something of the questions of the day. British-Americans who know nothing of Canada may be chased by their comrades and drawn into one camp or the other according to their friendship for a comrade. Is that a proper way to carry on an election? Of course, the honourable gentleman from Pictou (Hon. Mr. Tanner), who is interrupting, is thinking simply of the possible party advantage. I am absolutely indifferent to that. Let us try not to lose our senses—

Hon. Mr. FOWLER: That is good.

Hon. Mr. DANDURAND: —and not be carried away by hysteria. Let us see what is the proper sort of legislation in order that the elections throughout Canada may be conducted in a proper manner.

Hon. Mr. TANNER: My honourable friend should not allege that I am carried away by a desire for party advantage just because he is.

Hon. Mr. DANDURAND: My honourable friend should not be so sure of his affirmation. When he has lived for a few more sessions in contact with his collegues, he may find that they are perhaps not so sub-

servient to party feeling as he seems to think at this moment.

Hon. Mr. SPROULE: Does the honourable gentleman not think that this system is preferable to the one which provides that all the overseas forces shall vote in two or three ridings and thereby disturb what the result might be in twenty or thirty ridings?

Hon. Mr. DANDURAND: My idea would be that the system adopted in one of the Western provinces—I do not know whether it was Saskatchewan or not—

Hon. Mr. SPROULE: Alberta.

Hon. Mr. DAUDURAND:—would perhaps be a more healthy form if we are bound to have those strangers vote. They are strangers to Canada. If there is a majority in both branches of Parliament that thinks those strangers, who may have votes elsewhere in their own country, should express an opinion on Canadian matters, then my answer is that if there are, say, 5,000 or 7,000, or double that number, would it not be better to have them represent the unorganized districts of Canada? I recognize that we could not add one riding to Ontario, nor one to Quebec. We must find some other territory to which we have a right to give representation. I wonder if it would not be better to form a riding and to give them one or two constituencies in the unorganized districts of western Canada? I throw out this suggestion because it seems to me that it will have less demoralizing influence and it will create less friction and recrimination.

Hon. H. J. CLORAN: Honourable gentlemen, I think this is one of the historic occasions in the life of Canada. Parliament is asked to transfer its civil and political rights to a body of men who know not Canada, a body of men who have never lived in Canada, who know nothing of its economic conditions, know nothing of its policies, know nothing of its traditions, know nothing even of its geography. By this Bill Parliament is asked to transfer the rights and the privileges of the people of Canada to a body of men who, although fighting for the Empire are so ignorant as that. Really, as a Canadian, I feel oppressed. I feel it in my bones, in my heart and in my soul that the Parliament of this country, a free, independent country, should be asked by the Government of the day to transfer the power of government to a body of men who are as ignorant as that; and, after all, this poor, moribund, dying, dead Parliament is going to transfer that power from the living people of the country to strangers. It is true that these men are 4,000 miles away, fighting for the flag, fighting for democracy, and that we are here debating this subject.

A similar measure concocted by the Minister of Public Works, Hon. Robert Rogers, was introduced for the purpose of a general election. The Parliament of Canada condescended to give votes to the 30,000 men who at that time had gone over from Valcartier under the orders of Sir Sam Hughes. We had no very great objection to that, and Parliament, even the Senate, acquiesced in the demand of the Government of that day. The vote was asked for in view of a general election which was to be sprung on the country in the fall of 1915. Parliament gave the vote to these 30,000 young Canadians. They were all Canadians. They were all residents. There were no Britishers to come over and enlist in Canada at the time. There were no Americans to come over and enlist, and to go down to Valcartier camp. Parliament was proud to say that those 30,000 voters could have the vote. They were all voters when they enlisted. They were residents and workers in Canada. They threw up good positions in banks, in law offices, in insurance companies, on the farm, in the workshops, on the fields of the West, to go to fight for our cause, and Parliament had no objection to granting them a vote, even for the purposes of Mr. Rogers, then the Minister of Public Works, and head organizer of the Tory party, who was wanting a general election. Matters had gone so far that ballots were prepared, and over thirty cases, each six feet square, were sent to London. We were a party to that. The election did not come off. Why? Well, I will leave that to some of the younger members. I suppose the elderly gentlemen of the Senate would not remember that, but the younger members who have been brought in here must remember these facts. The election was called off. The power which Parliament gave to the Government to take the vote of that Expeditionary Force dropped because the political and party schemes of Mr. Robert Rogers and his colleagues dropped too.

I may state an incident that happened in connection with the discussion in the Senate and the vote that was taken thereon. The Royal Family was pretty well represented. I think the Duke of Connaught, the Governor General, was then here. There was a very high official on the floor of the Senate. I am not going to name him. He was high

up in the army. Notwithstanding that the measure brought down by the Government was then very popular in the country, because it was giving votes to our own, I said to myself, "Why should I make the boys, my boys, play the game of politics when they are at the game of war?" That was the sentiment that was dominating my mind and dominating my heart, and I opposed the measure. I was one of the few that opposed that Bill. I opposed it, not because the boys did not deserve a vote, but because I felt in my soul that a man who is fighting at the front, aiming his gun at the enemy, has no right to be touched on the shoulder by a returning officer and asked, "Who are you going to vote for?" A soldier should play one game, the game of war, and not the game of politics. The King's Regulations and Orders throughout the entire world are against politics, and no soldier of the King can attend a political meeting or cast his wote while in uniform. These were the scenes before my eyes at that time. These were the considerations that influenced me. The measure was carried. On leaving the Chamber I passed this venerable officer, and I said to him, "Did I do wrong, or did I do right?" He said: "You did right. Soldiers should not take part in political affairs. Their duty is to attend to war." That was right from the Royal household. I have not forgotten that lesson. To-night I am here, not to tell the soldiers, the boys who are fighting for me and fighting for my country, that I will not let them vote. No, I will tell them: "Boys, keep your guns straight on the enemy and I will not trouble you about the political, domestic, and economic questions of Canada. Keep your guns turned on the enemy and not on either party in the Dominion of Canada." That is my position. Should we introduce the game of party politics into the army? England does not do it. France does not do it. Germany does not do it, Austria does not do it. Italy does not do it. The United States does not do it. Is it right that a soldier with his gun trained on the enemy should be tapped on the shoulder and asked how he is going to vote? Australia has given the right to vote the same as we did, under a misapprehension of what she owed the soldier. There is one country to-day fighting the battles of the world that has given the soldiers the vote, and what country is that? It is Russia. What is the result? Revolt, rebellion, revolution, rioting in the ranks of the army, because they are involved in politics as well as in war. Look at the example, honourable gentlemen. The only country on earth to-day fighting the battles of civilization and of humanity that gives the right to vote to the soldiers is Russia, and what do you find? Every morning you rise from your bed and find that there is nothing but rebellion, revolution, discord, riot, and outrages right in the ranks of the blood of men that has flowed on the the game of politics into the game of war.

Hon. Mr. McMEANS: You have not a very high conception of the Canadian army.

Hon. Mr. CLORAN: I have a high conception of the human race as represented by the different countries who are fighting the battles of humanity and democracy, and I have a higher conception than you have of the blood of men that has flowed on the battlefields of Europe and that is still flowing both on sea and land. What has the honourable interrupter to say to that? I do not know who he is. Who is he? That is my answer to him. A high conception of the Canadian army? My endeavour here is to protect the Canadian army from the nefarious influence of party politics. My effort here to-night is to protect the soldiers against both parties of this country. What has the honourable gentleman got to say to that? Is that conception high enough? Let him answer. I do not know who he is. Is he silenced? These are facts which are not contradicted and cannot be contradicted. I hold that this Bill is a most mischievous and baneful one. Dear knows, we had a strenuous enough time during the past three days in regard to a fiscal bill, to save a few millions to the people of Canada. Honourable gentlemen know what I mean—the Canadian Northern Railway Bill. We have had a most strenuous time in trying to safeguard the interests of Canada on a small fiscal matter of $60,000,000 or $100,000,000. I say small, because millions to-day are like dollars in the past. My stand here to-day is taken in order to protect the army against the nefarious influence of politics in its fighting against the enemy and in its administration. I have no further object than that, and I say, and I say it again with the consent of soldiers at the front, that they do not want to be troubled with considerations of this kind when they are lying dying in hospitals. They do not want to be confronted with these questions and be asked to solve them when they are on the firing line and in the trenches. The soldiers themselves do not want to be confronted with these questions when they are in the training camp in England, or

even in Canada, where we have probably 50,000 or 60,000 in training camps from Vancouver to Halifax. In a hospital on the other side somebody asked Sandy how he was going to vote, and Sandy had a conversation with Paddy Sheehan and Baptiste Philteau who were in cots near him. Paddy said he could not vote at all, for he had lost his arms, but Sandy told him the returning officer would sign the ballot for him. After a full discussion about Borden and Laurier, they all decided to vote Grit, as they had done in Canada, and the Frenchman decided that he would vote in Toronto, as he had no home in Canada, having lived in the United States. He decided on Toronto so as to give the vote there some little flavour of the Canadian. Among the 350,000 of our Canadian boys in the army, there are many good conscientious Conservatives and as many conscientious Liberals, and many good independents, tied up with neither party, and very many of them good Labourites, as well as a considerable number of Nationalists, disciples of Bourassa. By throwing this Bill, this bomb, into their ranks, you are going to disrupt the entire Canadian army. Has the Government no foresight no sagacity, no conception of what the country needs—union in the army? As soon as this Bill is passed and transmitted to the front, you will have Grit soldiers and Tory soldiers and Labourite soldiers and Nationalist soldiers all fighting politics, just as we are doing on the floor of this House. If the British War Office could make its voice heard here, the order would come to this Government not to perpetrate such an act against the union and discipline of the army as you are attempting to do by this Bill, and which you will do. The British War Office would send that word to the Government, but it does not take it to task because Canada is a free, independent colony. In the conduct of a very serious war this measure is very unwise and very mischevious. The boys at the front who are fighting have enough to play the game of war without being asked to play the game of politics, but this Government is forcing on them this game. What is the object of the game? It is not so much to give our men the right to vote as to obtain for the present Government the balance of power by giving the right to vote where they please to men who have no residence in Canada, who know nothing about Canada or its conditions, economic, political or otherwise. If that is not an outrage against the franchise of a free and independent people resident in the country, I would like to know where one could be found. Is it not an outrage to give to any man or any number of men the right to cast their votes where they please, or where they will be directed to cast their votes? How many of you on the other side of this House, running in a close constituency, would like to have votes of that kind cast against you? Not one. But by your votes on this Bill you are going to force other candidates to submit to what you do not want to submit to yourselves. Is there any justice or fair play in that attitude? Can you justify that action before the electors of Canada? No later than yesterday, when I was in Montreal, strong Conservatives who have never voted Liberal in their lives, wealthy men and merchants, said: "We are beginning to lose faith in the Government, in its cry of patriotism; we cannot understand that the Government of the day shall give to strangers in this country the right to cast their ballots in any constituency they want to indicate, or that the deputy returning officer will indicate for them." That is the sum and substance of this Bill, and you honourable gentlemen on the other side are giving sanction to this statement.

I think this demand was originated by your ex-Minister of Public Works, the great organizer of elections in the Dominion of Canada, the Hon. Robert Rogers, and it fell into the hands of one just as capable, and I think more devilish, the Solicitor-General, now Secretary of State. This Bill has been hatched in iniquity, in a desire to defeat the popular will, to prevent the people of Canada from returning the Liberal party to power, and from chasing unworthy representatives of the people from power who have been there too long, and who have only three weeks and a half to live. Oh, if I only had five or six men of my stamp here. I tell you it would not be a dissolution you would have; you would die a natural death. I feel in my body and soul strength enough to stand up for the rights of the people. I am not standing here to-night for my own health.

Hon. Sir JAMES LOUGHEED: Nor for ours.

Hon. Mr. CLORAN: I am not standing here for my own health, or my own pleasure. I am here on behalf of the people, and on behalf of my sons and my brothers and all my relatives in the army, to protest against this Bill. What more does the King want from me than to give him my blood on both sides of the Atlantic? If he wants me, I will go, but not under

the patronage of a Government of this kind. All my family on both sides of the Atlantic are shedding their blood for the defence of the King and Empire, and for the trimph of democracy, and I am faced here to-day with the most reproachful measure against democracy. Why have I not the right to speak? Why have I not the right to protest against this thing of my vote being submerged by volunteers' votes? True, they are fighting for the country, but I will go further: before the vote is taken let every man on the firing line, in the hospitals and the camps of England, France and Flanders, and on the seas, declare where they will vote before the vote is taken. Is that not a fair proposition? Can the honourable gentlemen there who wish very often to keep me from speaking say anything to that? You may put this measure through, and you are going to do it, but let me tell you the Nemesis is at hand, the day of judgment is coming fast, and when the trumpet will be blown and the call will be made—well, it cannot call us because we go on forever; but when it calls the Government and representatives of the people from their deadly slumbers, there will be an awful awakening, and the angel will say, "Those who did such and such a thing, get on that side," and I think you will all be there. I am not going to send you to the infernal regions, remember, when you get on that side.

Hon. Mr. WATSON: Send them to purgatory.

Hon. Mr. CLORAN: Well, purgatory would be too good for them. Anyhow, the people are going to open their eyes to the transactions in this House. Do not imagine that what we say here is confined to the empty array of benches. It must go to the whole country. I do not suppose the Conservative machine will make use of any of my speeches in their literature, but I hope that the Liberal machine will have a few spaces left for me. As the honourable leader of the Government said this afternoon, we are threshing space. In the meantime, we are threshing space with a vengeance, to get the good wheat in.

I tell you, honourable gentleman, right here, that this Bill does not appeal to the good sense, the honesty, and the patriotism of the electorate of Canada. The Government to-day is travelling under false pretenses. Patriotism, as a great American orator said one day, is the last refuge of scoundrels, of men who wish to evade public criticism. The Government to-day, by several of its measures, is travelling under the guise of patriotism. Take, for instance, the 37 on this side of the House as against the 43 on the other. Are not the 37 as good friends of King George, of the Empire and of the cause of democracy as the 43 on the other side? But you all claim the monopoly of patriotism. You put all the Liberals of the country down as rebels, traitors, slackers, and so on. It is easy to say so, but you cannot make the Liberals of the country, who are eight out of ten to-day, believe that. We are as good friends of the Empire and as good supporters of the King as any Tory that ever existed. We do not brag about it; we do not put it up as a fence mark; we do not roll ourselves up in the British flag with all our sins, and say, "I am a supporter of the Empire; therefore touch me not, criticise me not." We do not roll ourselves up in the flag and tell the people, "We have done this, and that, and you must forgive us because we are the patriotic supporters of the Empire." We Liberals do not do that. Such conduct is left to you, honourable gentlemen opposite, representing the Tory brigade outside this House.

I feel that we owe it to the people of Canada to make these remarks on their behalf. I feel that when this Bill passes it will not result in such a disastrous way as the Government expect it to do as against the Liberal party. I have hope if the members of the Liberal organization will work together and spread the literature necessary among our troops, our boys, my boys, at the front, will know how to vote. Let us give them both sides of the question. Oh, I do not want to befool the boys at the front. If the Liberal organization has fair play in the spreading of campaign political literature in the trenches, in the hospitals or in the camps, I will venture to say that, after considering the situation as best they can, with the little opportunity given to them, seven out of ten votes of the boys at the front will be cast against this Government. If the opportunity is not given to them—if, after being away one year, two, or three years, they remain in the dark, not knowing what has gone on—for instance, not knowing what has transpired in the House this afternoon when the Government by one of its Bills has sanctioned a practical steal of over $60,000,000—of course, they will not know how they should vote. If the boys at the front do not know under what conditions the Conscription Bill was put through, how are they going to cast a

ballot? And then the Franchise Act, which is to come down, with provisions to give votes to the mother, the sister and the daughter. Well, I am in favour of that, but with the additional provision that the mother-in-law get the vote as well as the mother, and the sister-in-law and all the step-mothers and all the step-sisters. These are the measures which the Government are bringing before Parliament in order to capture the next election.

My last word is this: give the boys at the front a fair chance to know what is going on in Canada, and I will venture to say that seven out of ten will vote against the present Administration.

Hon. WM. ROCHE: I would like to ask the honourable leader of the Government, as this is a very late hour, and several other gentlemen want to speak, if when the Bill goes into Committee he would allow in the discussion of the clauses some reference to the principle of the Bill. This Bill is an amendment of an Act, and a proper understanding of it could be arrived at only by comparison and by carrying along the principle of the Bill into the discussion of the clauses. If the honourable gentleman would allow some slight reference to the principle of the Bill, I would not intrude any remarks upon the House at this late hour of the night, because I know that honourable gentlemen have been wearied by the three sessions which we have had. If the honourable leader of the Government would consent to that, I see no object in endeavouring to prolong this sitting. The honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) this afternoon announced very positively that after the principle of a Bill had been discussed it could not be discussed in committee when the clauses were being considered. I would like to ask him this question: suppose the clause of a Bill flatly and diametrically opposes the principle of the Bill, how could you show the inconsistency of that unless you referr d to the principle of the Bill and contrasted it with the clauses? So, although the principle of the Bill may not be formally discussed, or cannot be the subject of the debate in committee, certainly according to all processes of reasoning or logic, and parliamentary conduct, the main clause must be considered in connection with the subordinate clauses to carry it into effect. But I would ask the honourable gentleman (Hon. Sir James Lougheed), when the clauses are being discussed in Committee, to permit some slight reference to the principle of the Bill. If the honourable gentleman will do that, I shall not intrude any remarks upon the House at this time.

Hon. Sir JAMES LOUGHEED: It is entirely for the House to decide how far they will allow the discussion to go in committee. But the principle of the Bill will not, I fancy, be controverted for a moment. The principle is that the soldiers at the front should have a vote. If my honourable friend intends to controvert that principe, I prefer that he discuss the question now.

Hon. Mr. ROCHE: I did not wish to controvert the principle of the Bill. What I have asked is that in the discussion in the committee we may be allowed to allude to it.

Hon. Sir JAMES LOUGHEED: We have never dealt harshly with honourable gentlemen in committee.

The motion was agreed to, and the Bill was read the second time.

MILITARY SERVICE BILL.

BOARD OF SELECTION.

Hon. Sir JAMES LOUGHEED moved that the Senate unite with the House of Commons in the following resolution by filling up the blank therein with the words "Senate and":

Resolved by the.....House of Commons of Canada, that the following gentlemen do compose the board of selection to appoint members of local tribunals under section 6 of the Military Service Act 1917:

Ontario: A. E. Fripp, M.P., Ottawa; W. A. Boys, M.P., Barrie, Ont.; Sir John Gibson, Hamilton, Ont.; A. B. Lowe, 41 Glenn St., Ottawa.

Quebec, Joseph Rainville, M.P., St. Lambert; Romeo Langlois, K.C., Quebec; Hon. S. N. Parent, Montreal, Que.; Hon. Sydney Fisher, Knowlton, Que.

Nova Scotia: Geo. S. Campbell, Halifax, N.S.; D. A. Cameron, Barrister, Sydney, C.B.

New Brunswick: Mariner G. Teed, St. John, N.B.; John McCaffrey, Fredericton, N.B.

Manitoba: Senator W. H. Sharp, Manitou; Sir Donald MacMillan, Winnipeg, Man.

Saskatchewan: Senator H. W. Laird, Regina; Arthur Hitchcock, Moosejaw, Sask.

Alberta: R. B. Bennett, M.P., Calgary; Alfred H. Clarke, K.C., Calgary, Alberta.

British Columbia: R. F. Green, M.P., Victoria, B.C.; Hon. James Horace King, Victoria, B.C.

Yukon: Lt.-Col. A. Thompson, M.D., M.P., Ottawa; F. C. Wade, Vancouver.

Prince Edward Island: Wm. L. Cotton, Charlottetown; James J. Johnston, K.C., Charlottetown, P.E.I.

The motion was agreed to.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Wednesday, September 12, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

STAFF OF THE SENATE.

PROPOSED PROMOTIONS.

The Hon. the SPEAKER: I have the honour to place upon the table of the House the following recommendation:

Ottawa, 12th September, 1917.

Sir:—

I have the honour to recommend that the salary of the First Clerk Assistant be increased from $3,300 to $3,500, to date from 1st April, 1917.

A recommendation to a similar effect was made on March 10 by the then Clerk of the Senate.

Mr. Young has been of great assistance in connection with my work, and in consideration of his long and faithful service, I earnestly hope the increase will be granted.

I also recommend that Mr. A. H. Hinds, Chief Clerk of Committees of the Senate, be promoted from subdivision B to subdivision A of the First Division, to date from 1st September instant.

I have the honour to be, Sir,
Your obedient servant,
A. E. Blount,
Clerk of the Senate.

His Honour the Speaker,
The Senate.

I concur in the above recommendation, and submit the same for the approval of the Senate.

Hon. Sir JAMES LOUGHEED: I move that the Senate concur in the recommendation. I make this motion because there is no probability of the Internal Economy Committee meeting before the end of the session.

Hon. Mr. POWER: I have great pleasure in seconding the motion made by the honourable the leader of the Government. The report deals with two of our most deserving servants.

Hon. Mr. WATSON: This is the first that we have heard of these changes. If we are going to increase the pay of these officials, I may say that there are other officials whose claims ought to be considered. I do not think that we should make distinctions of this kind without referring the matter to the Internal Economy Committee. I heard the name of the first gentleman named in the recommendation, and I may say that I am in hearty sympathy with him. But there have been applications from other officers which should be considered. I mention one in particular, the curator of the reading-room.

Hon. Mr. CHOQUETTE: As the honourable the leader of the Government has said that there is no time for the committee to meet this session, I suggest that the motion stand, and perhaps my honourable friend will meet with the Speaker and add other names to the recommendation, and this afternoon the motion with the amendment might be carried.

Hon. Mr. WATSON: So far as I am concerned, there is no use in doing that.

Hon. Sir JAMES LOUGHEED: Pending further consideration, I move that the recommendation lie upon the Table, until it can be taken up again.

Hon. Mr. POWER: I do not see that anything is to be gained by that course. The honourable gentleman behind me (Hon. Mr. Watson) recognizes the fact, I think, that the motion is a proper one. He thinks that certain other officers or servants of the House should be considered too. Something depends on the date of prorogation. It is my desire that we should have a meeting of the committee. There are some other matters to be considered, and then the cases of these one or two other deserving servants could be considered by the committee, and the committee could report to the House. There is no question as to the merits of the gentlemen recommended by His Honour the Speaker. I think the right course is to dispose of these cases, and then try to do justice to the others.

Hon. Mr. DANDURAND: I am not exactly au fait of the discussion. I am only seized of the motion that we adopt the report of the honourable the Speaker increasing salaries. We who have been in this Chamber for twenty years, and have seen abuses through the lobbying of senators during that time, came to the conclusion that we would allow no surprises to be sprung on the Senate, and that every proposal of this kind would have to go to the Committee on Internal Economy, where it would be examined, and where justice would be done. That has been my position since I saw abuses creeping in. I do not even know the names of the persons mentioned in the recommendation.

Hon. Mr. WATSON: They are two good men.

Hon. Mr. DANDURAND: It seems to me that we should stand by the decision to examine into proposals for increases of salary.

Hon. Sir JAMES LOUGHEED: Then, I withdraw the motion which I have made, with the consent of my honourable friend, providing that he sees his way to calling a meeting of the Committee on Internal Economy. I move that the recommendation be referred to that committee.

Hon. Mr. LANDRY: I am glad that the honourable the leader of the House at last takes that position. It is his right to take a hand in that business and to conduct it as he likes. I could never see why any honourable member of the Opposition, when a motion of this kind was placed in the hands of the Speaker, should have taken the matter into his hands and directed it to one committee or another. The honourable gentleman speaks of what took place during twenty years, but what are our powers? We refer all these things to the committee, because the House wishes to do it.

Hon. Mr. DANDURAND: Absolutely.

Hon. Mr. LANDRY: But we are not bound to do it.

Hon. Mr. DANDURAND: Certainly not.

Hon. Mr. LANDRY: An Act was passed in the House of Commons, amending all preceding laws, and we accepted that, and are bound by it. Any motion regarding the conduct of business in this House should be made by the leader of the House. His motion may not be sustained by this House, because we are an independent body, and are not bound to accept all the suggestions made, either by the leader of the House or by the leader of the Opposition; but we may accept such suggestions, and I think the least we can do in cases of this kind is to follow the leader of the House in matters of form, and not usurp his power. We may in the committee deal with the matter on its merits; I do not know what the motion is.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. LANDRY: I do not know what honourable gentlemen are laughing at. What I mean to say is that I do not know what the object of the motion is. It is said to be for an increase of salary. I will not go into the merits of the question. Honourable gentlemen are all too intelligent not to have understood me. I only heard the honourable minister say that he wanted to withdraw the motion which he has made, and substitute another one referring the matter to the committee. I abide by the decision of my honourable friend.

Hon. Mr. BOSTOCK: Did I understand that the honourable the leader of the Government had moved that this report be referred to the Committee on Internal Economy?

Hon. Sir JAMES LOUGHEED: Yes, if that is the feeling of the House.

Hon. Mr. BOSTOCK: I think that will be the best way to deal with the matter. There will be plenty of time for the committee to meet.

Hon. Mr. LANDRY: I suppose the Chairman of that committee will call a meeting.

Hon. Sir JAMES LOUGHEED: I move that the matter be referred to the Committee on Internal Economy, it being understood that there will be a meeting of that committee, and that a report will be presented this session.

The motion referring the recommendation to the committee was agreed to.

THE SENATE AND MONEY BILLS.

SPECIAL COMMITTEE APPOINTED.

Hon. Mr. LANDRY moved:

That a special committee be appointed to consider the question of determining what are the rights of the Senate in matters of financial legislation, and whether, under the provisions of the British North America Act, 1867, it is permissible—and to what extent—or forbidden, for the Senate, to amend a Bill embodying financial clauses (Money Bill), the said committee to report to the Senate as soon as possible, and that it be composed of His Honour the Speaker of the Senate, and of Honourable Messieurs Sir James Lougheed, Bostock, Ross (Middleton), Dandurand, Sproule, Belcourt, Power, Béique and the mover.

He said: In proposing this motion, honourable gentlemen, I want to have an opportunity given for the views which have been laid before this House by the honourable gentleman from Middleton (Hon. W. B. Ross) to be studied, and a report by the persons named in this motion to be made to this House. In the House of Commons a discussion took place on the Income Tax Bill in which it was urged that that House should assert its privilege against any amendment made by this Senate. As the honourable gentleman from Middleton said, Bills for purpose of appropriating any part of the public revenue, or imposing any tax or impost, must originate in the House of Commons. That is according to section 54 of the British North America Act. Money Bills dealt with by the House of Commons

originate in a definite way, which is set forth in section 54:

It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address or Bill for the appropriation of any part of the public revenue or of any tax or impost, to any purpose that has not been first recommended to that House by message of the Governor General in the session in which such vote, resolution, address or Bill is proposed.

A money resolution must be recommended by the Crown, and when it is adopted by the House of Commons a Bill based upon it is introduced, and it follows the course of ordinary Bills. That Bill may be amended. The amount of money involved cannot be increased, because the sum has been fixed by the resolution of the Crown; but the House of Commons may decrease the amount.

What are the privileges of the Senate? What are the privileges of the House of Commons? They are set forth in section 18 of the British North America Act, which reads as follows:

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

So we cannot exceed the powers that were enjoyed by the House of Commons of Great Britain at the time of the passing of the British North America Act in 1867. That is as I understand this section. Moreover, the privileges of the House of Commons and the Senate, according to the British North America Act, are to be defined by Act of Parliament; not merely by a rule or regulation adopted by the House of Commons, but by an Act of Parliament.

The House of Commons have passed a resolution or rule—I think it is rule 78 or 79—in which they claim that the Senate cannot amend a money Bill, but may accept or reject it. That is only a regulation; it is not a law. It has not been provided for in a Bill passed by the House of Commons and accepted by us. So the rule or regulation of the House of Commons cannot be invoked against an Act which gives us the powers which the British House of Commons had in 1867. We have those powers. I am just explaining the matter as I understand it, and it will be discussed in the committee. Consequently, if we have the powers that the British House of Commons had in 1867, we may amend a money Bill, because the House of Commons of Great Britain has that power. Our powers are not the powers which the House of Lords of Great Britain had in 1867, but the powers of the "Commons House of Parliament of the United Kingdom of Great Britain and Ireland."

With these few remarks, I hope there will be no objection to the appointment of the proposed committee, and that the question will be submitted to the committee, so that it may be studied more thoroughly, and we may arrive at a decision which will govern the whole question whenever it may come before us.

Hon. W. B. ROSS: I would suggest to the mover of this resolution that he amend it by adding after the words "to amend" the words "or reject."

Hon. Mr. BELCOURT: Why not leave to the committee the whole question of ascertaining what are the powers of the Senate in this matter? Why limit it at all?

Hon. Mr. LANDRY: I think the proposition of my honourable friend (Hon. Mr. Belcourt) commends itself to this House, and I would withdraw any qualifications contained in the motion.

Hon. Mr. BELCOURT: And leave the question to be dealt with broadly?

Hon. Mr. LANDRY: Yes.

Hon. W. B. ROSS: The question as to what are the powers of this Senate.

Hon. Mr. GORDON: I would suggest to the mover of this motion that the committee should be composed a little differently from what he has suggested. It is usual in such cases as this to have on a committee a majority composed of members who are looked upon as sympathetic with the Government. We have on this committee—

Some Hon. SENATORS: Oh, oh.

Hon. Mr. GORDON: We have on this committee four gentlemen who are looked upon—whether they are or not—as being Liberals and four who are looked upon as being Conservatives. We have on the committee one who is always against everything which the Government does.

Hon. Mr. CLORAN: Who is that member? Name him.

Hon. Mr. GORDON: In all fairness, the mover of the resolution should eliminate the

name of the member who is always opposed to the Government.

Hon. Mr. DANDURAND: I would suggest to the honourable gentleman that the names of two other members could be added.

Hon. Sir JAMES LOUGHEED: Leave it as it is.

Hon. Mr. LANDRY: The difficulty could be overcome. This is the first time I have heard in this House that a question of this kind should be decided in a partisan way. I hope that the Government will not endorse that view. At all events, I am willing to withdraw from the committee.

Hon. Mr. DOMVILLE: I am sympathetic with the Government, especially now, but I cannot vote with it.

Hon. Mr. CHOQUETTE: I have no objection at all to the committee; but when we are doing something in this House we should try to accomplish something practical. What would be the result of that committee? Suppose the committee reported that the Senate had the right to amend or reject a money Bill in any way, what would be the effect of that on the other House? The other House might assert its right to deal exclusively with a money Bill; so that nothing would result from the work of this committee. I would suggest that this committee should be formed and that the other House should be notified of the fact and asked to appoint, a similar committee, so that they might jointly discuss these matters. Then the House of Commons committee could report to the House of Commons, and something might result. But the mere discussion of a report from a committee of this House will have no practical effect at all.

Hon. Mr. BEIQUE: I think the report of the committee may have the effect of guiding this House as to the position to be taken on such matters in this House. Of course, the House will not be obliged to adopt the report of the committee, whatever it may be; but if the House adopts the committee's report, that will be a guide for future action. I do not want to discuss the merits of the question; I desire merely to say this, that I understood that the honourable gentleman from Middleton (Hon. W. B. Ross) the other day took a much wider ground than that taken by the honourable gentleman from Stadacona (Hon. Mr. Landry). The honourable gentleman from Middleton took the ground, as I understood, tnat the powers of this House in these matters are established by the constitution, and that it would not be within the power of this Parliament to abridge any of those powers, and in that view I entirely concur.

Hon. Mr. CLORAN: It is a matter of utmost satisfaction to myself personally that this matter is brought formally before the House. For the past 14 years, I have urged on this honourable House its right and its power to amend Bills called, and ruled by the Chair to be, money Bills. I understand the constitution as well as any other honourable senator in this House. I have lived up to the constitution and intend to live up to it. The constitution says that all money Bills or Bills by which taxes are imposed must be initiated in the House of Commons, that we have no power whatever to increase taxation or originate it. That is a proper provision in the British North America Act. But that provision does not exclude the right of this House to amend these Bills for the benefit of the people. As I have stated, we have, according to the constitution, no right to originate, initiate or propose taxation on the people; but it is our right, I claim—and I think the honourable senator from Middleton will agree with me in this—to diminish the taxation. What are we here for except to give our advice to the Government along constitutional lines? I have urged for 14 years, without any result, that this honourable House had a right to amend so-called money Bills. The abuse of that term has gone so far, sustained by the rulings of all Speakers of this honourable House, that a Bill containing any financial proviso could not be amended. I have been called to order, and have been refused permission to speak on amendments to Bills of that kind. I felt that that was not right. I felt that limiting the powers of this Senate to look after the welfare of the people was not in the general interest—that the fact that there were two or three financial provisions in a Bill did not make it a money Bill according to the sense of the British North America Act, or the intention of that Act. The views which for the past 14 years I have expressed on this question have been unheeded. The Senate has abdicated its rights, sacrificed them, I do not know why or for what purpose. In nearly all Bills there are financial provisions. The acceptance of such a doctrine by this honourable House precludes us from amending such a Bill. As I asked the other day, what is the use of an intelligent body of men, such as we are supposed to be—and as we are—discussing a

measure if we have no right to rectify any error in it, to amend it in a proper sense, in the interests of the people? I ask, what in the name of common sense is the use of discussing Bills of that kind?

You simply make a mockery of free and public discussion, and we make fools of ourselves in discussing a matter that we cannot amend, to rectify or improve. The proposed motion is a proper step to remedy the present situation, and I hope the committee will report to the effect that this Senate is not debarred by the British North America Act from amending Bills containing financial provisions, even budget Bills and those imposing taxation, and that it lies within the power and jurisdiction of the Senate to decrease such taxation if thought necessary in the public interests to do so. If the committee so reports, then it will not be in the power of any Speaker to rule out of order a member who attempts to amend a so-called money Bill. It will be time enough to meet the House of Commons after we have exercised our due powers under the constitution and expressed our will on the floor of this House; and if the Senate will only look after its own dignity and rights and powers according to the letter of the constitution, we shall triumph, and we shall not be considered by the people of Canada as a useless body. I hope past proceedings and authorities will not take the place of common sense and judgment of to-day. I have great respect for authors who are dead and buried, but I have more respect for the judgment of the man of the day, for past authorities were not acquainted with the conditions that exist to-day. Times change, conditions change, and antediluvian decisions should not prevail against the representatives of the people here. I hope the committee will come to these conclusions. The only regret I have, and probably it is a little personal, is that the mover of the motion did not put a man on the committee who is in favour of the views which I hold.

The motion was agreed to.

MILITARY OFFICERS OF SUPERIOR RANK.

INQUIRY.

Hon. Mr. CLORAN inquired of the Government:

1. Militia Act, page 677, section 43, says: "Whenever the militia is called out on active service during an emergency the Governor in Council may appoint officers to a rank superior to that of colonel." When was the militia called out on active service? What was the emergency that is referred to by this section as stated by the Hon. Sir James Lougheed in Hansard—the Debates of the Senate No. 51, under heading Military Districts and Commanding Officers, replying to inquiry of the Hon. Senator Cloran. Question No. 5. How did the rank of brigadier-general originate in Canada and for what service performed and on what authority?

2. The quarterly militia list corrected to 1st April, 1917, page 26, Military District No. 6, makes no mention of any brigadier in New Brunswick as having any such rank on the staff or otherwise. What was the reason for the omission, or why or what Brigadier-General is employed in New Brunswick and in what capacity? What was the emergency calling for the necessity of conferring such rank and on whom was it conferred and on what date? And for what service?

3. Who is the officer in New Brunswick who signs all official documents in the department as "Brigadier-General Commanding G.O.C., Canadian Expeditionary Force?"

4. If such officer is on the Canadian Expeditionary Forces how is it he is doing duty in Canada?

5. Did he ever go overseas or serve on the forces doing duty at the front, or to join and do duty with the overseas forces at the front? Does he draw overseas pay and allowances?

6. If so, what allowances for pay-chargers and groom-servants, forage-motors and gasolene, entertainment or other allowances?

7. What was the date of his appointment and what is the total amount of pay and allowances drawn by him to date? Is he a member of the House of Commons?

Return to the House of Commons in response to an order of the House dated June 21, giving names, rank, pay, nature and place of employment of officers, etc.

Major General T. Benson, G.O.C.M.D. 6 Halifax draws pay $3,675. Brigadier-General H. H. McLean, C.O.C., New Brunswick, draws $6,012. Why does the junior officer draw pay greater than his senior officer? Why does his name not appear in the Militia List of the command in New Brunswick?

8. Is the Government aware that no officer with the rank of brigadier will be accepted by the Imperial authorities at the front without preparatory duty to qualify him for such rank? If so, why is he on the overseas list for service, pay and allowances?

Hon. Sir JAMES LOUGHEED:

1. A considerable number of units of the Active Militia were placed on Active Service by virtue of an order by His Royal Highness the Governor General in Council, No. P.C. 2068, dated the 6th of August, 1914, and made under the authority of section 69 of the Militia Act; and at frequent intervals since that date additional units of the Active Militia have been added to those placed on Active Service. The emergency referred to is the present war.

2. The Militia List showing the staff of M.D. 6 is complete and no omission has been made of the name of any Brigadier-

General serving on that staff as a militia officer. Colonel (temp. Brigadier-General) H. H. McLean, M.P., is employed in New Brunswick as "G.O.C., New Brunswick Troops," to command New Brunswick troops, C.E.F. The brigading of the New Brunswick troops was evidently considered by the late minister as creating the necessity of conferring the appointment of Brigadier-General on Colonel H. H. McLean, with effect from the 24th May, 1916, for the purpose of commanding New Brunswick troops, C.E.F.

3. Not known. Colonel (temp. Brigadier-General) H. H. McLean is designated as "G.O.C., New Brunswick Troops."

4. Brigadier-General McLean is detailed to command Canadian Expeditionary Force troops in New Brunswick.

5. Draws pay and allowances of Brigadier-General in the Canadian Expeditionary Forces.

6. No allowances paid him for chargers, groom, servant, forage, motors, gasolene or entertainment.

7. (a) 31st January, 1916.

(b) Total pay and allowances to August 31, 1917, $8,203.50.

(c) Yes.

(d) The return brought down in respect to the matter is misleading. The pay and allowance of the Officer Commanding at Halifax is $4,600 per annum. General Benson receives that salary, but certain deductions are made on account of house rent, fuel, light, etc., bringing the amount down to $3,675 per annum. The return is misleading also in reference to Brigadier-General McLean. The amount, $6,012, included separation allowance at $720 a year, which Brigadier-General McLean does not draw, but which all married officers of his rank on the Canadian Expeditionary Forces are entitled to. Brig.-General McLean is on the Canadian Expeditionary Forces and receives the pay of a Brigadier-General. He is temporarily employed, receiving the same pay as an officer overseas.

(e) This officer's name is shown in the proper place in the Militia List under heading "General and Field Officers Actively Employed." He is not a member of the District Staff, Military District No. 6, which includes New Brunswick, and, therefore, is not shown under that heading.

8. The Government is aware that no officer, no matter what his rank may be, is sent to the front until considered qualified to perform the duties of his rank. Brigadier-General H. H. McLean is an officer on the strength of the Canadian Expeditionary Forces, which includes certain troops now in Canada as well as those in England and France, and is available for service wherever detailed, and, as such, he is entitled to the rates of pay and allowances authorized for the Canadian Expeditionary Forces.

DISORDER AT FORD CITY.

INQUIRY.

Hon. Mr. LANDRY: I would like to ask the honourable leader of the House if he has any answer to give me to my inquiry of yesterday, relating to the despatch from Ford City, Ontario, published in the Ottawa Citizen stating that soldiers and several provincial police under orders from the Attorney General of Canada to the Crown Attorney of Essex county had forced the doors of the Church of the Lady of the Lake in Ford City in order to install the parish priest.

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend, in regard to the troubles which have apparently arisen at Ford City, Ontario, that the report as to the Attorney General of Canada having intervened is entirely inaccurate, and the Department of Militia is unaware of any troops having been called out for the purpose of settling the trouble. It is to be pointed out, however that under the Militia Act the mayor of the city might appeal to the militia and call them out, but up to the present time the Militia Department is unaware of that being done.

Hon. Mr. CLORAN: That is, the Government of Canada would not be responsible for the act.

CANADIAN NORTHERN RAILWAY ACQUISITION BILL.

THIRD READING.

Hon. Sir JAMES LOUGHEED moved the third reading of Bill 125, An Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway company.

Hon. J. H. LEGRIS (translation): Honourable gentlemen, this measure for the acquisition of the Canadian Northern railway is so important that I feel in duty bound not to allow it to pass without protesting against it with both my voice and my vote. I desire to register my strongest protest against the measure, for several reasons.

In the first place, it has been and still is a grave cause of disunion in the country,

and much more serious than many people believe. I may quote the words of the Prime Minister of England, Mr. Lloyd George, which have been repeated by the press, uttered at a meeting held at Manchester a few days ago:

> Any one who promotes national disunion at this moment aids the enemy and is a traitor to his country.

These words apply perfectly to us in the present case. It seems to me that no one can ignore the fact that this measure is one which tends greatly to bring disunion among the citizens of Canada. It cannot be otherwise when one considers the enormity of the transaction, when one considers the ignorance of the facts with which the two chambers have proceeded, when one considers that in this Senate, where there is supposed to be no political partisanship, explanations asked for by the honourable senators from Lanaudière (Hon. Mr. Casgrain), from Ottawa (Hon. Mr. Belcourt), from Grandville (Hon. Mr. Choquette), from De Salaberry (Hon. Mr. Béique). What answer has been given to the serious arguments advanced by these honourable gentlemen? Only answers which either are childish or are outside of the question. Is it not evident that there is something crooked in this transaction—that there is an attempt to impose on the Canadian people?

But to demonstrate further all the apprehensions and objections which we have to this transaction, I am going to quote some very serious and important opinions. Only this week we have seen published in the newspapers the following particularly interesting declaration of Mr. J. C. Watters, the President of the Trades and Labour Congress:

> Mr. Watters yesterday evening denounced in vehement terms the scandalous purchase by the Government of the Canadian Northern. This declaration made before the Trades and Labour Council of Ottawa was very explicit, and was followed by this statement: "Sir Thomas White, Sir Donald Mann, Sir William Mackenzie, and the Canadian Bank of Commerce have never done otherwise than exploit Canada for their immediate profit."

When we find a man of the position and standing of Mr. Watters expressing himself thus, can we doubt for an instant that this measure is a most disadvantageous one, which the people of Canada should oppose with all their power, as promotive of disunion among the inhabitants of the country?

The other day a man who has made his mark in federal politics, a friend of honourable gentlemen opposite, expressed himself in vehement terms, in opposition to this transaction. I refer to Sir Charles Hibbert Tupper, who, in a speech at Chilliwack, in the province of British Columbia, according to the Ottawa Journal, spoke thus:

> Sir Charles Hibbert Tupper, K.C., speaking at a patriotic gathering at Chilliwack, B.C., on Labour Day, said that though the Borden Administration had many sins of omission and commission to answer for and though in ordinary times the Canadian Northern deal would bring shame, ignominy and defeat on the Government, he would, nevertheless, support the present Government at the coming election because it stood for the immediate enforcement of the conscription measure. The election must be a straight fight between the Conservatives under Borden and the Liberals under Laurier, he maintained. Independent and union candidates might be the means of defeating the Government candidates and allowing Laurier supporters to be elected.

This shows that the sole object of the Government in this transaction is not the advantage of the country, but simply to find means for carrying the next elections. That is the whole question.

But, honourable gentlemen, we have heard another and much stronger voice than that. A group of twenty-five financial men of Montreal have set forth, in a manifesto addressed to the Prime Minister, the strongest reasons against this transaction. I will not quote this document in full, because it has already been quoted by the honourable senator from Lanaudière; but I can state that these men are among the greatest and most intelligent business men of the country, and they are all Conservatives with the exception of perhaps one or two. They must have regarded this transaction as a most outrageous one to have set forth in this public way the reasons for their opposition to it. What reply has been given to these men? None ,so far as I know. This document has been read in this chamber, but we have not heard a single word of response. And the Government imposes this transaction on the country, by means of the closure in the other chamber, and by a different means in this chamber to obtain the same result, at a time when the financial position of the country is almost depressing. The Minister of Finance has just made in New York a loan of $100,000,000, for which he has been obliged to pay eight and a fraction per cent of interest; and this sum will not last long until we shall have to effect another loan. So the financial position of the country does not warrant such extravagance, or rather such a spoiliation of the public treasury.

The friends of the Government have been willing enough to shout "carried" or "lost"

each time the minister has given them the command. Now, I protest with all the energy of which I am capable against this scandalous transaction—a transaction which is going to impose on the people of this country a debt of about $100 per head of the population, for the taking over of a railway which the Government should have been able to dispose of otherwise. The Canadian people are ready without a murmur to bear the sacrifices and the expenses of the war. But beyond that, this Government propose to impose upon them an enormous burden of six or seven hundred millions of dollars for the purpose of favouring friends. It is incredible. The Government has never been willing, at our demand, to give us the information which would warrant the people in accepting so heavy a responsibility.

Before I take my seat I may be permitted to quote the conclusion of an article published recently in a Montreal paper, which reads as follows:

In epochs of "barbarity" the bandits of high station and the ordinary highway robbers watched the moral and physical commotions of the world. Stormy nights favoured assaults on towns and chateaux. On days of riot or revolution plundering barons and independent companies made rich hauls. Under the favour of storms the sea pirates and the robbers of wrecks secured their finest harvests. With the "progress" of the times, the brigands, the true brigands, the great brigands, have singularly extended their fields of action: they operate over whole countries.

Is this not exactly our case?

Hon. Mr. LAVERGNE: It is.

The Hon. the SPEAKER: I must remind the honourable senator that he has not the right to use words insulting to the other chamber. He has not the right to impute motives to the other chamber.

Hon. Mr. LEGRIS: There is not a man in this chamber more disposed to accept the decisions of the honourable the Speaker, but I believe that the words I have just quoted do not apply, either in the article or in my mouth, to the members of that chamber. (Reading):

Thanks to the venality of the press and of parliaments, thanks also to the gullibility of the public, they excite popular emotions and profit from the general aberration to plunder the nations. And what further proves their immense superiority over the plunderers of former times is that in this game they risk only the skins of others.

The stroke of the Canadian Northern is truly one of the most successful, both in the largeness of the result and in the fine audacity of the proceedings. After having cunningly whipped up the popular passions with the spectre of conscription these operators organize everywhere win-the-war conventions, talk of coalition, of national government, of extension of parliament, then of sudden dissolution—always, be it understood, for the safety of the empire, of democracy, of superior civilization. Then, when Parliament, enervated by the heat and the uncertainties of the political situation, is no longer in a condition to do anything sensibly, they carry the place by storm. The good people, hypnotized by conscription, already caught in the thicket of electoral disputes, permit without a word their backs to be laden with a burden equal to the half of the war cost and double the national debt accumulated in half century before the war.

I will not go further. This quotation expresses perfectly my thought. I conclude by saying that I believe my duty would not be accomplished if I did not raise my voice to protest against the draconian measure imposed upon us, a measure which the country condemns, but which it will have to bear, and which, especially in the existing circumstances, cannot fail to be a financial disaster for Canada, which the Government is actually dragging into bankruptcy.

Hon. Mr. BEIQUE: I desire to move that this Bill be not now read a third time, but that it be referred back to the Committee of the Whole, with instruction to amend section 1 of the said Bill by leaving out all the words after the word "Majesty" to the end of the clause, and inserting the following:

Upon the happening of any event of default mentioned in section 21 of chapter 20 of the statutes of 1914, may exercise the rights and powers mentioned in section 24 of the said Act.

Provided, however, that the Governor in Council may grant, to whomsoever may appertain, the right of reviving, within a period not exceeding five years from the passage of this Act, the equity of redemption mentioned in section 24 of chapter 20 of the said statutes upon paying all advances already made or to be made by His Majesty to or on behalf of the Canadian Northern Railway company, with such rate of interest as may be determined, and on such other terms as may be deemed proper for the protection of all other parties interested in the said Company.

The Senate divided on the proposed amendment, and the same was negatived on the following division:

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Honourable Messieurs:

Béique,	Landry,
Beith,	Lavergne,
Belcourt,	Legris,
Bostock,	McSweeney,
Boyer,	Mitchell,
Casgrain,	Montplaisir,
Cloran,	Power,
Dandurand,	Ratz,
David,	Roche,
Dessaulles,	Ross (Moosejaw),
De Veber,	Talbot,
Domville (Lt.-Col.),	Tessier,
Gillmor,	Thibaudeau,
Godbout,	Thompson,
King,	Watson.—30.

NON-CONTENTS.

Honourable Messieurs:

Bénard,	McLaren,
Blain,	McLennan,
Bolduc (Speaker),	McMeans,
Bourque,	Milne,
Bowell (Sir Mackenzie),	Murphy,
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Curry,	Planta,
Daniel,	Pope,
Dennis,	Pringle,
Donnelly,	Robertson,
Fisher,	Ross (Middleton),
Foster,	Sharpe,
Fowler,	Shatford,
Gordon,	Smith,
Laird,	Sproule,
Lougheed (Sir James),	Tanner,
Macdonell,	Taylor,
Mason (Brig.-Gen.)	Thorne,
McCall,	White.—38.

Hon. Mr. CHOQUETTE: I wish to say that I did not vote on the amendment, and will not vote on other amendments, because I am paired with the honourable member from Kingston (Hon. Mr. Richardson). Had I voted, I would have voted for the amendment.

Hon. Mr. L'ESPERANCE: I am paired with the honourable member for Sorel (Hon. Mr. Wilson). If I had voted, I would have voted against the amendment.

Hon. Mr. McLEAN: I am paired with the honourable member from Charlottetown (Hon. Mr. Prowse). If I had voted, I would have voted against the amendment.

Hon. Mr. YEO: I am paired with the honourable gentleman from Russell (Hon. Mr. Edwards). Had I voted, I would have voted for the amendment.

Hon. Mr. CASGRAIN: I have now to make the same motion that I made yesterday, and I do not think it can be ruled out of order on the third reading of the Bill. I may say that the motion was drawn by some very clever lawyers. When I looked at it first, it looked as if it might be out of order in committee, but on second thought it appears to me that it is not opposed to the principle of the Bill. The principle of the Bill, I take it, is the purchase or the acquisition by the Government, of the Canadian Northern railway. Whether that is done in one way or another does not affect the principle of the Bill, and I think the ruling of the Chairman was wrong.

Some Hon. SENATORS: Order.

Hon. Mr. CASGRAIN: However, there can be no question about that now. That is my opinion.

Hon. Sir MACKENZIE BOWELL: You should not express it in that way.

Hon. Mr. CASGRAIN: I am not convinces, yet. As I am informed that we shall probably have another opportunity to discuss this matter, I will take only a few minutes of the time of the Senate. I move that the Bill be not now read a third time, but that it be referred back to the Committee of the Whole House, with the instruction to strike out clause 1 and substitute therefor the following:

1. His Majesty, upon the happening of any event of defaut mentioned in section 21, chapter 20, of the statutes of 1914 (4-5 George V), may by Order in Council cause the Canadian Northern railway system mentioned in said Act to be placed under the jurisdiction of the Exchequer Court, as provided for in sections 26-28, both included, of chapter 140, of the Revised Statutes of 1906.

The amendment was negatived on the same division.

Hon. Mr. DANDURAND: I beg to move that this Bill be not now read a third time, but be re-committed to the Committee of the Whole House to be amended by leaving out all the words after the word "Majesty," in line 4 of the first clause, so that it will read:

His Majesty, upon the happening of any event of default mentioned in section 21, chapter 20, of the statutes of 1914 (4-5 George V), may by Order in Council declare 500,000 shares of the capital stock of the Canadian Northern Company, being part of the 600,000 shares of said capital stock now held by the Minister of Finance in trust for His Majesty to be the property of the Minister of Finance in trust for His Majesty, and the same thereupon shall become the property of His Majesty.

All I wish to say in support of this amendment is that if this Senate is disposed to adopt the principle of the Government taking over the road, the principal owners of the common stock be allowed to retain a certain proportion of the stock instead of being given a cash payment or a cash bonus by arbitration. By the Act of 1914, the owners of that stock have consented to foreclosure if they were unable to carry on the enterprise. That state of default has happened, and the country will not understand why they should be given any money for an equity which, as is admitted by all, is non-existent. Between man and man, no one in Canada would think of allowing a debtor who was in the condition in which the Canadian Northern railway is, any kind of a bonus for shares that are worthless. I have stated before, and I want to repeat that there was in this Chamber, I strongly believe, a majority of members against the

Bill as it came into this Chamber. There is now no such condition of things. On the contrary, there is a majority of senators in favour of the adoption of this Bill. How has that change come about? A telegram sent to the newspapers, which I take from the Montreal Star and which may give the key to the mystery, reads as follows:

Ottawa, September 7.—It is reported to-day that when the agreement based on the Canadian Northern Railway Bill is drawn up, a provision will be inserted fixing a maximum value of ten million dollars on the capital stock of the company.

Mackenzie and Mann and their interests would receive 60 per cent of any award made with the above figure as an outside, but not necessarily the minimum valuation.

The rumoured decision is attributed to objections to the Bill, voted in the Senate Conservative caucus. It would not be made as an amendment to the Bill itself, but would be inserted in the agreement after the Act passes.

Sir James Lougheed declined to-day either to confirm or deny the report. "All I can say," he told the Star, "Is that when the agreement is made the public interest will be amply safeguarded."

During the debate in the Committee of the Whole we asked for a statement from the honourable gentleman who leads the Government in this House as to the maximum figure which would appear in the agreement to be made between the Government and the parties interested. We have not been able to obtain that figure, although the representative of the Government stated that a maximum figure would be fixed. Why is that figure not disclosed? I will state what I sincerely believe to be the reason: it is the fear that there will be an outcry from the public at large if the sum of $10,000,000 is mentioned. The people of this country will not stand for allowing Messrs. Mackenzie and Mann $5,000,000 apiece for an equity which does not exist, and in consideration of work which they may have done in building up this system. They will not stand for $10,000,000 going to these men, because it is not fair, it is not common sense. In ordinary walks of life, a man builds up a fortune, but he takes whatever risks he may encounter in building up that fortune. I have said, and I repeat that, since the war and before the war, hundreds of men who had amassed fortunes by as hard work put into their private affairs as Mackenzie and Mann have ever put into theirs, and who, carried away by the wave of optimism that swept this country, went into real estate ventures and were caught by the depression which followed, have seen their fortunes wiped out. They could not turn to any paternal Government and ask it for a grant. They have stood their loss. They were left at the foot of the ladder struggling to get on their feet again. Here are Messrs. Mackenzie and Mann, in a similar position. Can it be contended that they are in need of one, or two or four millions of dollars, or more, to add to their present fortunes? Can it be contended that their position can be compared with that of hundreds of men in Canada who have gone down? The Hindus have a special prayer which will appeal to many: "My Lord, I do not ask any wealth; I only pray that you place me by the side of those who have." Early in their youth Messrs. Mackenzie and Mann may have prayed for such a state of things. They did not look for wealth, but they got near those who had it—the provincial governments, the municipalities, and the Federal Government. They got in contact with the wealth; they got the support of the municipalities, the provinces, and the Federal Government. With the hundreds of millions that they had to do with, they succeeded in building up private fortunes. Their position is not like that of an ordinary man who has had to struggle along. That is the reason why the Government is afraid to disclose the fact that they will place at the disposal of those two men $10,000,000. They are afraid to do so. I venture to prophesy that they will not disclose that sum before the electors go to the polls. They may sign the agreement before, but they will not disclose the fact that those men will have within their graps $10,000,000 of the people's money. We have just passed a Bill by which we have conscripted wealth in order to carry on the war, and now this Government is conscripting the wealth of the people to put $10,000,000 in the hands of Mackenzie and Mann.

Hon. Mr. GLORAN: Is there any answer from the Government?

The proposed amendment was negatived on the same division.

Hon. Mr. CHOQUETTE: I propose to move an amendment that will definitely put the House on record, and I am sure it will be seconded by the honourable member from Middleton (Hon. W. B. Ross), judging from his remarks two weeks ago on the Judges Bill. I move to strike out the word "arbitration" in the twelfth line of section 1, and replace it by the words "Exchequer Court of Ca-

nada." It is now necessary to send the Bill back to the committee for the change of that word. The honourable member for Middleton two weeks ago in this House drew attention to the question of judges leaving their judicial duties in order to act as commissioners, a practice to which he seriously objected. I took the same view, and said it was very prejudicial to the judges themselves to act as commissioners in matters which are often political. This very Bill is a political Bill of the worst kind; and to bring down a judge from the Bench, as it is proposed to do with Chief Justice Meredith, will tend to make the public lose the confidence they ought to have in that judge, whatever be his position or his impartiality in matters coming before him in Toronto. I am sure that the honourable member from Middleton will feel as I do, that judges should not be mixed up in commissions especially in cases like this one. I think it ought to be sufficient to refer to the legislation that has been passed in the direction I have mentioned some days ago, and that amendment should carry.

The proposed amendment was negatived on the same division.

Hon. Mr. BEIQUE: I would move to amend clause 3—

The SPEAKER: I would draw the honourable gentleman's attention to the fact that he has already made a motion and spoken to it.

Hon. Mr. DAVID: I move that section 3 be amended by adding in the seventh line, on page 2, after the words "million dollars," the following:

And provided also that no part of the said sum of $25,000,000 shall be used in payment of debts incurred by others than the Canadian Northern Railway company, or of any company included in the Canadian Northern railway system, and incurred for the exclusive benefit of such company.

The proposed amendment was negatived on the same division.

Hon. Mr. BELCOURT: I move that the following section be added to subsection 3 of section 4:

Provided further that the contractors, as defined in the agreement annexed to chapter 20 of the statutes (4-5 George V), will not at any time make or seek to enforce any claim for contractor's profits, commissions or otherwise against the Canadian Northern, or against any of tthe constituent or subsidiary companies, upon or in respect of any express or implied contract, understanding, agreement, or stipulation of any kind, heretofore or hereafter made, whereby or whereunder they, or any one or more of them, may now or hereafter be entitled to receive from the Canadian Northern, or from any of the constituent or subsidiary companies any construction profits, in respect of work heretofore undertaken, or as consideration for transfers of properties, rights or franchises already transferred, or to be transferred, or for commission or remuneration for services in financing, or for any other services heretofore rendered, and all such claims are hereby by them and each of them absolutely renounced and released.

The proposed amendment was negatived on the same division.

Hon. Mr. POWER: I move to substitute the word "first day of May, 1917" for the words "date of the said agreement" in lines 26 and 27, section 4 (2).

The proposed amendment was negatived on the same division.

Hon. Mr. THOMPSON: I desire to move an amendment, because I believe that when a man gets back all money that he has put into this enterprise, with interest added, this country has done all that British justice should demand, and I believe the sentiment of the country is behind that position. My amendment is to add the end of section 3 (1), line 11, on page 2, the following:

An provided also that, as regards any indebtedness for moneys advanced to the Canadian Northern Railway company of to any company included in the Canadian Northern railway system, and taking rank after the mortgage held by the Minister of Finance in trust for His Majesty under the Act of 1914 (4-5 George V), no payment be made of such indebtedness beyond the actual amount received by said company or companies with interest, said amount thus received to be ascertained by the Exchequer Court of Canada.

Hon. Mr. DANDURAND: I proposed this amendment in committee, and I have the honour of seconding it before this Chamber now. I desire to repeat this simple fact, that I am duly informed by men who know the situation that if this amendment were passed from $25,000,000 to $50,000,000 would be saved to the people of Canada.

The proposed amendment was negatived on the same division.

Hon. Mr. WATSON: I wish to submit the amendment that I proposed last night in committee to add, after the word "property" in line 45, section 4 (2), the following words:

The award shall be subject to the approval of Parliament.

It seems to me that that amendment ought to be accepted unanimously by the

honourable gentlemen of this House, because it means that we should trust Parliament. I speak on behalf of the western portion of the Dominion of Canada, which has not the representation in Parliament to-day to which it is entitled. Parliament to-day, we might say, is sitting as a moribund Parliament, after their time for election is past due twelve months; they are sitting here by the grace of their own votes in Parliament extending their own time; and I say that the people's representatives should be consulted in a matter of this great importance. The western portion of Canada is more vitally interested in the Canadian Northern railway than any other part of the Dominion, and we should have that representation in the House of Commons before this matter is decided on. The Government is embarking on a new policy, government ownership of railways, and they are doing that without any license of the electors of Canada. If there is any one thing that should commend itself to the members of this House it is that Parliament should be consulted on this award. I am not going to criticise the gentleman who is nominated as arbitrator, the Chief Justice of the province of Ontario, but I know that in another place a gentleman who had some experience with him on a commission a few months ago said that he was one of the most unfit men for that position. There appears to be a lack of confidence in that gentleman for that position. I believe that the Exchequer Court, which was established especially for determining matters of this kind, should deal with this matter. We have had evidence given here by the honourable gentleman from De Lanaudière (Hon. Mr. Casgrain) that in the Quebec and Saguenay railway arbitration, notwithstanding that the Government's counsel admitted evidence in regard to claims amounting to a million and a quarter dollars, the judge of the Exchequer Court decided against the Government's representative and saved the country that large amount. That goes to show what evidence can be submitted to a commision of that kind, a commission in which the people have no confidence. This Government has been governing by commissions in the last few years; if one did not suit them they appointed another, and they kept on appointing commissions until they got a report that suited them. I have no doubt, from the debate that has taken place here and the attitude of the supporters of the Government in this House and in the other Chamber, and from what we have heard from the Government, that the cue will be given by that Government to the board of arbitrators as to what the award shall be. It has been suggested to this House that we should fix a maximum. So far as Mackenzie and Mann are concerned, I expressed myself last night. Those men are enterprising, but, as has been explained, they are not entitled to any particular consideration at this stage of this particular game. They have had large amounts of money placed at their disposal by municipalities, by provincial governments, and by the Federal Government from both political parties; and if those gentlemen had applied to the railroad all the resources that they received they would not be here to-day in a bankrupt condition. If we are going to start out with government ownership of railways, we should make a good start. In Manitoba we had some experience of government ownership when the Government bought out the telephone business from the Bell Company without consulting the people or the legislature, paying at least a million dollars more than it would have cost to purchase a telephone service. It will be the same with this railway; if it costs more than it should, the people will have to pay. Canada has had experience of government ownership in the Intercolonial railway, which has never paid, and, as I am assured, is never expected to pay; and, from what we hear from honourable gentlemen from the Maritime Provinces, they do not get as good a service from the Intercolonial as from private-owned lines. I have no hesitation in saying that I am not in favour of government railways, but I believe in government control not only of railways but of other things. I believe that individual enterprise is stifled by governments taking hold of such things. I am in favour of government control of railways and other utilities for the comfort and benefit of the people of Canada, and of government control of rates and regulations for those services, and I am firmly convinced that with a strong railway commission such as we have had in the past, the people would get a better service by government control of those different lines of railway operated by private enterprise. I have no hesitation in saying that the amount named by my honourable friend (Hon. Mr. Dandurand) is correct, and that if the holders of unsecured claims are dealt with by arbitrators, as suggested in this Bill,

this railway will cost this country fifty or sixty millions more than it should. Every honourable gentleman in this House, who has had to do with prosecuting government claims of private individuals, knows that as a rule the Government is an easy mark. Whether by commission or otherwise, they get the Government to yield to the demand. Why should we pass legislation that gives an opportunity for lobbying through claims, when we have it within our power to take possession of this road under the legislation passed in 1914? I trust that this House will adopt this amendment, and that the award will be submitted to Parliament for ratification when we have a full representation of our western provinces, and when other provinces of the Dominion will be represented as they should be, because at the present time they hold eight seats more than they should, which means that the West is handicapped, so far as this legislation is concerned, to the extent of thirty-three votes. If this important matter is to be dealt with fairly it should be dealt with by a Parliament that fairly represents the people.

On motion of Hon. Mr. Cloran, the debate was adjourned.

The Senate adjourned at one o'clock.

Second Sitting.

The Senate met at Three o'clock, the Speaker in the Chair.

Routine proceedings.

CANADJAN NORTHERN RAILWAY ACQUISITION BILL.

THIRD READING.

The Senate resumed the adjourned debate on the motion of Hon. Sir James Lougheed for the third reading of Bill 125, an Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway company, and the amendment of Hon. Mr. Watson.

Hon. H. J. CLORAN: I wish to address myself not so much to this honourable House as to the Government. During this debate questions have been asked for the purpose of securing information, which, if answered by the Government—and I think they will be—will be for the benefit of the taxpayers of this country. I have been asked whether under the provisions of this Bill the Government becomes full and sole proprietor of all the properties of the Canadian Northern system, including the allied and subsidiary companies. My answer to the citizens of Canada, who have asked that, was that I was under the impression that such would be the case. But I am not positive on the point. I told them that I would try to secure from the Government a clear, plain, and concise declaration of what the Government was coming into possession of after the passage of this Bill. That is a fair proposition. The humblest citizen of Canada has a right to ask his master what has become of his wages, and that is the position that we are in here to-day. Even a cat may look at a king, and I hope that in Canada, a democratic country, the humblest citizen thereof may look the Government in the face and ask for information. Under the terms and provisions of this Bill does the Government undertake, the ownership and proprietorship not only of all properties belonging to the Canadian Northern system, but of those of the allied companies or subsidiary companies, or of any other company connected with the railroad system? If so, does the Government intend to operate this railroad system in its entirely? Does the Government intend to assume all responsibilities of this ownership on the passage of this law? These are questions which have been put by very humble citizens, and which I have the honour to put to the Government on their behalf.

Another question is this. When the Government takes over all the properties of railways and other institutions, will the Government operate the same in the same manner as the Intercolonial railway is operated? The taxpayers of Canada are entitled to that information, and I really do not think their master, the Government, should refuse to give that information.

Another question was asked: what are the properties to be acquired by the Government under the terms and provisions of this Bill? I could not answer that question. I said that I would ask the Government and get an official answer. I ask the Government for a complete list of the properties owned by the Canadian Northern Railway company, its allied and subsidiary companies, what under the provisions of this Bill are to become the properties of the Dominion Government, I ask that we should get a detailed, clear, precise statement of those properties, so that the people will be able to judge how much value they are getting for this delivery of the Dominion's money over to Sir William Mac-

kenzie, Sir Donald Mann and their associates. These are fair and proper questions. These are questions that every subject, every taxpayer of Canada, has a right to put to the Government, and it is the duty and obligation of the Government of the day to answer the men who have kept them in power for the past six years.

We have a form of democratic government. It is true that the men who hold the reins of office are the administrators, but the real masters in a democratic country are the humble voters, the poor taxpayers. They are the real masters of the situation, and why the servants of the people should refuse this information is more than I can understand. I am not going to presume that the Government will refuse to its master what he has a right to know, for what he is paying his taxes. These are questions altogether apart from party interests or partisanship. They are simply business questions, and I hope the leader of the Government will make an effort to obtain from his colleagues, or from whatever department is in control, the information required by the common people of the country. I know that the honourable the leader of the Government in this Senate cannot answer questions offhand. The way in which he does answer questions is simply marvellous. He answers questions relating to some fifteen or seventeen departments in a way that is simply amazing, and I hope he will take this in good part on behalf of the people whom he represents and that this information will be given to the country. I can assure honourable gentlemen that I have absolutely no party motive in putting this question. I simply ask the Government to put itself in a position of self-defence. I am trying to aid the Government to strengthen its case in demanding that this Bill should be passed by Parliament. That is all I have to say. I think it is quite sufficient to cover the demands made upon me, which I have been unable to answer, and which I ask the Government to answer for me in the name of the people of Canada.

The proposed amendment was negatived.

Hon. Mr. BOSTOCK: Before the motion for the third reading of the Bill is put, I want to say a few words, and move possibly the last amendment to this motion.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. BOSTOCK: Honourable gentlemen seem very pleased to think that they will have got rid of these amendments. They may have been troublesome amendments for honourable gentlemen, but they have been moved for the purpose of putting on record the views held by honourable gentlemen on this side of the House as to the way in which this legislation should be amended in order to safeguard the interests of the country in dealing with this question.

When this Bill was introduced into this Chamber, we approached it with every desire to make this legislation as perfect and defensible as possible, and for that purpose we asked that we should have an opportunity of obtaining all the information that could be obtained in regard to it. Unfortunately the leader of the Government did not see his way to meet us in that matter. Therefore, when we came to the committee stage of the Bill, we moved these amendments for the purpose of amending, if we could, the Bill in such a way that the interests of the country would be safeguarded. I presume that our powers of persuasion have not been sufficiently strong to persuade a sufficient number of honourable gentleman to share the views that we placed before this House so that this legislation might be strengthened. We have dealt with this matter from the point of view that the Government in coming to the assistance of this company, should follow out the recommendations made to them by the commission especially appointed by them for the purpose of inquiring into the railway situation in Canada. We took the stand that the Government should follow the recommendations of that commission in placing a value upon this organization and should have followed the procedure outlined in the Act of 1914, under which they had every power to deal with this situation, and by which they were placed in a position to safeguard the country from having to pay for liabilities and indebtedness, which so far have not been disclosed. We dealt with the question of the balance-sheets that have been brought down and presented to the House and to the people, and I think we may claim to have shown that a great deal more information should be given to the country with regard to these balance-sheets before the people will be in a position to understand what liability they are incurring in taking over this railway. We have tried by these amendments to ensure that no liabilities other than those that can be properly charged aganist the Canadian Northern Railway system shall be paid for by the Government. There

has been a suspicion in the minds of a great many people in the country that there are other liabilities outside of those that are legitimately chargeable to the Canadian Northern railway system, and which, if the Government is not very careful in dealing with this matter, they may find that they will have to pay; and that the country will consequently be called upon to pay not only liabilities that may possibly be fairly and squarely charged up against the Canadian Northern railway system, but also other liabilities that should not be taken into account at all. Further than that, we have tried to show to the House that the question of payment to Messrs. Mackenzie and Mann for services which they claim to have rendered in the past, should not be taken into consideration in as much as a special arrangement was made in the Act of 1914 that in case of default they would not be allowed to take those matters into consideration. But we have not met with any success in trying to amend the clauses of this Bill in the way in which we think it should be amended. We have found that honourable gentlemen on the other side of the House were satisfied with the statement made by the leader of the Government that in the agreement which is to be made between the Government and the members of this railway company, certain conditions and terms will be placed. I want to point out to the honourable gentlemen who are satisfied with an arrangement of that kind, that this agreement which is to be made between the Government and the men interested in this railway is more or less of a private arrangement. An agreement of this kind cannot have any hold further than the assurance that has been given to us by my honourable friend the leader of the Government in this House. While we thoroughly believe that he is honest in the statement he has made and desirous of carrying out the terms as he has stated them to the House, at the same time we know that he is only one of the members of the Cabinet, and it is sometimes difficult for one honourable gentleman to force his views on his fellow members; and we have found that the Cabinet has not been able to carry out, or at any rate has not carried out, the statements they made to the country in 1914 when they brought down the Act granting to these people the $45,000,000 guarantee. So, although we give the honourable gentleman credit for doing all that he can, it is with great hesitation and doubt that we view the drawing up of this agreement, and we shall have to hold those honourable gentlemen who appear to be satisfied by the statement made by the honourable leader of the Government, responsible to see that these sections are carried out in the agreement and that the country is safeguarded as we consider it should be.

To show how this question is viewed in the country I want to read a statement that appeared in a Toronto paper, Saturday Night, of September 8th. I do not know who the editor of this paper is, but I am told the paper is friendly to the Government and is widely read throughout this country. The article is as follows:

> By means of Governmental procedure greatly in vogue in circles favoured by the Kaiser, the Canadian Northern Purchase Bill has been shoved through the House. Debate upon the Bill was summarily cut off by closure proceedings. We are going to acquire the Canadian Northern railway, which in itself is all right, but we do not know what we are going to pay for it, which is all wrong. Why this unseemly haste? If there are financial irregularities back of this deal, as so many seem to think, all the more reason for taking our time over its consideration. Why are the people footing the Bill not entitled to the fullest information? For two months or more the National Service Bill was before the House. Was a closure introduced to shove through the measure, when unquestionably such a proceeding would have been in the public interest? It was not. But when we come to the purchase of a transcontinental system we railroad it through at express train speed, regardless of expense. We do not even inquire what it is going to cost.

Hon. Mr. SPROULE: May I be permitted to remind the honourable member that he is not in order in reading from a paper printed outside reflecting upon anything being done in the House.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. CLORAN: Since when?

Hon. Mr. BOSTOCK: But this is dealing with the Bill that is before the House.

Some Hon. SENATORS: Go ahead.

Hon. Mr. CLORAN: Antiquated.

Hon. Mr. SPROULE: You may say, "Go ahead," but if you will excuse me I think it is the duty of every member to maintain as far as possible the rules of the House, and I could not allow this to pass, coming from the high source that it does, without reference to it, so that at least it would be known.

Some Hon. SENATORS: Go on.

Hon. Mr. CLORAN: We want to hear it if you do not.

Hon. Mr. BOSTOCK: The article continues:

The whole proceeding is so utterly absurd that it seems almost impossible to believe that a man of Sir Thomas White's business experience would have been a party to it. Would Sir Thomas White buy a trust company or acquire a controlling interest in a bank by the same method? Would he say, "We will take over the securities which you have in the safe, and as for the stock we will just appoint a few arbitrators to fix the price," not knowing whether the price is to be "one dollar and other considerations," or sixty or possibly a hundred millions.

Probably there was no more surprised man at the manner in which this Bill was jammed through Parliament than Sir William Mackenzie himself. Never in his wildest flight of imagination did Sir William anticipate so favourable a deal. In proof of this it may be stated with authority that Messrs. Mackenzie and Mann, and the interests which they represent would have been content with much less than is now in prospect for them. Eliminating the hope of further financial assistance from the Government to tide them over their immediate difficulties, Sir William Mackenzie, facing the inevitable, would have deemed the deal satisfactory had an "honorarium" of very modest diminsions been passed on from the Government into the coffers of Mackenzie and Mann. A few millions would have turned the trick so far as the builders and nominal owners of the Canadian Northern railway are concerned.

That gives an idea of the way the people in the country are looking at this transaction.

Hon. Sir JAMES LOUGHEED: Or rather the way Saturday Night is looking at it, not the people.

Hon. Mr. BOSTOCK: Well, that paper as representing the city from which these gentlemen—

Hon. Sir JAMES LOUGHEED: No, it is simply Saturday Night looking at it in that way.

Hon. Mr. BOSTOCK: The views of a paper published in the city of Toronto, in which these gentlemen live, and a paper which I think is widely read not only throughout Ontario but also in the West. This transaction, if it goes through, will render the country liable for a large sum of money, and increase the liabilities of Canada. During this session we have been increasing the taxation on the people to a considerable extent for the purpose of enabling the country to prosecute the war and pay the enormous expenses that the country is called on to place upon itself for the purpose of prosecuting the war; but if the Government is going to use this money for the purpose of helping out this railway and the people connected with it, I think the country will look with very great jealousy on money being spent in that way. We have to remember that one of the provinces has already been brought into a very serious financial position because of the amount of assistance it has given to this and another railway. I think if the people of that province had an opportunity to-day of retracing their steps, they would rescind the action they took some years ago when they agreed to make themselves responsible in the way they did for liabilities in connection with this railway. They are finding to their cost that the policy pursued at that time is now coming back on them and causing them to pay taxes that they never dreamed of when they agreed to that policy being carried out. If this transaction is not handled properly and very carefully, I fear very much that we shall find the Dominion of Canada placed in the same position as that province occupies to-day. I think we should have put into this legislation the proper restrictions to safeguard the country from such a thing happening. With these remarks I propose to move:

That the word "not" be inserted before the word "now" in the motion, and that the following words be added thereto: "but be read the third time this day six months."

Hon. Mr. BELCOURT: This Bill has been passed without Parliament receiving what I would call the essential elementary information without which this Bill could not have been intelligently understood and discussed. But that information will have to be given some time or other, soon or late —the sooner the better. When it is given, and when the public of Canada becomes apprised of the real terms and conditions under which this agreement has been made, and under which it is going to be consummated, I have not the slightest doubt that the revolt against this Bill which was shown only a few days ago by the leading business men of Canada in the metropolis of this Dominion will extend very largely throughout the country; and I feel quite certain that the next Government, whatever may be its composition, will be driven to the necessity of considering the obligation of remedying, so far as can be done at that time, the evils which will have been caused in the meantime by the passage of this legislation. I think that the people of Canada generally and especially those who seek to secure to themselves the benefits of this Bill, ought to under-

stand that they will be called upon to give an account of whatever may have been done thereunder; and I should think and hope that the next Government will call for a very strict account of what may have been done with the money of the people of Canada under the provisions of this Bill, passed in the way I have said. At a date not very far off this matter will have to be investigated and the iniquity perpetrated under it will have to be remedied as far as that can be done. I think I voice the feelings of gentlemen on this side of the House in saying that they will press on the next Government the necessity of repealing this legislation as far as possible or of remedying the evils under it. I think the people of Canada ought to understand that. I think that gentlemen who are going to act or speculate under the provisions of this Act ought to know that the matter is going to be subjected to investigation and to strict accounting later on, and even to complete repeal.

Hon. Mr. CASGRAIN: Nobody seems to want to rise on the other side of the House. We have been like anglers, casting our flies across, but we are not getting a rise. I always understood that the word Parliament, which is an old French word, meant a place where men talked. In French we have the words "parlement" and "parlementer," which means to debate; so honourable gentlemen on the Government side should talk up and try to defend this Bill if they can possibly do it. It has been my privilege in this House to make very lengthy remarks and give very long statements of figures. I gave those figures the greatest amount of consideration, and I was very careful, because I was sure that not only the leader of the Government but other gentlemen here were versed in figures. I see the honourable gentleman from Amherst (Hon. Mr. Curry), who handles millions, who presents to his shareholders great balance-sheets, and then to think he does not say a thing about this matter. Now, this is the last call I make about it. I want the honourable gentleman to tell us whether we are all wrong. He said we should get an accountant to show us. This is the last call, because we are going to have a third reading and the thing will be all over.

I would not have risen to say very much on this occasion if the honourable member for Kingston (Hon. Mr. Richardson) had not, after saying something complimentary about my speech in this House, said that I partly spoiled it by making a charge against the present Minister of Finance, Sir Thomas White. Well, I do not take back the words I said. I read extracts from the Toronto Globe of a letter written by Mr. R. J. Reid, K.C., of Toronto, a well-known Conservative worker, and I said that what he had written was prophetic, for things had turned out exactly as he said. I do not go back on that; on the contrary, I reaffirm that I believe every word he wrote, and in the bright sunlight of to-day I think we have the very best proof that he knew exactly what he was saying. It is no disgrace to the Minister of Finance if he was not always a Conservative, if he belonged to the Liberal party. It shows that there must be some very good men in the Liberal party, according to the gentlemen on the other side, when they think that the only man they can trust with the key of the strong box is a Liberal. They had looked in vain from the boisterous and steep shores of the stormy Atlantic right to the Pacific where the balmy breezes blow, and from the international boundary between Canada and the greatest republic to the south of us on which the sun ever shone, away back to the frozen ocean at the North Pole. There in that immense space stood Robert Laird Borden, with his arms folded, looking up and down the country for one good, honest Conservative that he could trust with the keeping of the money of Canada. He looked over New Brunswick, but found none there. Then he looked over Nova Scotia and Prince Edward Island, but there were none. He just jumped over Quebec because there were only Nationalists there, and he would not trust his allies, for he did not know the time they might go back on him. Then he went to Ontario, where he had seventy-three followers, but he would not trust any of them, although there were some who had stood by the Liberal-Conservative party, and some who are here now, suggested Hon. Mr. Foster—he was not Sir George then; but Mr. Borden said that would never do—there was the story of the Union Trust Company, and he could not have him. Then he went to Manitoba. Somebody in a whisper said, "There is the Hon. Robert Rogers." He replied: "Oh, that would never do; we will have to let him by." Then they went to Saskatchewan, but they were all Liberals that had been elected. Alberta was the same. In British Columbia all they could find was a nice, polished gen-

tleman and they made him Minister of Agriculture, Mr. Burrell, a nice, quiet man who never offended anybody, never set the Thames on fire, and never will. Mr. White was looked upon. Nobody had ever heard much about him, he had made one speech in Massey Hall in which he said he was a Liberal, but he was not very well known in the Liberal party either; he was not even a candidate. However, it is a historical fact that Sir William Mackenzie came down to Ottawa at the formation of the Borden Government, and camped right here and stayed with the job, and he had many of his own men, of his own best friends, put into the Government. It is no disparagement to the Minister of Finance that he had some friends to suggest his name to the present Prime Minister; if he had had no friends he would never have been chosen. Now, who were his friends?—that is the question. In the first place, Sir William Mackenzie; in the next place, Mr. Lash; then, his own uncle, Mr. Fleming, the manager for Mackenzie and Mann; then there was Sir Edmund Byron Walker. Those were his friends, and there was Mr. Flavelle, commonly called Lord Bacon. Those were the gentlemen who recommended him, and he has been faithful to those gentlemen. He has gratitude of the heart, and every session since he has been Finance Minister he has given them abundantly, as everybody knows.

I could recite all the money that has been given to this undertaking year in and year out; and when we gave the larger amount, guaranteeing $45,000,000, I said from my place in this Senate that I believed that would not save the enterprise. At that time I thought, as did many others, that it was doomed; it was bound some time to become insolvent; and to-day we have a verification of my words out of the mouth of the leader of the Government, who admits that it is insolvent, though not bankrupt. Well, there is not very much distinction between the two words. I believe the Government has gone about this matter in the wrong way from the start. Before talking of giving value to the stock, I think an inventory should have been taken of the liabilities. That would be elementary. If the liabilities had been taken, and an amount fixed, showing that the road was worth so much, then after that would come the equity, whatever it might be; but some amount should have been fixed. Suppose we counted the liabilities at $400,000,000, which would be a good price to pay for that road, and then said that anything above that figure we would allow on the stock. But if no amount is fixed, and the liabilities should run up to $500,000,000 or $600,000,000, as the matter stands to-day we are still to have a discussion about the value of the equity in the stock. When you are buying a property of any kind you look at the amount of the mortgages on it; but this transaction has been arranged as if the seller of a house or a farm should say to you, "Oh, never mind the mortgage; how much are you going to give me?" By this Bill we say: "We do not mind the amount of the liabilities; we will arbitrate to find the value of the equity." But before you arbitrate you ought to fix a price. Though I have waded through a thousand columns of Hansard in the other House I have never been able to find that the Government have said: "We will have an equity above a certain amount; we will fix the amount, and then if the liabilities do not run up to that amount, anything above them will be arbitrated, and we will give something for the stock." That has not been done.

The honourable senator from Lethbridge (Hon. Mr. De Veber) showed how the promoters of the Edmonton and Calgary railway, some of this same group, had managed to build that road for less than $10,000 a mile, and had bonded it for over $18,000 a mile, and received 6,400 acres a mile of land subsidy, and how they made a clean profit of $8,000,000 out of that one enterprise, and still owned the road. That showed that roads on the prairie could be built for $10,000 a mile.

Suppose we put this road in at even a high price. There are 9,513 miles of which 3,200 miles are main line. Suppose we put the main line at an average of $60,000 a mile, a very fair price, that makes $192,000,000. If you put the branch lines at $25,000 a mile—150 per cent more than it cost to build the road we heard about—you will get a price of $157,825,000; making a grand total of $349,825,000 for the whole thing. Now that is putting it at a good price. I could tell you of railways that have been bought by practical men and what they paid; and when the Drayton-Acworth report puts the value of this road at four hundred and two million dollars they give a good round figure. That valuation was made much more carefully than the one I am giving you now, yet the difference be-

tween them is not more that 11 per cent. The valuation made for the Drayton-Acworth report was very thorough, over 120 men having worked for three months on it, with professor Swain at the head of the staff. He is recognized as an expert in the United States, and he associated with himself the best engineers, with first assistants of his own, and the others were engineers taken from Canada. They were sent from one end of the Canadian Northern to the other and were told to find out exactly the value of the right of way, of the work, of the stations, and even of the property in the city of Montreal. The Government might have said: "We will accept the report as far as that valuation is concerned; we have this amount of $402,000,000; now, if your liabilities do not run over $402,000,000 we will arbitrate and see what the stock is worth; if your liabilities run over that we cannot arbitrate about the stock." That would have been a fair and honest proposition. But they did not do that at all; they simply went it blind, and refused absolutely to disclose any amount of the liabilities.

There is one point in reference to the financial group who are the friends of Sir Thomas White. Honourable gentlemen need not believe that this money is going to Mackenzie and Mann. I know whereof I speak when I say that neither Sir Donald Mann nor Sir William Mackenzie was specially anxious to have this deal go through; but the financiers and the Shylocks got them by the throat and said: "We want to realize our money; we have dragged this along, and now is the time to pass it, when everybody is thinking about the war, when some of us do not know whether our sons and brothers are alive at the time we are speaking." If the people of this country were in their sober senses they would not think of such a thing; But under the shadow of this war and with a majority in both branches of Parliament, now is the time to put this through. It is not for Sir William Mackenzie and Sir Donald Mann. No. They cherished their enterprise. They had worked at it for 25 years. Their dream was to have a transcontinental railway with a large mileage and operate it. They could have dealt with the present situation for at least 60 cents on the dollar less than it can be done under government control. They could do as much for one dollar as the Government could do for two. However, it is the group that was persistent to have their own Finance Minister, even if he had to be taken from outside of the Conservative party, or the party which carried the election—and he has been faithful to them, so far as he is concerned, they have nothing to complain of. That is the group; it is not Mackenzie and Mann.

One further word before I close. We know that if the Government takes over this railway, as the Canadian Northern runs from Winnipeg to Quebec, and as the Government has taken over the National Transcontinental railway, there will be two railways running between the same two points. The mileage on the Transcontinental railway is 1,351 miles. The other day I asked for the official figures, and I have got them. The mileage by the Canadian Northern railway between Quebec and Winnipeg is 1,641 miles—a difference of nearly 300 miles. Now, I ask, is there any sane man who will say that the Government, owning both lines and consequently having the choice in shipping either way, will ever think of sending any freight by the Canadian Northern 300 miles further than necessary, when there is a better route with easier grades? I have not been given figures as to the adverse grades; but I state here on my reputation as an engineer that the grades are much easier, much less adverse, by one-half at least, on the National Transcontinental than on the Canadian Northern. I have not been successful in obtaining figures, although I asked for them more than three weeks ago. What will be the use of that other line, the Canadian Northern, in the hands of the Canadian Government when the Government have the National Transcontinental, which is 300 miles shorter, has better grades, and is a better road? Will they ever send one car over the Canadian Northern between Winnipeg and Quebec? If they do send any Canadian Northern freight between those two points, it is simply a waste of money to haul freight 300 miles for nothing. I do not believe they will do that.

I regret having taken up so much of the time of the House; but before the third reading is given to this Bill, if honourable gentlemen on the other side would rise and discuss this matter for the last time, perhaps they might find some arguments which we on this side of the House have so far failed to find in defence of the proposal.

Hon. ROBERT WATSON: At the risk of wearying the House I propose for a few minutes to make some further remarks in reference to this Bill. I do so inasmuch

as it happened to fall to my lot to be present apparently at the funeral of the Canadian Northern railway as I was present at its birth. I happened to be a member of the Manitoba Government who signed the first guaranteed bonds that were ever given to the Canadian Northern railway. I believe those bonds were the first bonds ever signed in Canada for the purpose of aiding in the construction of a railway. We adopted that policy because we were poor and did not have sufficient money to give cash, but our credit was good and we were able to give the guarantee. For these reasons I claim the indulgence of this honourable House for a few minutes in giving a little of the history of the Canadian Northern and of railroading in the West. I assure you I will not take long, and my only purpose in taking up the time of this House is to give some information which I have been asked for in regard to these matters.

In 1881 the Canadian Pacific railway charter was granted. It included a monopoly clause, section 15, which gave the Canadian Pacific railway a monopoly in the province of Manitoba and the Northwest Territories for 21 years. That clause was very objectionable to the people of Manitoba, and a vigorous fight was made at the time. However, it was passed.

I was elected a member of the House of Commons first in 1882, and fought against that monopoly, because the province of Manitoba was insisting on the passing of a charter for a railway in that province, which was disallowed by the Federal Government. We were determined to have railway competition. It is not necessary to say that the freight rates of the Canadian Pacific railway were very exorbitant. I myself was in the milling business and could have my freight carried by ox-carts and ponies more cheaply than over the Canadian Pacific railway, which was the only railway in the country. Westward as far as Minnedosa, a distance of 85 miles, freight was carried by teams at a lower rate than that of the railway. Those were the conditions existing in Manitoba. Western Canada did not exist at that time, so far as population was concerned, and even in Manitoba the population was sparse. In the province of Manitoba the excitement was very intense, and so determined were the people of the province to have railroads that the Government themselves undertook to build a railroad, known as the Red River Valley railroad, without granting any charter. Unfortunately, the Government could not finance the enterprise, and they failed. The Norquay government was defeated—went down and out.

The Greenway Government came into power in 1887 and they took up the fight. They built a road from Emerson to Winnipeg and financed it? They also built a railroad from Winnipeg to Portage la Prairie. In 1887 they negotiated with the Northern Pacific, which was a most convenient road for them to connect with to the south. The fight continued in 1888 and Manitoba was almost on the verge of rebellion. Men actually went out with arms to force a crossing at a place known as Fort Whyte, at the crossing of the Canadian Pacific railway and the Southwestern, in the Red River valley, and troops were called out for the purpose of defending that crossing. That was the condition of affairs in Manitoba.

The Greenway Government when it came into power negotiated with the Northern Pacific and arranged for them to extend their lines into Manitoba. In 1888 the Federal disallowance of our railways was done away with, the Federal Government giving the Canadian Pacific railway a guarantee of $15,000,000 in consideration of the abolition of section 15. We had reason to believe at that time, and I believe still, that Lord Lansdowne was the man who took a hand in effecting that settlement. Then the Northern Pacific came in and built lines of railway in Manitoba for a cash subsidy of $1,750 a mile. It was a low subsidy at that time, but they were anxious to make a connection and get business. They had the friendship of the Government. For a time the people of Manitoba had the advantage of the competition between the Northern Pacific and the Canadian Pacific, and from that we derived a benefit in rates and service, which was doing the country a great deal of good. Of course, the Red River Valley railway was turned over to the Northern Pacific when it came in. That provided competition and gave a better railway service to the central and southern portions of the province of Manitoba. There was at that time no settlement in Saskatchewan. The northern portion of Manitoba wanted railways.

Messrs. Mackenzie and Mann at that time were building the road which was referred to the other day by my honourable friend from Lethbridge (Hon. Mr. De Veber), the Calgary and Edmonton railway. They were railway builders. They came to Manitoba and made a proposition that if they could secure a charter that was then in existence, the charter of a railway known

as the Lake Manitoba Railway and Canal company, which was then controlled by Mr. Charles Mackintosh and the Davises of Ottawa—if they could secure that charter and a guarantee, by the Manitoba Government, they would complete the road. They secured what was known then as the Hudson Bay railway charter, which carried with it a subsidy and land grant; and they secured from the Ottawa people the charter of the Lake Manitoba Railway and Canal Company. The Manitoba Government guaranteed the bonds for the building of that road, $8,000 per mile, at 5 per cent. They proceeded to build the road. Of course, there was at that time opposition, as might be expected. It was said: "We shall have to pay the interest." But, as a matter of fact, that road paid interest from the first year of its operation under the present vice-president of the Canadian Northern railway system, Mr. D. B. Hanna, as general manager. Mr. Hanna will tell to-day that he operated that road of some hundred miles, when the staff consisted of himself, a boy, and nine men, including the train crew, section men, and all the rest, and got enough freight to make the road pay.

That was the condition of affairs until the campaign of 1899, when Hugh John Macdonald succeeded in defeating the Greenway Government, of which I was a member. The main cry of Hugh John Macdonald at that time was government ownership of railways, and when Hugh John Macdonald came into power, he, honest man as he was, immediately proceeded to carry out his pledge; and he made a contract for a Government-owned railway from Winnipeg to Duluth. They were to get certain aid from the province and certain aid in Minnesota. I have seen that contract. It was a good contract, honestly drawn in favor of the province of Manitoba, and we had that promise of government ownership of railroads.

Hugh John Macdonald was put aside by some manœuvres and Mr. R. P. Roblin came in as Premier. Shortly afterwards he called to his assistance Mr. Rogers, the late Minister of Public Works in the Dominion Government, as the Minister of Public Works for Manitoba. The Government gave guarantees for the extension of the Canadian Northern, but not at $8,000 per mile. For a road which had paid its interest the Government increased the guarantees to $10,000 per mile. A very peculiar thing in connection with the agreement—

Hon. Mr. McMEANS: If I understand the situation, the Roblin Government ceased to grant cash subsidies, and instead of granting a cash subsidy they gave a guarantee of the bonds of the road.

Hon. Mr. WATSON: If my honourable friend will just listen to me he will understand. I have said that in 1896 the Government guaranteed the bonds at $8,000 a mile.

Hon. Mr. McMEANS: You gave the money; the Roblin Government gave a guarantee, on which they were never called upon to pay.

Hon. Mr. WATSON: The honourable gentleman is mistaken.

Hon. Mr. McMEANS: I am not mistaken.

Hon. Mr. WATSON: We gave a guarantee to the Canadian Northern of $8,000 per mile. We gave the Northern Pacific a cash subsidy of $1,750 a mile. As I have just mentioned, the Greenway Government was the first government to secure the construction of railways in Canada by the guaranteeing of bonds.

Hon. Mr. McMEANS: I think the honourable gentleman is mistaken. His government gave a cash subsidy.

Hon. Mr. WATSON: I am satisfied I am not mistaken. The Roblin Government increased the guarantee to $10,000 a mile, but, strange to say, they gave that additional guarantee of $2,000 a mile on a road already built on a guarantee of $8,000 a mile. Why it was done is a mystery, or perhaps these gentlemen can explain it. They did more than that. The Greenway Government had absolute security. The roadbed, track, stations, terminals, locomotives, rolling stock of all descriptions, were our security for the $8,000 a mile. The Roblin Government released the company from those securities, and all that the bondholders and the Government had for the guarantee were two streaks of rust, the dump, and the right of way. More than that, the Government guaranteed $1,500,000 on the terminals in Winnipeg.

Hon. Mr. McMEANS: Have they ever paid a cent on it?

Hon. Mr. WATSON: I am telling the honourable gentleman what happened. They gave that guarantee. They gave a guarantee also, you will find, on all the Canadian Northern rolling stock—locomotives, coaches, and so on—though these

were the property of a rolling-stock company and not the property directly of the Canadian Northern.

Those were the conditions which prevailed with respect to the railway situation of Manitoba.

Now, here is a point to which I want to direct the particular attention of the Government. Some people fear that the whole truth is not being told with reference to these railway deals. Hugh John Macdonald attained power on the question of government ownership, but Roblin succeeded him and took Hon. Robert Rogers into his Cabinet. They proceeded, on the pretext of government ownership, to purchase the Northern Pacific system in Manitoba, which was giving good service in that country. I have here the statute which provided for the acquisition of the Northern Pacific by the province of Manitoba, under the pretext of government ownership. It is dated the 15th day of January, 1911. You will note the date particularly. This is chapter 38 of the statutes of the province of Manitoba, and is entitled: "An Act confirming a certain agreement therein referred to." This confirms an agreement for the purchase by the Manitoba Government of the Northern Pacific railway at that particular time. You would naturally suppose that the province of Manitoba was coming into its own and would have government ownership of railways, knowing that Hugh John Macdonald had carried the province on that platform, and knowing that Roblin had succeeded him as Premier. This agreement is signed: "Mellen, President of the Northern Pacific and Manitoba Railway Company." There are several corporations included—the Winnipeg Transfer Railway company, Limited, signed by Mellen, President; the Portage and North-Western Railway company signed by Mellen, President; the Waskada and North-Eastern Railway company, signed by Mellen, President; and, on behalf of the Queen, the agreement was signed by whom? The Hon. Robert Rogers.

I may say that one of the mysterious things about this matter was when it was inquired into—honourable gentlemen will recollect it was the subject of discussion in Manitoba—it was learned that when Messrs. Roblin and Rogers went to conclude this deal on behalf of the Manitoba Government with the Northern Pacific railway, they for some reason registered in St. Paul under assumed names. In the investigation held afterwards the register was produced and it was found they had registered under assumed names. The mystery is perhaps cleared up by the subsequent Act of the Manitoba legislature, chapter 28. Would you believe that, notwithstanding the fact that the Government of the province of Manitoba won the election on the policy of government ownership, those men carried out their pledge by transferring that portion of the Northern Pacific and Manitoba railway in Manitoba under the statute from which I have quoted, and in the very next chapter of the statutes, chapter 39—

Hon. Mr. BELCOURT: The same year?

Hon. Mr. WATSON: Yes; in the same year, 21 days later, a statute was enacted which transferred this Northern Pacific railway to the Canadian Northern—to Mackenzie and Mann. Within twenty-one days after the purchase of the Northern Pacific, ostensibly for the province of Manitoba, in accordance with the policy of government ownership of railways, the road was transferred to Mackenzie and Mann, the Canadian Northern. It may be interesting to know that the agreement is signed by Mr. R. P. Roblin, Railway Commissioner for Manitoba, and our friend Mr. Frederic Nicholls for the Canadian Northern railway, as president.

Hon. Mr. CLORAN: A similar thing happened in Quebec, you know.

Hon. Mr. LAIRD: What were the terms of that agreement?

Hon. Mr. WATSON: The terms are set out here in the Act. The honourable gentleman can read it.

Hon. Mr. LAIRD: Is it not correct that one of the terms of that agreement was a special arrangement for a reduction in the rates to be applied between Winnipeg and Fort William, and which was subsequently applied to the Canadian Pacific railway, and subsequently, by order of the Railway Commision, was extended to the provinces of Saskatchewan and Alberta? By that arrangement millions and millions of dollars were saved to the farmers of Western Canada.

Hon. Mr. WATSON: The statement about the millions and millions being saved to the farmers is very questionable. There is no doubt at all that the freight rates were

Hon. Mr. LAIRD: That was one of the concessions made at the time—the reduction of rates, and it has saved to the farmers in all the western privinces millions of dollars.

Hon. Mr. McMEANS: Will the honourable gentleman pardon me? A condition of that bargain was this, that the Manitoba Government should have exclusive control of the freight rates, and when that went into force the Canadian Pacific, which had opposed it so bitterly, was forced to reduce its rates, and that brought about the celebrated rate of 10 cents a hundred pounds, which meant a saving to the people of Manitoba and Saskatchewan of millions of dollars; and this is to-day the basis of the reduction of freight rates. The bargain made at that time was the best bargain ever made in the Dominion of Canada.

Hon. Mr. WATSON: I think my honourable friend is entirely mistaken as to the ten-cent rate on the Canadian Pacific railway. The ten-cent rate is embodied in a Dominion statute, and was secured when the Government came to their aid in building the Crow's Nest Pass railway.

Hon. Mr. LAIRD: If the honourable gentleman will allow me, I may say that I took an active part in the famous freight rate case in Saskatchewan, and one of the arguments used was that this rate was confined exclusively to the province of Manitoba. We took the ground on behalf of Alberta and Saskatchewan that the reduction of rates applied to all the western provinces, and by the decision of the Railway Commission that claim was upheld. The result is that in all the western provinces the people have been able to take advantage of that reduction in rates.

Hon. Mr. WATSON: These interruptions do not affect my argument at all. If honourable gentlemen want to consider these two Acts, they are to be found in the statutebook. I am not going to take up the House in discussing rates. I am simply stating what occurred with regard to the transfer of property by the Northern Pacific railway to the Canadian Northern railway.

Hon. Mr. LAIRD: Give us all the facts.

Hon. Mr. WATSON: I say that with all the facts before us we cannot be surprised that the people of the West become alarmed by these railway deals. The Government apparently is taking carte blanche to do what it likes with the Canadian Northern.

Is the Canadian Northern railway going to merge with the Grand Trunk Pacific or with the Canadian Pacific railway? Apparently the Government does as it pleases with it. I urge now, as I urged before, that in my humble judgment the Government should not deal with this matter in this way. It should be left until the people of the West have a fair representation in the House of Commons. The West is not represented. The East will lose 8 members and we in the West will gain 22, besides which there are three vacancies, which makes a total of 33 seats. An honourable gentleman on the other side of the House told me yesterday that he did not like this Bill; but he said, "I take it as a war measure." The people of this country are getting rather tired of this sugar-coating, and being told that everything is a war measure. The sugar-coating of the pill is not going to be accepted by the people of Canada. There is a future after the war is over. and we have to look to the future. That being the case, I say that the Government should think of these things carefully, and give the people fair representation. The Government is doing a lot of things that will require a lot of sugar-coating before the people will accept them. I am in favour of prosecuting the war to the limit, but under cover of the sugar-coating you should not rob the treasury, and you should not make these bargains to bind the people of the Northwest without giving them fair representation in Parliament.

I am not going to take any further time to discuss this matter. I thought it well that I should make these representations. As I said before, I was at the birth of the Canadian Northern railway company; and apparently now I am at the funeral twenty-one years afterwards.

Hon. Sir JAMES LOUGHEED: It will now have a glorious resurrection.

Hon. Mr. WATSON: I do not know how that will be. It will probably be after the next election. I do not think that there will be any resurrection of the dead bones of this House at the present time, because it takes a great deal to stir them up. In my humble opinion, it would be much better for the Government to grant some relief to the Canadian Northern and allow these matters to be settled when we have a new Parliament, because the time of the present Government is up. They are in power by their own action. The people have not been consulted for six years.

I am not going to deal with figures, but it is admitted that this matter will involve

$600,000,000, and before you undertake these great obligations may I say that I believe that the management of the Canadian Northern railway can operate this road at much less cost than the Government can. My honourable friend has said that it was built at half the cost of the Transcontinental railway. It is not so good a road, but it is here. There is no doubt of the fact that the Canadian Northern railway passes through the most fertile territory in the Northwest. It passes through a country with a large population, a country which lends itself to mixed farming and small farms. If the Canadian Northern had confined itself to the road between Fort William and the Rocky Mountains or Edmonton, it would be one of the best railroad properties in America to-day. I think that the gentlemen in charge of it were over-zealous and tried to accomplish too much. I do not think that they have put all the money that they received in the way of grants into the roads.

Hon. L. McMEANS: Honourable gentlemen, I did not intend to take up the time of the House in discussing this Bill; but I desire to correct a few of the statements which have been made by the honourable gentleman from Portage la Prairie (Hon. Mr. Watson) in regard to the railway situation in Manitoba. He has taken up the time of the House in giving us a detailed statement of the railway situation, that would lead us to believe that it was owing to the fact that the Roblin Government had bought the Northern Pacific Manitoba railway which caused so much trouble and so much commotion. Let me explain the situation, as I have a very clear recollection of it.

The Northern Pacific Manitoba railway came into Manitoba at the request of the Government, as the honourable gentleman stated, about the time of disallowance. They were induced to come in then by the Greenway Government, which advanced a cash bonus of so much per mile. The people of Manitoba were crying out for railroads, and the Greenway Government refused to give any further extension to the road, and it was crippled. The issue was brought before the people, and the Greenway Government was put on trial, not, as the honourable gentleman has stated, on the ground of public ownership. They went to the country on their record, and their record was so bad that when the returns came in there was not a corporal's guard left.

Let us see what the Roblin Government did with regard to the Northern Pacific Manitoba railway. The Northern Pacific railway said: "We will not build any more in Manitoba, because the Government has not treated us properly." There was an attempt made by the Canadian Pacific railway to get control of this road, but the Government stepped in and took a lease for ninety-nine years, which was turned over to the Canadian Northern company within a few days. In turning over that road to the Canadian Northern, the Roblin Government, or the Macdonald Government, reserved to itself the absolute right to fix the railway charges and the freight rates on that road. The result of that was that the freight rates were immediately reduced to 10 cents per 100 pounds, and the Canadian Pacific railway had to reduce their rates to the reduction made by the Northern Pacific Manitoba Railway company, which saved to the people of Manitoba and the people of the western provinces many millions of dollars. That was the reason why the freight rate of 10 cents per 100 pounds to Fort William was obtained.

There is another chapter to this history of the Greenway Government. After the Greenway Government went out of power the people were amazed to find that while the Greenway Government had refused to assist in any way the Northern Pacific Manitoba railway, they had passed a secret Order in Council by which they were giving assistance to the Canadian Pacific railway. Does the honourable gentleman from Portage la Prairie deny that?

Hon. Mr. WATSON: Secret? I do.

Hon. Mr. McMEANS: The honourable gentleman does not remember the secret Order in Council which Hugh John Macdonald had to cancel after he became Premier?

Hon. Mr. WATSON: What was contained in it?

Hon. Mr. McMEANS: Granting aid for an extension of the Canadian Pacific railway, called the Snowflake branch. I have not gone into ancient history as my honourable friend has done. These facts are fresh in my recollection, because at that time this was a matter of importance. That secret Order in Council was passed. It had been stated to the people of Manitoba that no further aid would be given to railways, and the Northern Pacific railway had been driven out of Manitoba. That Government went before the people, and the people gave their verdict, and the Government was hurled from power. The

Roblin Government took the matter up, discovered the secret Order in Council, and immediately made a deal with the Northern Pacific Manitoba Railway company by which they got this reduction of freight rates.

The honourable gentleman has said that the province of Manitoba has given no bonuses to railways. There was a change in the policy of the Government at that time. They said they would give no cash to any railway company, but would assist them by guaranteeing bonds under circumstances. They guaranteed bonds, and I am happy to say that the province of Manitoba has never been called upon to pay one cent in pursuance of the policy laid down by the Roblin Government.

The honourable gentleman has stated that he is a great opponent of public ownership. He thinks it is wrong. I will not argue the question with him, because I join with the majority of this House in saying that in normal times and under normal conditions it might be unwise, perhaps, to take over the Canadian Northern railway; but being, as we are, the endorsers of their bonds, the question naturally arises, what is best to be done under the circumstances? I want to ask the honourable gentleman about his opposition to public ownership. He talks about the telephones of the province of Manitoba. He would have you believe that some great error was made. Let me tell every honourable gentleman on the other side of the House that if he went into Manitoba to-day, and had the temerity to get up and say that the telephone system now owned by the province should be put back into the monopoly of the Bell Telephone company, he would be looked upon as a man who was not possessed of good judgment. At no time have the people of Manitoba and Saskatchewan received a greater blessing than they did when the Government of the day, in order to break the monopoly of the Bell Telephone company, took over the telephone system. They started out first to erect their own lines, because the telephone company would not sell to them. To-day those provinces enjoy all the blessings of a public service. Let me tell the honourable gentleman from Portage la Prairie that if he went into the city of Winnipeg and said that the ownership by the city of Winnipeg of the electric power should go back into private hands he would be looked upon as fit for the insane asylum at Selkirk. The city at one time paid 20 cents per kilowatt hour for electric power. They determined to go into the distribution of power themselves. The street railway company said that they would prevent them from doing so by reducing the rate for power to 10 cents per hour. What was the result? The people of the city to-day are paying 3½ cents an hour for electricity for lighting purposes and 1 cent per hour for domestic purposes, and manufacturers are getting power at very much less. Not only is the electric power of Winnipeg being run, and all costs paid, but in addition a sufficient sum has been set aside from year to year to provide for depreciation and still leave a handsome profit.

I want to remind the honourable gentleman that if there is any place in Canada that will benefit by this Act, it is the provinces of Manitoba, Saskatchewan, and Alberta, where the Canadian Northern has its lines spread out like a gridiron over a map. When the Government owns these lines, surely that part of the country will benefit to a greater extent than any other part.

Hon. RAOUL DANDURAND: Honourable gentlemen, this morning I read to the House a telegram which was published in the Montreal Star last week, which explained that the Conservative members of the Senate in caucus had succeeded in getting an assurance from the Government that a maximum amount would be fixed beyond which the arbitrator should not go, and consequently that a limitation would be put upon the liabilities which the Government would assume. The Montreal Star of Saturday last, commenting upon these disclosures, made the following remarks:

> That there was widespread dissatisfaction with the Government Railway Bill was evident. The chief objection, as was pointed out in The Star, consisted in the absence of sufficient safeguards respecting security for possible undiscovered liabilities.
>
> The Government now announces a commendable change in the Bill to cover this feature.

I draw attention to these words. I continue:

> The railway legislation by the proposed amendment will be robbed of its most objectionable features.
>
> The Government can and should go further by providing, either in the Bill or in the agreement, for the protection of the Dominion against a possible existence of undisclosed assets as well as undisclosed liabilities. Provide for these two important features and most of the objections to the measure will disappear.

I shall not dilate upon this further than to say that I suppose it means that precau-

tions should be taken to see that all the assets are gathered in. However, that is not the point to which I wish to draw the attention of this Chamber; but it is to these two facts, which seemed to engross the minds of the honourable gentlemen opposite when they meet their leader in caucus. It is said in that despatch to Montreal that they were very much alarmed at the idea of having arbitrators go to the limit of $60,000,000 and accept the opinion of Messrs. Mackenzie and Mann that that stock was worth 100 cents on the dollar. The second objection they had was that there would be undisclosed liabilities, perhaps running into millions, for which the Government would be responsible. Now they seem to have been given some assurance that satisfied and squelched their qualms of conscience, for we see them surrounding the leader of the Government, and adopting every clause of that measure, and rejecting every safeguard that the members on this side of the House have suggested. What are the safeguards which they wrench from the Government? Here they are; I find them in the answer of the honourable leader of the Government in this Chamber to the questions put by the honourable senator for Hastings on Friday last. Now, this is no accidental and informal query. The stage was set for the Government to go on record, in order to assure its friends in this Chamber that proper safeguards would surround this agreement. I read from the Senate Debates:

Hon Sir Mackenzie Bowell: I asked as to whether it was the intention of the Government to fix a maximum amount to which the arbitrators would be restricted. That is a question which has been raised, not only in the discussion here, but also by many members of the other House in discussing the provisions of this Bill. I think that if the members of this House were in possession of that information it would enable them to come to a better conclusion as to the merits of the Bill.

And the second question the honourable gentleman put was:

Also may I ask whether it is the intention to take steps in order to ascertain the liabilities which are not disclosed if any, to the arbitrators?

The answer of my honourable friend is the following, which apparently has satisfied the members who surround and support him; I will read it and see what it does give:

Hon Sir James Lougheed: I am very glad that the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell) has asked this question, and I therefore answer it. I may say that the Government, upon entering into the agreement provided for in the Bill, will fix a maximum amount to be paid for the stock, and will further provide, of course, that the fixing of the amount shall not be taken into consideration by the arbitrators as an element in fixing the value, if any, of the stock to be acquired. As to the second question, I may say that the Government will provide in the agreement that any obligations of the company not disclosed to the arbitrators will, upon being established as valid claims, within a period to be fixed after the award is accepted, be paid out of the money so awarded, if any.

We have contended on this side of the House that no value should attach to that stock; that there was no equity. We hope that if a proper investigation is held the arbitrators will so decide. If they decide that there is no equity, that there is nothing due either morally or legally to the builders of this road, then what will remain to be set against the undisclosed liabilities that could appear after this agreement is signed? I draw the attention of the honourable gentlemen of this Chamber to the fact that they have obtained practically nothing by the assurances that the Government have given them through the lips of the honourable leader of the Government in this Chamber. If there are undisclosed liabilities, the award will stand as a protection for the Government, and will be reduced in consequence. But we claim that there should be no award—that it is preposterous for any arbitrator looking into this transaction, into the state of this company, to allow anything for that stock. Being convinced of that fact, what remains of the assurances of the Government that for any undisclosed liabilities the amount of that award will be a protection for the people of this country? I say there is no satisfactory guarantee that the millions of liabilities will not be unburdened on the public treasury. When we suggested that as to all liabilities that rank behind the second mortgage of the Government, the Exchequer Court should pass upon them so as to find exactly what was received by the Canadian Northern for those liabilities, we were providing a safeguard which is a serious one, while this one will not stand the light of day. One look at the answer of my honourable friend shows that his friends who surround him have been satisfied with very little indeed, and this is one of the very many reasons for which I intend to support the amendment asking for the six months hoist.

The proposed amendment was negatived on the original division.

The motion for the third reading of the Bill was then put and declared carried on the same division reversed, and the Bill was read the third time and passed.

MILITARY VOTERS' BILL.

CONSIDERED IN COMMITTEE.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 127, the Military Voters' Act, 1917. Hon. Mr. Daniel in the Chair.

On section 1—application:

Hon. Mr. BEIQUE: I moved an amendment yesterday to that clause. I meant to draw attention to the fact that by demobilization of men the Government might extend indefinitely the operation of this law, by delaying the demobilization of a regiment, or part of a regiment, or even a dozen men who had been enlisted. I therefore move to amend section 1 by striking out all the words after "all" and substituting therefor the words:

Within one month after the complete demobilization or the signing of the treaty of peace between the Allies and the Central Powers.

Hon. Mr. LANDRY: Of course, the honourable gentleman will understand that the complete demobilization might take six or eight months afterwards.

Hon. Mr. BEIQUE: Yes, but if one of the two courses is followed, the section would have no effect.

Hon. Mr. LANDRY: It is one of the two, but they would not be obliged to do it.

Hon Mr. POWER: Under the amendment the Government of the day, which might not be the present Government, could act either on the complete demobilization, or, if it chose to take the other alternative, it could wait till the treaty of peace had been signed. The difficulty would be removed by striking out the word "complete" in the amendment, and then as soon as there is a general demobilization the Act ceases to operate. I think that would be the fair means.

Hon. Sir JAMES LOUGHEED: I might point out that the Department of Justice, in giving an opinion on that, interpreted this to mean the disbandment of the military forces which were called together. Complete demobilization must necessarily mean the return of all the forces to Canada. You mobilize men for a particular purpose, and then you demobilize them, that is, you break them up.

Hon. Mr. DANDURAND

Hon. Mr. LANDRY: You do not break them up altogether.

Hon. Sir JAMES LOUGHEED: Surely the Government of Canada is not going to leave an army on the continent.

Hon. Mr. LANDRY: No, but you need to transport them back here, and it will take two or three years.

Hon. Mr. BELCOURT: Of course, the Government is not going to leave a whole army there, but it might leave one regiment over there, and then it would not be complete demobilization. It would be better to take out the word "complete" and say "before demobilization."

Hon. Sir JAMES LOUGHEED: That would be all right, if you strike out the word "complete."

Hon. Mr. BEIQUE: I consent to that, and move the amendment with the word "complete" omitted.

The amendment was agreed to, and section 1, as amended, was agreed to.

On paragraph c of section 2—military elector:

Hon. Mr. BEIQUE: I would like to ask the leader of the Government what is intended by the words after the words "discharged therefrom":

Or in the case of an officer has been permitted to resign, or without fault on his side has had his services dispensed with.

Hon. Sir JAMES LOUGHEED: The words "discharged therefrom" apply to a private or a non-commissioned officer, but they do not apply to an officer, who does not obtain a discharge in the same way as a private or a non-commissioned officer. He is always permitted to resign.

Hon. Mr. BEIQUE: I will suggest that this clause be suspended, so that it may be taken up with subsection 4 of section 3, because I propose to offer two amendments, one of which will affect paragraph c of section 2, and the other subsection 4 of section 3. I would ask that the section be allowed to stand at present, until we come to subsection 4 of section 3.

Hon. Sir JAMES LOUGHEED: That is quite satisfactory; but, while I have this amendment in my hand, I may as well put it. I move that the words. "or, in the case of an officer, has been permitted to resign or without fault on his part has had his services dispensed with," be inserted after the words "honourably dis-

charged therefrom." Then, on the same page, line 13, strike out the word "other," which is unnecessary there.

Hon. Mr. BELCOURT: I have in mind the case of a soldier who may not have been discharged, against whom an accusation may have been made. How would that affect him ?

Hon. Sir JAMES LOUGHEED: If he is not discharged he would be entitled to a vote; he is still undischarged. This is simply to include those who have been honourably discharged.

The amendment was agreed to.

Hon. Sir JAMES LOUGHEED: The word "Aviation," in line six, should read "Air." It is the Air Service, not the Aviation Service. This is simply a clerical error.

The amendment was agreed to.

Hon. Mr. McLENNAN: May I ask if the words, "active service" would include nurses, for example, who are working in connection with such organizations as the Red Cross?

Hon. Sir JAMES LOUGHEED: Not unless they were under military command. The Red Cross is an independent organization; but where those nurses have passed over to military command they would be included.

Section 2 stands.

On section 3—voting by military electors:

Hon. Mr. ROCHE: When the principle of the Bill was under discussion, having regard to the lateness of the hour and the condition of the House, I deferred making some observations I intended to make. Since then I have read through this Bill, and I think I am able to condense the remarks I intended making. With your kind permission I should like to look back to the first clause of this Bill.

The CHAIRMAN: The honourable gentleman can do so only by unanimous consent.

Hon. Mr. BOSTOCK: I think it was understood last night.

Hon. Sir JAMES LOUGHEED: My honourable friend is not going to take long ?

Hon. Mr. ROCHE: No, only a very short time. If I might anticipate something that is included in this present one, I will not trouble the House with any further remarks on the subsequent clauses.

The right to the franchise. By it the individual in the community relinquishes part of his liberty and control of his property to the majority. Therefore, the person whom he selects as his representative and to control his interests should be one of his choice. Much depends upon the selection of the individual, his character and reputation, and other elements. Secondly, he should protect his vote, which is a sacred right in the community, by not admitting to the franchise any person unworthy of it, or who would not discharge the duties which an elector owes to the community or which a representative has to devote to his constituents. Everybody admits, I think, that any soldier who is entitled to a vote in Canada should not be deprived of his vote if the conditions were the same, wherever the soldier may be, as they are in Canada. That proposition would be unobjectionable; but the conditions surrounding soldiers in the field and also in England and other countries where they may be to some extent reduce the security of that vote and place it under circumstances different from those under which the vote would be registered in Canada. According to the usual procedure in elections, bribery is prohibited and the elector who presents himself to vote has to take oath that he has not received anything to warp his judgment or cause him to vote for any particular candidate.

I am informed that some of the soldiers included in the class enumerated before have been promised in England that they will receive grants of land in Canada, that they will receive places in Canada which have been vacated by men who have lost their lives in the field—that they have been promised places in the Civil Service. All of these things are direct inducements to vote for Government candidates, and they are conditions not at all analogous to the conditions surrounding the ordinary voter in Canada. You will observe by that first section that men who have joined the Expeditionary Force and women who have joined the Expeditionary Force, His Majesty's subjects belonging to the British Isles, exercise the franchise although they have never resided in Canada.

Further, under the conditions of our franchise in Canada, it is intended to apply to freeholders, persons with property, and

others whose names are vouched for or proved in various ways, and the list which is prepared and posted up is liable to objection. Under this Bill the vote is to be given not only to males, but to certain females, nurses in England who have joined the Canadian Expeditionary Force but have never been in Canada, and to men from the cities in England who, under the inducements specified, have joined the force. They are to become electors in Canada by virtue of the legislation now before us. Furthermore, minors are admitted. Under the election law men who vote must be of the full age of 21 years and are supposed to have judgment in electoral matters. This Bill mentions minors, and the age is not specified. The Scouts may be put on the voters' list in Canada if they join the Expeditionary Force. I have seen passing through the streets of Halifax boys of fifteen, sixteen, or seventeen years of age, every one of whom is entitled to vote, according to this Bill, and his vote will cancel or nullify the vote of the ordinary elector resident in Canada who may have voted for ten, fifteen, or twenty years. Each vote by a minor can cancel the vote of one of our electors who has given his age to the country and is a citizen of repute and reliability.

I have observed that in Canada the electors have to vote for persons; they do not vote for a Government. A Government is, after all, only a committee of the Houses of Parliament. The electors have to vote for members who represent them as individuals, as persons known to them, and with a certain status in the community and with guarantees given that the representative will discharge the duties of his position.

Now, in this ballot, to which I will refer later on, an elector can either vote for a person or vote for the Government or the Opposition. Where he has to vote for a person he has to write down the name of the person on the ballot. We know from experience in our elections held in Canada, that a great many of voters are illiterate, and some who cannot write do not admit that they are illiterate, and ballots are marked frequently with a cross placed against the names already printed, and sometimes those crosses are placed over the line, and the ballot has to be thrown out because it is uncertain for whom the vote is intended. But here the additional responsibility and difficulty are placed upon the soldier, because he has to write the name of the candidate in the place allowed by the ballot ticket. Therefore it is placing such labour, such delay, such uncertainty, upon the ballot that it is an allowance which should not be made when the soldier is voting for an individual.

Secondly, allowing the soldiers to vote for the Government or the Opposition admits of improper influences being brought to bear upon the elector. He will have to submit to the jeers and sneers of his comrades if he opposes the Government, because a man who opposes the Government is a rebel, an opponent. In these times you have no privilege or right to vote for the Opposition; you must support the Government which has promised so much and which is carrying on the war; so under that provision the Opposition would be placed at a great disadvantage. All improper influences should be withdrawn from the voter. He should be allowed freely to express his opinion. There should be no impediment, no influence, no subjection to any rule or authority which would in any way convey his vote into the channel of voting for the Government when he did not wish to do so. I am familiar with soldiers. I have been amongst them. I know exactly their sentiments on such subjects as this, and no soldier in the ranks dare vote against the opinion of the officer, or he might just as well go and commit suicide.

Some Hon. SENATORS: Oh, oh.

Hon. Mr. ROCHE: The great majority of the officers of the Expeditionary Force are Conservatives.

Some Hon. SENATORS: No, no.

Hon. Mr. ROCHE: They are. It can be proved by going over the list. I do not say that the officers would use their personal influence to coerce a soldier to vote in a certain way. Probably they will be indifferent on the subject. But a sergeant or other subaltern, and even the comrades of the soldier himself, will exercise such an influence over him that he dare not vote for the Opposition. His only recourse, when he cannot put in the name of the individual for whom he votes, will be to put in the Government, in fear that by putting in the Opposition he will subject himself to all the ignominy and all the disabilities which officers can put upon the soldiers when they please.

I do not wish to prolong my remarks. I do not wish to appear to be in hostility to this Bill; but I point out evils that will inevitably occur if the elections are conducted on the principles that are set out in the Bill; and I say this, that it is unfair to the electors of Canada, because a

drummer-boy in any of those regiments is able to nullify the vote of a colonel, and every one of them is able to nullify and make ineffective the vote of the best elector there is in Canada, and two drummer-boys will outvote him. So I say that to protect the interest of the home electors, the great bulk of the electors, this Bill should be so modified that the conditions prevalent in Canada shall be extended so far as possible to those soldiers of the Expeditionary Force who have gone over to England or Flanders or anywhere else where the war is being conducted. There are a great many soldiers in England, a great many of the young men of whom I have spoken, a great many ladies who have become nurses, and many others, who will be able to vote, and every one of those votes will counteract and nullify the vote given by the very best elector in the Dominion of Canada.

Hon. Mr. BLAIN: Before my honourable friend sits down, may I ask him a question?

Hon. Mr. ROCHE: Certainly.

Hon. Mr. BLAIN: Are we to understand the honourable gentleman to say that in his opinion an officer of the military forces overseas would persecute a member of his company because the member did not vote as the officer voted in the election?

Hon. Mr. ROCHE: I do not say that. My honourable friend misunderstands me. I have said what the soldiers have told me, that they dare not vote contrary to the wishes or will of their officer.

Hon. Mr. BLAIN: Why not?

Hon. Mr. ROCHE: Because the officer can make it so undesirable for them, can apply persecution to them in a thousand military ways, and they dare not vote against the known will of the officer. These men will be conducted in squads to the polling place, wherever it may be.

Hon. Sir JAMES LOUGHEED: I must take exception—

Hon. Mr. ROCHE: One moment, if the honourable gentleman will allow me. I shall have done in one minute. I am only replying to the question by my honourable friend. He used to be a member of the House of Commons with me, and he and I have a sort of brotherly feeling, and we supplement one another. What I say is what I have been told by officers. I do not say that the officers will take any advantage in that way, but there will be subalterns and others who will influence the soldiers and will bring those influences to bear upon them.

Hon. Mr. SHARPE: May I ask the honourable gentleman if he would disfranchise soldiers and officers who are overseas?

Hon. Mr. ROCHE: That is not the question at all. I am simply expressing the idea that I would not allow any person in Canada to lose his vote in consequence of going into the army.

Hon. Mr. FOWLER: I should like to ask what the honourable gentleman means. If he says that it is undesirable that they should have the vote because of oppression by the officers, does he mean to deprive them of the vote? In the first place, the honourable gentleman gets his information second-hand. I do not know the person who told him what he has been told, but it is a gross libel upon the officers of the Expeditionary Forces. As an officer of the Expeditionary Force, I do not propose to sit silent—although I have not spoken before in this House— and hear my brother officers maligned in this way. Of course, these remarks come from a gentleman, an honourable gentleman—with emphasis on "honourable"—whose proclivites are not supposed to be entirely in line with those of the electors of this country who are desirous of winning this war.

Hon. Mr. ROCHE: Is that the question you are asking?

Hon. Mr. FOWLER: Therefore it would have very little effect on the members of this House in inducing them to deprive the men who are to-day fighting to keep this country what it is, a free and independent country. But lest it might have some effect, I desire to say that in my opinion a statement of that kind is so grossly false as to be a libel upon the officers of the Expeditionary Force. I say this, and I say it with knowledge of the facts, that I do not believe there is one man holding an office in the Expeditionary Force who would in the slightest way attempt to interfere with any soldier casting his ballot. If such were the case, it would be a very simple matter for the soldier to hold his tongue and cast his ballot, because the ballot is a secret one. He can cast his ballot without any officer—if there were such a brute—knowing for whom he was voting any more than an employer of labour in this country knows for whom his employee is voting. I think the honourable gentleman from Halifax is an employer of labour to some extent himself,

and he would have quite as much control over the men who worked for him, and would have more opportunity of depriving them of their livelihood than an officer at the front would have with his men. Therefore the honourable gentleman practically says only employers should have votes lest they should coerce their employees. If no better argument can be brought forward to deprive of the franchise the men who are to-day upholding the burdens of the Empire, I think this Bill will go through and become law.

Hon. Mr. DOMVILLE: I have heard what the honourable gentleman has said, but he has not told us that the ballot cast in Canada is a secret ballot. I will presently quote some documents to show him what can be done during an election, and what has been done.

Hon. Mr. FOWLER: No one knows better than the honourable gentleman what can be done.

Hon. Mr. DOMVILLE: No, because for a time my honourable friend was my secretary.

Subsection 1 of section 3 was agreed to.

Subsection 2 of section 3 was agreed to.

On subsection 4 of section 3:

Hon. Mr. BEIQUE: In discussing the second reading of this Bill I took exception to this clause, because under it this Parliament will be qualifying as electors non-residents, persons who have never resided in Canada, and would be giving to such electors the right to determine in which riding their vote should be counted I will not go over the argument which I offered to this honourable House yesterday. I will merely state in concise form the proposition on which I base my point.

Under our federation pact, as embodied in the British North America Act, the legislative power being entrusted, as far as the House of Commons is concerned, to a given number of members elected in each province by such of the inhabitants as may be granted the right to vote by this Parliament, and the representation of each province in the House of Commons being based upon the population or the number of inhabitants in such province, it is not within the power of the Federal Parliament to import any of the electorate of one province into that of another, and much less to import into the electorate of any of the provinces the votes of British subjects or of foreigners who have never resided in such province or even in the Dominion of Canada. In other words, my contention is that the representation in the House of Commons is based on the population of each province, and that the population of all the provinces, or of any one of them, cannot be artificially increased for the purpose of representation, as is sought to be done by this Act, by giving to non-residents the right to vote in any province they may choose. If that could be done, Parliament could a fortiori grant to the residents of one province the right to vote in another province.

Hon. Sir JAMES LOUGHEED: What is the section of the British North America Act to which the honourable gentleman refers?

Hon. Mr. BEIQUE: The honourable the leader of the Government asks what are the sections which support this contention. I think he will find that in sections 8, 37, 40, 41, 51 and 52. I suggest and propose for the consideration of this House that paragraph c of section 2 be amended by making it read as follows:

"Military elector" means and includes every person, male or female, who, being a British subject and ordinarily resident in Canada—

and so on. I would strike out the words "whether or not" and replace them with the word "and," and strike out paragraph 4 of section 3. This matter is deserving of the consideration of the Government and the Department of Justice. I would suggest that my amendment be put in, and that the section be deferred until to-morrow, or some later date. I have given careful attention to this matter. I am not influenced by any party consideration. I have examined this question, by the light which I may possess, from the point of view as to whether it is within the power of this Parliament to enact legislation of that kind, and I have no doubt whatever in my mind that it would be entirely ultra vires of the powers of this Parliament to extend any such power of voting to persons who are non-residents of this country. If Parliament could go so far as it would appear that they can go under section 4 as applied to the wording of subsection c of section 2, it would mean that it could go to the further extent of being able to authorize any person in any foreign country to register his vote in any of the provinces of the Dominion.

Hon. Sir JAMES LOUGHEED: With a view to having a proper appreciatoin of the

importance to be attached to the amendment of my honourable friend, I prefer that it should be discussed now. At the moment I cannot follow the reasoning of my honourable friend. In no part of the British North America Act is recognition given to the principle of residency as constituting a fundamental requirement for an elector. It seems to me that if my honourable friend's argument holds good, we must start from the point that that is an indispensable qualification of an elector. Now, as I understand it, in most of the provinces of Canada we give recognition to non-residency. I understand that even in the province of Quebec there are conditions under which a voter may vote having a property qualification, and yet not be a resident of that province. I understand that to be the case in the Maritime Provinces.

Hon. W. B. ROSS: It is in Nova Scotia.

Hon. Sir JAMES LOUGHEED: For instance, under the Dominion Elections Act, section 30, we have this provision:

> The provisions of the law of the province as to the places where non-resident electors shall vote shall apply mutatis mutandis to any Dominion election, and the returning officer at such election shall have the power and be charged with the duties—

and so on. There is a recognition under the Dominion Elections Act of a non-resident being entitled to vote, and unless we are to import into the consideration of this question an element which to-day is not recognized, that of residency or non-residency, I regret that I cannot attach importance to the objections made by my honourable friend, and cannot follow his reasoning. If my honourable friend starts from the premises that he has laid down, that there must be residency, of course his argument is entitled to every consideration; but if we are to hold with my honourable friend, then we are to ignore practically the principle laid down in the Dominion Elections Act. It is not an unreasonable thing to say that a member of the Expeditionary Force, a non-resident of Canada, who belongs to an organization for the defence of Canada, who is prepared to sacrifice his life, or to place himself in jeopardy, in the defence of Canada, should have the right to vote.

Hon. Mr. DANDURAND: Does the honourable gentleman say that British subjects in the United States who have enlisted here should have the right to vote?

Hon. Sir JAMES LOUGHEED: Precisely. We have to presume that when they join the Canadian Expeditionary Force and are prepared to assume all the responsibilities and all the jeopardies of the members of that force, they are doing it in all sincerity. I cannot imagine any greater test than a man placing himself in the position of being prepared to make the supreme sacrifice in the defence of the country.

Hon. Mr. DANDURAND: My objection is that the men come from the British Isles, and they are returning to defend their homes, which, surely, are more sacred to their hearts than Canada. I do not say that they do not defend the Empire.

Hon. Sir JAMES LOUGHEED: My honourable friend at once denies to the man the fruit of the sacrifice which he has made, and which he is prepared to make for the organization to which he belongs.

Hon. Mr. DANDURAND: Certainly not.

Hon. Sir JAMES LOUGHEED: He belongs to the military organization of Canada; he is fighting for Canada; he is standing shoulder to shoulder with the members of the Canadian Expeditionary Force; and therefore to say that he has some ulterior motive is to do him a great injustice.

Hon. Mr. DANDURAND: His first motive is to defend his home country. He may be an elector in Great Britain.

Hon. Sir JAMES LOUGHEED: He chooses to do his fighting with the Canadian forces, and a man who is prepared to make that sacrifice should be entitled to a vote.

Hon. Mr. DOMVILLE: The honourable gentleman spoke of the Maritime Provinces. In New Brunswick a man's name must be on the reviser's list before he can vote, and he cannot get his name on that list unless he is a property-owner. If he is registered as a property owner and is on the reviser's list he can vote, no matter where he lives. I am not objecting to the soldiers getting the vote. Some people seem to think that we are persecuting the soldier. We are not doing it. I for one am not doing it. I have not heard any expressions that we want to prevent the soldiers from having votes. I entirely agree that if they sacrifice their lives they should have every consideration. I would be the last man to throw any difficulty in the way. But when you come to establish a franchise, where is the provincial Act on which we all vote? We vote on the provincial lists. Now you are destroying these lists, because the qualification there is that a man must have

property in the province before he can vote. As to the sons of British parents, what object would they have in voting in this Dominion when they have no stock in it? Many of them may have taken the oath of allegiance in the United States; we do not know.

Hon. Sir JAMES LOUGHEED: No, they must be British subjects.

Hon. Mr. DOMVILLE: We know many people who have gone to the United States and qualified there, and then come back and become British subjects.

Hon. Sir JAMES LOUGHEED: As long as they are British subjects, all right.

Hon. Mr. DOMVILLE: What object is there in affording this boon to vote in our affairs, taking part in the administration of the country; interfering, as the case may be, with our own vested interests here, when they have no interest in the country?

Hon. Mr. DANDURAND: I want to make myself very clear. Take the case of a Britisher who has passed a few months in the United States. He may come from Newfoundland or the British Isles. He may be on the list in Newfoundland; elections may take place there on the same day as our elections. He is in the Canadian Expeditionary Force, or on a Canadian ship—and we know that quite a number from Newfoundland have joined the Canadian navy. He has the right to vote in his country; and we are now giving him the right to vote in our country. Why should he have that advantage over a Canadian citizen, a Canadian soldier, his colleague in arms, who can only have one vote in Canada? Nobody has gone around Newfoundland or Great Britain to qualify Canadian soldiers to vote in those two countries. That Newfoundlander and hundreds of others who are in the Canadian navy will have a right to vote at home and also have a right to vote here. A man from the British Isles who has been only a short time in the United States may still be qualified to vote in Great Britain. He votes there, and is qualified here. Why give him that advantage over our Canadian-born soldiers—because they are on an equal footing. If my honourable friend ran in Calgary for the House of Commons, and felt that he had the confidence of people who knew him, who have surrounded him with their sympathy, and felt that he had a clear majority of 400 or 500 on which he could rely, and he went to the polls and obtained that majority, and a bag should come from the other side in which would be found 600 votes of Newfoundlanders which would defeat him, that would be in favour of his opponent. It is just a possibility, but I have that possibility before me.

Hon. Mr. FOWLER: I would ask if the honourable gentleman is in favour of alien enemies voting in this country—people belonging to a country that is the enemy of ours—who happen to be settled in this country, whether naturalized or not? Is he in favour of them voting?

Hon. Mr. DANDURAND: We could perhaps discuss those two questions separately. I could not answer that question, because I do not know of alien enemies in Canada who are not interned in the internment camps. We have taken care of the alien enemies and put them into camps.

Hon. Mr. McMEANS: No.

Hon. Mr. DANDURAND: Yes, there are a number of Austrians in Montreal? They are well behaved, and are pledged to accept the regulations that govern them, and I suppose the Government is satisfied to leave them at large. I recognize that.

Hon. Mr. McSWEENEY: And some escape occasionally, do they not?

Hon. Mr. DANDURAND: Of course, I am not discussing that. I suppose my honourable friend refers to aliens whose countries are at war with us and who have been naturalized in Canada. Well, I would not call them alien enemies, and I think my honourable friend is wrong, and has gone beyond his thought in calling them alien enemies.

Hon. Mr. FOWLER: You say they are not enemies of this country?

Hon. Mr. DANDURAND: Does my honourable friend say so?

Hon. Mr. FOWLER: I say they are, many of them.

Hon. Mr. DANDURAND: I am not discussing that. Now, my honourable friend is coming down to particular cases, but is he ready to say that all the people who have come from Austria, with all that Austria means—and my honourable friend has travelled enough to know what it means—

Hon. Mr. FOWLER: Yes, I have travelled in Austria, too.

Hon. Mr. DANDURAND: And in Germany—that all those people who are in

Canada should be treated as alien enemies and qualified as alien enemies?

Hon. Mr. FOWLER: I say so, too.

Hon. Mr. DANDURAND: Then that is at variance with the whole policy of this Government.

Hon. Mr. FOWLER: I do not think so. I do not care what the policy of this Government is; I care about my own.

Hon. Mr. DANDURAND: But it is at variance with the whole policy of the people of Canada as represented by these two Chambers. But I suppose the honourable gentleman does not accept that policy. This Government has a franchise Bill in the other Chamber which arbitrarily fixes fifteen years of naturalization, outside of which the people who have come from these enemy countries are declared to be good voters and good Canadians.

Hon. Mr. FOWLER: I would not fix a limit.

Hon. Mr. DANDURAND: Perhaps so; but now my honourable friend rises when I am discussing another question, and thinks he can spring a formidable problem which will stun me, in asking me if I am willing to allow alien enemies to vote. No, I am not ready to allow alien enemies to vote; but I am not even disposed to treat as an alien enemy a man who has been naturalized fourteen years, when I do not treat as an alien enemy one who has been naturalized fifteen or sixteen years. You draw the line at fifteen years.

Hon. Mr. FOWLER: Do not say that I draw the line.

Hon. Mr. DANDURAND: No, I do not say that; but I say the Government draws the line there.

Hon. Mr. FOWLER: I am opposed to that.

Hon. Mr. DANDURAND: So that my honourable friend will see that the question he puts is a pretty complicated one, in which I draw support from the Government of the day, in saying that a man coming from those countries, if he has been naturalized fifteen or sixteen years, is a good Canadian who can cast his vote at the next election, while the one who came within the last fifteen years must be treated, not as an alien enemy—you will not get that statement from the Prime Minister of Canada—but with a certain amount of suspicion.

Hon. Mr. McMEANS: Is the honourable gentleman aware that the great majority of that entire foreign immigration has come in within the last fifteen years?

Hon. Mr. DANDURAND: No, I am not aware of that. I think any representative from Ontario would answer in the negative as to that.

Hon. Mr. McMEANS: I am speaking of the West.

Hon. Mr. FOWLER: We have heard a very impassioned argument from my friend, who is always impassioned, and who fancies that storm and bluster count for argument. They do not. If the honourable gentleman had a more melodious voice, we would not mind his loud talk; but his voice is so unmelodious that his talk is grating on the nerves.

Hon. Mr. DANDURAND: I have often been told that.

Hon. Mr. FOWLER: Yes, it is the truth, too. The honourable gentleman has told us that the Government is very much to blame for not having fixed an arbitrary point.

Hon. Mr. DANDURAND: I have not said that.

Hon. Mr. FOWLER: I understood him to say that.

Hon. Mr. DANDURAND: No, I answered my honourable friend by citing the arbitrary rule fixed by the Government.

Hon. Mr. FOWLER: I say that so far as I am concerned I would not fix any arbitrary point or rule at all; but I would simply say that those people who were born in the countries against which we are fighting for our lives and for the liberty of the world should not be permitted to vote in an election, which means so much, because never in the history of Canada has there been held an election which means so much as the present election does. And it is a sad thing to me to see so many men taking views, and giving expression to them, which in my opinion are at variance with that high duty which we owe to-day to this country. As to permitting those men who have been born in Germany, Austria, Bulgaria, or Turkey to vote, I would prevent them all from voting. What do we find to be the fact? We find that men who have lived here in Canada, who have shared with us our privileges and rights, who have enjoyed Canadian

institutions, and have learned what Canadian institutions mean, who have taken the oath of citizenship in Canada, have gone home at the call of their native country to fight against us, to fight to enslave us, and they have been captured by our men.

Hon. Mr. McSWEENEY: How many of them?

Hon. Mr. FOWLER: Many of them. How many, this gentleman from Moncton asks; by the hundreds, I say to you, and I know whereof I speak. They have not only been captured, but, thank God, they have been killed as well.

Hon. Mr. McSWEENEY: Were you at the front?

Hon. Mr. FOWLER: I was at the front. Do not make any mistake, or do not make a statement like that to me. Don't you dare to make a statement like that to me, sir. Why do you say that I was not at the front?

Hon. Mr. McSWEENEY: That is the general impression, that you were not.

Hon. Mr. FOWLER: Well, that is a very false impression. But that is the sort of impression that a gentleman like you would gather quickly, because if it is evil of someone, that is your favourite delight.

Hon. Mr. McSWEENEY: Thank you.

Hon. Mr. FOWLER: Yes, I say it, and that is all you are fit for. That may not be parliamentary, but when I am interrupted by a gentleman of the calibre of the gentleman from Moncton he will be apt to get what he is entitled to.

Some Hon. SENATORS: Order.

Hon. Mr. FOWLER: I have not interrupted him, when he has bored this House with his talk. I have not imposed upon this House to any extent, and I would not have risen or spoken on this matter at all if it had not been for what came from the member for Halifax.

Hon. Mr. ROCHE: Why did you not state what I said? Why did you put in my mouth what I never said, and what I disclaim?

Hon. Mr. FOWLER: I did not do so. You had better take your seat if you know when you are well off.

Hon. Mr. CHOQUETTE: I heard my friend say he was at the front. Would the honourable gentleman please tell us what battle he was in?

The CHAIRMAN: This entire discussion is away from the subject before the House, which is the amendment by Hon. Mr. Béique. I would like honourable gentlemen to keep to the point.

Hon. Mr. FOWLER: I would like to answer my honourable friend from Quebec; I do not know where he is from, but he is very well known.

Hon. Mr. CHOQUETTE: Thank God.

Hon. Mr. FOWLER: Thank God; it is a good thing for the country they do know him. I want to say to the honourable gentleman that if he had been at the front, as I have been, and under fire, as I have been under fire at the front, 25 feet under ground would not be quite enough for him to get.

Hon. Mr. CHOQUETTE: What battle were you in?

Hon. Mr. FOWLER: Never mind what battle I was in; that is what I say to the honourable gentleman—he would get so far under ground that he would not be seen again.

Hon. Sir JAMES LOUGHEED: It is getting warm, and I suggest we call it six o'clock and go where the air is cooler.

At six o'clock the Committee took recess.

The Committee resumed at eight o'clock.

Hon. Mr. BELCOURT: Honourable gentlemen, I rise, not for the purpose in any way of discussing the principle of the Bill. The Bill passed the second reading in this House without any amendment and without anyone disputing the principle of the Bill. I take it that on the general principle we are all agreed. My purpose in rising at this moment is to discuss the constitutional point which has been raised by my honourable friend from De Salaberry (Hon. Mr. Béique). With regard to subsection 4 of section 3, which purports to give to non-residents, men or women, in military service the right to vote in any electoral district selected by them, my honourable friend claims that that is an excess of the powers of this Parliament. I must say that I agree with him, but not on the two grounds that he has stated. I rather disagree with him on the first ground which he mentioned, but I agree with him that that provision would be beyond the powers of this Parliament on the second ground urged by him.

We must bear in mind that Canada is a federation. The four provinces which were federated in 1867 and the other provinces which came in subsequently have the right to determine their representation in this Parliament, not only as regards the number of their representatives. The number of their representatives, as we all know, is determined by a sort of rule of three, a calculation with which every member of this honourable House is familiar. Whilst this provision would not in any way affect the numerical representation of any of the provinces of Confederation, it might affect the opinion prevailing in the provinces, or in any one of the electoral districts; and, Canada being a federation, each provinc has the right to be represented in this Parliament not only by having a certain number of representatives, but by having as representatives members who correctly reflect the opinion of that particular province. The basis of representation is population. If you add any other element such as the one which it is now proposed to add, the element of non-residence, the result is that it is not representation by population. I quite agree that the number of men or women who are not residents in any one of the provinces is not going to change the number of representatives from a particular province at any forthcoming election; because 15,000 or 20,000 non-residents of Ontario may vote at this forthcoming election in the province of Ontario, or in the province of Quebec, and it will not change the number of men who will represent Ontario or Quebec in the next Parliament, because the representation of the province will be determined, as at present, by the next census. But here is where I think the proposed legislation is faulty: you are going to introduce an element which may affect the opinion prevailing in any one or more of the provinces.

Let me illustrate. Let us take for instance the smallest province in Confederation, because the illustration will probably be more apt, or it will at all events facilitate my argument. Take the province of Prince Edward Island. That province has four electoral districts. Let us assume that at the forthcoming election there is a bare majority in every one of those four electoral districts in favour of the Conservative party. The result of this legislation might be that, by concentrating in each of those four electoral districts a number of the votes of the non-resident soldiers, you would completely change the result, and make every one of those four electoral districts, which would otherwise be Conservative, Liberal constituencies. I might go on and illustrate by one province after another, but the effect would be exactly the same. Take the province of Ontario; what may happen there?

Hon. Mr. BOSTOCK: What happened in British Columbia?

Hon. Mr. BELCOURT: The same thing may happen in British Columbia.

Hon. Mr. BOSTOCK: It did happen.

Hon. Mr. BELCOURT: My honourable friend says it did happen in British Columbia. Let us assume that in the province of Ontario there is a majority of the people in favour of conscription. There may be among these soldier voters a number of men who are against conscription, and, by concentrating that vote in a given number of electoral districts in the province, the opinion of the province, which, as I assume, is in favour of conscription, might be seriously disturbed. Any legislation we pass here which would have the effect of altering the numerical representation from any one of the provinces, or would prevent the free expression of the public opinion in Parliament of any province, would be ultra vires.

The answer of my honourable friend (Hon. Sir James Lougheed) to the proposition was this, that non-residence is not the test, because, he says, and quite correctly, in the province of Quebec residence is not required as a qualification for voting. I believe that is the case also in the province of Nova Scotia. We have been told that. But that is not the point. The province of Quebec is master, just as the province of Ontario is, of its own representation, and if the province of Quebec chooses to say, "This province shall recognize the right to vote of people who do not reside in the province," that settles the position. Quebec has the right to do that. Ontario has the right to do likewise so far as the representation of Ontario is concerned. By section 41 of the British North America Act it was provided that:

> Until the Parliament of Canada otherwise provides, all Laws in force in the several Provinces at the Union relative to the following matters or any of them, namely,—the qualifications and disqualifications of persons to be elected or to sit or vote as Members of the House of Assembly or Legislative Assembly in the several Provinces.

All the provinces are absolute masters as to their own franchise, and if a province chooses to say that non-residence is not a bar against exercising the franchise in that province, that is its own business. But if

the province of Ontario should say, for any reason whatever, that any British subject in Canada should have a right to vote in that province, we have nothing to say about it. The province is the absolute master in that matter. But there is a difference between the provinces deciding for themselves that non-residence is not going to be a bar to exercising the franchise in the province, and this Parliament legislating that for the provinces non-residence will not be a bar. We have not the right to impose that on the province. That is where I think my honourable friend's argument is faulty.

I repeat, in order to make myself clear, this is a federation, not a legislative union. If this were a legislative union, instead of a federation, possibly we might do this without contravening the British North America Act. The provinces came into the federation with the right of having the opinion prevailing with the population in any one of those separate entities but yet members of Confederation expressed by a certain number of men elected by the inhabitants of that province. That is what we are going to destroy. If we say that people who are not residing in Canada, British subjects, for instance, who are residing in the United States, may come and vote in any one of the provinces of Canada, what is to prevent this Parliament, on the same grounds, from saying that the people of Quebec, for instance, may vote in Ontario? There is absolutely no difference. It seems to me that that illustration brings the argument home very forcibly, particularly in view of the opinion sometimes expressed in this province against the province of Quebec. Some gentlemen in Ontario would not contemplate that with very great complacency, but that is possible if you can do what is proposed now. There is absolutely no difference between the one thing and the other. The point I wish to make is that we cannot do anything that is going to affect, not only the numerical representation of any of the provinces, but we cannot do anything which is going to hinder, affect, alter or prevent, the expression of the opinion of that province through the members which the Representation Act gives to the inhabitants of that province.

Hon. Mr. SPROULE: Does not the honourable gentleman think that when we enlarged the province of Quebec twice in succession we were doing something that would disturb the basis of representation and interfere with the British North America Act to a greater extent than this does? By dividing the population of Quebec by 65, one arrives at the basis of representation for the other provinces. If the additions which were made to the province of Quebec since were to be settled with a population equal to the present population of Quebec, the unit of representation in the other provinces would be twice what it is to-day, and therefore the number of members would be reduced by half. In my judgment, that would be a very great disturbance.

Hon. Mr. LANDRY: As a matter of fact, was that done?

Hon. Mr. SPROULE: Yes.

Hon. Mr. LANDRY: I think not.

Hon. Mr. SPROULE: I was in the House and took part both times, I think, when it was done. We first extended the boundaries of Quebec to Labrador, and the second time we took in the additional portion of territory between Port Arthur and Winnipeg.

Hon. Mr. BELCOURT: That which my honourable friend has described was done by an Imperial statute.

Hon. Mr. SPROULE: I do not think there is any Imperial statute of that kind. The boundaries of Quebec were enlarged, and as Quebec is the pivotal province in determining the unit of representation, it cannot be enlarged if it is settled up, without disturbing that unit.

Hon. Mr. BELCOURT: That was done by Imperial legislation, which I think is a complete answer to my honourable friend. There may be many occasions when we went beyond the powers conferred upon us by the British North America Act, but that would not bring this Bill within it if it is clearly outside of it.

Hon. Mr. SPROULE: I am not contending that it would.

Hon. Mr. BELCOURT: I would not make this all right just because we had sinned before. We are either within or without the powers of the Act of 1867. I do not think that I need say anything more than that I agree entirely with the honourable gentleman from De Salaberry (Hon. Mr. Béique), as I say, not on the first ground upon which he based his argument, but on the second ground.

Hon. Mr. LANDRY: This is the Act passed and assented to on the 1st of April, 1912. It is called an Act to extend the boundaries of the province of Quebec. That

extension was made subject to the following provisions:

That the population of the territory hereby added to the province of Quebec shall be excluded in ascertaining the population of the said province for the purposes of any readjustment of representation of the other provinces consequent upon any census.

Hon. Mr. SPROULE: I know that proposal was debated, but I was not aware that it was included in the Act.

Hon. Mr. McMEANS: I have been trying to follow the honourable gentleman from Ottawa (Hon. Mr. Belcourt) and the impression which I got was that the province of Quebec, for instance, could pass a franchise Act which would entitle the people of Ontario to vote in Quebec if they chose. Is that correct?

Hon. Mr. BELCOURT: I say that the determining of the provincial franchise for provincial purposes is entirely governed by section 41 of the British North America Act, which provides:

Until the Parliament of Canada otherwise provides, all Laws in force in the several Provinces at the Union relative to the following matters or any of them, namely, the qualifications and disqualifications of persons to be elected or to sit or vote as members of the House of Assembly or Legislative Assembly.

Hon. Mr. McMEANS: The honourable gentleman draws a distinction between the rights of a province to enact a franchise law and the right of the Dominion Parliament to enact a franchise law. My impression was that, if a province could enact a franchise law empowering a man from without that province to vote therein, the Dominion could enact a similar law.

Hon. Mr. BELCOURT: That is the whole question. Evidently I made no impression. Either the honourable gentleman misunderstands my argument, or else he is against my proposition.

Hon. Mr. McMEANS: I understood you to state that while the province had a right to pass a franchise Act of that nature, the Dominion had not that right.

Hon. W. B. ROSS: I think there are two points to consider. The first is whether or not subsection 4 of section 3 of this Bill is constitutional. Then, assuming that it is, the next question is whether it is proper or fair legislation.

Hon. Mr. BELCOURT: I did not argue the fairness or the unfairness of it. I was purely and simply making a legal argument. I expressed no opinion.

Hon. W. B. ROSS: I did not say that. I said that I understood that the matter before the House involved two questions. Now, with regard to the first point, as to whether it is within the power of this Parliament to do what is suggested, I wish to direct the attention of this House to section 41 of the British North America Act, which has been partly read by the honourable gentleman from Ottawa. Section 41 provides for the vote at the first election of the Dominion Parliament.

Hon. Mr. BELCOURT: I would ask my honourable friend to consider section 92, which I had intended to read.

Hon. W. B. ROSS: Section 92 gives the province the power to amend its own constitution. Section 41 says:

The qualifications and disqualifications of persons to be elected or to sit or vote as members of the House of Assembly or Legislative Assembly in the several provinces, the voters at elections of such members, the oaths to be taken by voters, the returning officers, their powers and duties, the proceedings at elections, the periods during which elections may be continued, the trial of controverted elections, and proceedings incident thereto, the vacating of seats of members, and the execution of new writs in case of seats vacated otherwise than by dissolution,—shall respectively apply to elections of members to serve in the House of Commons for the same several provinces.

Hon. Mr. BELCOURT: Go on and read it all.

Hon. Mr. ROSS (reading):

Provided that, until the Parliament of Canada otherwise provides, at any election for a member if the House of Commons for the District of Algoma, in addition to persons qualified by the Law of the province of Canada to vote, every male British subject, aged twenty-one years or upwards, being a householder, shall have a vote.

Hon. Mr. BELCOURT: Two votes.

Hon. Mr. ROSS: That is an exception dealing with the district of Algoma. But the first part of the section provides that, until this Parliament passes a law with regard to voters at elections, they should use for that first election the provincial franchise. Now, granting that the provinces have the right to fix their own franchise under section 41 the section would give power to the Parliament of Canada to adopt its own franchise and to say who would vote at an election. There seems to be some confusion between the census and the voters' list. The decennial census fixes the number, of members to be elected making 65 for the province of Quebec, as the unit. But there is nothing that I know

of in the British North America Act that requires that we shall take into consideration or reject the census. Up to 1912 the province of Quebec allowed non-residents to vote, not only once, but I do not know how many times more. Up to 1910 the province of New Brunswick allowed non-residents to vote. Men from Maine and the adjoining New England states came over to vote in New Brunswick, and at the last Dominion election 2,000 non-residents came into the province of Nova Scotia and voted.

Hon. Mr. BOSTOCK: What was their qualification?

Hon. Mr. ROSS: In Nova Scotia, so far as I know, it is a land qualification. But if it is within the power of the provincial legislature to fix its franchise, it may take as a basis land, or horses, or cows, or cash in the bank. For a short time we had our own franchise and reviser's lists, and which gave very great satisfaction to both parties in the province of Nova Scotia. That, of course, is gone, but when the Laurier Administration came into power it went back to the provincial franchise. Now, through adopting the provincial franchise, you have for years allowed thousands of non-residents to vote at the elections.

Hon. Mr. BELCOURT: That is so, but it does not affect the question.

Hon. Mr. ROSS: I am assuming now that this Parliament had the right to do that, and I have not yet heard any argument which would lead me to the conclusion that they could not. There is nothing in the British North America Act that puts any limit at all upon the powers of the Parliament of Canada to say who shall vote and who shall not vote at Dominion elections. Now, the Bill says that British subjects—I do not know that they need necessarily be British subjects; but the Bill says that British subjects who are in the army may vote. It provides for three classes: those who have a domicile in the country, those who had a domicile at one time, and those who are not able to indicate any place where they were, as I might say, domiciled.

Hon. Mr. TALBOT: They never left Canada.

Hon. Mr. ROSS: It is in the power of this Parliament to allow men to vote. The first question is, whether it is a wise thing to give them a vote, and the next is, where are they going to vote? I would take my stand on section 41. It gives the Parliament of Canada the absolute right to say who can vote and who can not vote at a Dominion election. I cannot see that there is the slightest unconstitutionality. As to the other question, from the earliest times in the history of the human race the man who was allowed to vote was the man who fought, and he was the only one. Those military times have passed away, and now civilians vote along with soldiers. I venture to say that a British subject who takes the oath of allegiance and enters the Canadian Expeditionary Force, and goes to France and fights not only for Canada but for civilization, has a better claim to a vote in Canada than tens of thousands who stay at home and work land and try to make money.

Hon. Mr. TALBOT: Or make munitions.

Hon. Mr. ROSS: Yes, or make munitions; who stay at home to make money, and are simply having the benefit of the lives and the blood that is being poured out there by soldiers. I would not waste another word in arguing as to those men having the right to vote; I am only too glad to vote for the proposition to give them a vote. There is no difficulty in voting the first two classes in this section. Then we come to subsection 4 of section 3. Assuming that they have the right to vote, this is the method that was adopted at the conference of the two parties in the other House.

Hon. Mr. DANDURAND: No.

Hon. Mr. ROSS: I understand that there were some men from both parties who practically settled this, and I got the names.

Hon. Mr. DANDURAND: I think it was only a clause on which they would not agree.

Hon. Mr. ROSS: If I am right in assuming that those men are entitled to vote, it is for those who object to suggest a better way of locating that vote. I have not heard any suggestions yet that would show a better way.

Hon. Mr. DANDURAND: If those people who would fall under subsection 4 came in numbers—it would not matter whether there was one or a hundred—electors from Newfoundland, for instance—and entered the naval forces, what reason would you advance for making them electors in Canada also?

Hon. Mr. ROSS: I give them the vote here for what they do abroad; that is their

qualification; and I do not care if they have the right to vote in a thousand other places. The provision is all to be read with the main proposition—a British subject comes here and lives, and goes and fights for us, is he worthy of a vote to elect a member of the Canadian Parliament?

Hon. Mr. DANDURAND: I answer affirmatively. My honourable friend says, if he comes here; but this clause covers those who do not come here.

Hon. Mr. ROSS: I did not say a man who comes here to vote; I say a man who lives here. It is drawing a herring across the trail to say a man has a vote elsewhere.

Hon. Mr. BELCOURT: Would my honourable friend consider it constitutional—I have an open mind on this point—for this Parliament to adopt a provision that would give the soldiers a number of representatives in Parliament?

Hon. Mr. ROSS: There is an express provision in section 52 of the British North America Act as to how representatives in Parliament shall be elected; there is where your difficulty arises.

Hon. Mr. CHOQUETTE: I have followed pretty closely the argument of my honourable friends on my side, but they have not convinced me. I am afraid that, though this clause is constitutional, all the arguments made by my honourable friend from Ottawa could be taken to show that this section is unfair, unjust, and partisan. I do not see how we can say that such a person cannot vote in such a place, because it may influence the result of the election in changing the totals in a polling division. There is nothing unconstitutional in it, provided it does not change the number of representatives in each province. I object most strongly to this clause because it is unfair, unjust, and partisan. Take an example. Suppose in a county where one side has a majority of 25, 30 or 100, the colonel of a regiment who has some influence, who is the friend of the candidate on either side, goes into the trenches and says to the soldiers: "Look here, you are or are not from Canada; you have a right to vote because you are in the war; will you please give me your vote and say you vote in Quebec county?" That would change the result. A colonel or a captain or a popular man among the soldiers might get fifty open votes which would be put into the ballot-box. That is why I say it is unfair, unjust, and I may say unpatriotic, as well as being a especially partisan. As to the question of giving the soldiers a number of representatives in the House of Commons, I am as anxious as anybody in this House that the soldiers should not only vote but be represented in the Commons. Parliament has the right to increase its representation, and I think it will be much better and more in the interests of this country and of the soldiers if, instead of arranging for soldiers' votes, as in this Bill, we should give to the soldiers at the front at least four members at large in Parliament, one representative for each 100,000 soldiers. I would be willing to vote for that at once. It would be ten times better to have four soldiers who have been at the front, and in the trenches who know all about the war, to give their views and their advice, and tell us what it is best for this country to do, than for the votes of soldiers to be given for 15, 20 or 25 members in the House. I do not think it would be fair to recognize officers who have never gone to the front and fought, but who have come back to this side after a picnic on the other side. On the contrary, some of them should be deprived of the right to vote, because they have not done their duty. I would just cite a few lines taken from the Quebec Chronicle of the 29th August. The Chronicle is a good Tory paper, the property of General Watson, one of the best officers of Quebec at the front. Here is the paragraph:

A Shameful Thing.

An unusually large number of officers returned from England to Quebec yesterday. While some of them were casualties, there is no doubt that very many of them were men who would not revert or sacrifice a grade in rank in order to go to the front. Quite a few of them have been kept in England fo many months at Government expense. In fact, we believe that the cost of paying officers that never intended to go to the front has been appalling and we are convinced that the matter should be aired *in* Parliament at an early date. These are the first men that conscription should reach out and gather.

These men will have a right to cast their vote in any place in this Dominion. We were told this afternoon that we must recognize bravery. That is right. There is no man I admire so much as the man who goes to the front, in spite of my opinion about conscription. I have never said a word against recruiting, and have always refused to attend meetings, even when advertised to speak, because of my admiration for those who have voluntarily gone to the front to sacrifice their lives. Neither

have I gone on a hustings to induce them to go, for I believe in liberty for everybody. There is no man in Quebec who has done as much as I have to see that the soldiers were well treated. Very often in my official position I have helped to bring them back, or have seen the colonel and got them a chance, and I have got men out of jail because they were willing to go to the front. I never said a word against those who were going; on the contrary, I have always preached that those men should have the respect and admiration of everybody. I would say, give the soldiers representation in Parliament, but do not use their vote for partisan political purposes. We have said this afternoon that the right to vote is the reward for the bravery of the soldiers; but I say that is not enough. We ought to do more, and give them representation. Many officers are drawing big salaries, and, as the ex-Minister of Militia said in the other House not very long ago, have been going to picnics. One day he went to the camp and found that out of 1,500 officers there were only about 16 there; the rest were off at picnics in the mountains around Valcartier or elsewhere. That statement which the ex-Minister of Militia made in the other House is true. We have had experience of the same thing in Quebec. Are we going to give votes to such men, who go across to the other side, and who parade in London streets, in the threatres and cafés, and refuse to go to the front, because they were captains and will not go as lieutenants, because they were majors and will not go as captains, because they were colonels and will not go as majors? If these men are really loyal, if they are really sincere in the desire to win the war, they, as officers, who have tried to make a showing in times of peace ought to be the first to go to the front and stay there. But what have we seen? What has happened in Quebec? I speak of my own province because I am better acquainted with the conditions there. But I am glad to say that there are a vast number of officers from the province of Quebec, whether French or English, who have gone to the front and have taken part in the fight—men like Watson, Turner, Landry, Tremblay, Barré, Chassé and others, and have shown courage and ability. They have been in the fight, and their achievements in battle will go down in history as the deeds of brave men. They were not men who simply drew big salaries and strutted around with plumes and swords in times of peace, but who in time of war went overseas and came back without going to the front. Our men from the province of Quebec, as those like them in other provinces, have my admiration and my sympathy, although I may sometimes disagree with their views with regard to Canada's participation in this war; for on this question I stand in the position which Sir John A. Macdonald took when he spoke on the question of Confederation. Therefore I say that if we desire to reward, as they deserve to be rewarded, these brave soldiers who are ready to give up their lives, and are in the firing line to-day, we would do better by giving them, not a vote that will be canvassed by this man or that man, for this county or for that county, but by giving them representation in Parliament so that at the next session, when, I am afraid, the war will not have ended, and we shall still be engaged in it—so that at the next session they may have at least four or five representatives on the floor of the other House, who will be in a position to advise the Government and the country, and whose advice, I dare say, by reason of their sincerity and their knowledge of what is going on at the front, and by their deeds, would have a good effect in this country. But, honourable gentlemen, why should the people be bluffed? Why should there be all the talk of loyalty and the flag? Such talk is done by men who have never gone farther than London and who, according to published accounts, have been drawing salaries of $5,000 to $6,000 all the time, though they have been doing nothing in the war. I would rather deprive such men of the vote, and would rather give the vote to the soldiers who have done something for their country, and done deeds of which they may well be proud, and who will go down in history as men who have done their share, their great share, in the war.

So, honourable gentlemen, with reference to this clause I say that I agree with all the arguments which have been advanced by my honourable friend. I do not need to repeat them. This sub-section 4 of section 3 should not be left in the Bill, it should be eliminated. The soldier should not be given the right to apply his vote in any electoral district, in this place or in that place. That would be a temptation to the soldiers and would defeat the purpose of the Bill, because the ballot would be placed in the hands of a canvasser, an officer of a battalion, and the soldiers will not be free. But, honourable gentlemen, if you give the

soldiers the right to elect representatives to this Parliament, and leave them to themselves, I am sure that the members of the other House would be pleased to welcome their representatives. For these reasons, honourable gentlemen, I object to subsection 4 of section 3.

Hon. Mr. DONNELLY: The honourable gentleman from Grandville (Hon. Mr. Choquette) has expressed in very strong language his desire that the soldiers should be properly represented in the next Parliament; and to carry out his desire he suggested that they be given four representatives in the next Parliament. Now, there are some 400,000 soldier electors, and it would mean one representative for every 100,000. The average vote, I think, in the ridings of the Dominion of Canada is about 8,000.

Hon. Mr. CLORAN: Much more than that.

Hon. Mr. DONNELLY: I am speaking of the electors.

Hon. Mr. CLORAN: Fifty or sixty thousand.

Hon. Mr. DONNELLY: I am speaking of the voters, not of the population. If we follow up the honourable gentleman's suggestion, we would increase the representation in Parliament by about 50 members. So evidently his view of the right the soldiers have to be represented is that it would take the vote of 12 soldiers to equal the vote of one civilian.

Hon. Mr. CHOQUETTE: That is not fair at all.

Hon. Mr. POWER: I do not propose to detain the committee long. The honourable and learned and eloquent gentleman from Grandville (Hon. Mr. Choquette) has made a very fine speech, and there is apparently a good deal to be said—at least he thinks there is—for his proposition that there should be, say, four seats in Parliament set apart exclusively for soldiers. I think that if the honourable gentleman had inquired, he would have found that more than four soldiers have already been nominated for the next general election. The truth is that the people of this country appreciate what their soldiers have done, and I shall be very much surprised if at the next general elections there are not at least 50 military candidates in the field. So I do not think it is necessary to take any such step as the honourable gentleman proposes.

I may be permitted, as other honourable gentlemen have been permitted, to go a little aside from this subsection which is before the committee. Something was said with respect to the increase in the territory of the province of Quebec and how unfair that might be to some of the other provinces. As a matter of fact, honourable gentlemen, I do not suppose that there are 1,000 persons in the whole of Ungava, the region which was added to Quebec.

Hon. Mr. CASGRAIN: Less than that.

Hon. Mr. POWER: The honourable gentleman who knows better than I confirms my statement; he says there are not a thousand.

Hon. Mr. POWER: So honourable gentlemen who say that the addition of the barrens and swamps of Ungava to the province of Quebec was going to upset the balance between various provinces in the Dominion are quite mistaken. They need not lose any sleep over that.

Hon. Mr. DANDURAND: But I would inform the honourable gentleman that they are not counted; by the law they are excepted from the count.

Hon. Mr. SPROULE: But then, in the law of 1897, when the boundaries were extended, no such exception was made.

Hon. Mr. POWER: The thing really amounts to nothing at all; it is a mere tempest in a teapot.

Then, something was said with respect to non-resident voters being allowed to vote in Nova Scotia. That is true, but the non-resident voter must have a property qualification in the province, which is a totally different proposition from allowing a man who was never in Canada and who has no property qualification here, to vote. The subsection which we have passed, subsection 3, is very liberal. If the military elector:

> ... cannot state or so specify an electoral district or place wherein he has so resided for the time and within the period mentioned in subsection two but can state an electoral district or so specify a place within Canada wherein he has at any other time resided, he shall be deemed an elector of the electoral district so stated or made ascertainable and his vote shall be applied thereto.

It seems to me that is very liberal, because a man who ten years ago lived for six months in some constituency of Canada could, if he happens to come within the military class, vote in that constituency. But with regard to subsection 4, I do not believe that any honourable gentle-

man can point to such a qualification as that in the law of any country:

If he cannot, because of non-residence or otherwise, so state or specify,—

An electoral district wherein he at any time resided:

—he shall be deemed an elector of, and his vote shall be applied to, such electoral district as he may indicate.

It comes to this, honourable gentlemen. There are, I think, about 5,000 United States citizens in the Canadian Expeditionary Forces. Under this provision, those 5,000 United States citizens who have perhaps never been in Canada except on their way to the front, can be put on the list as voters in any electoral district into which their officers choose to put them. Naturally, the gentlemen under whose auspices the election will take place will see that these votes are put in the place where they will do the most good for the party; and, as I say, I think that this proposal to give a vote to a man who does not know enough about Canada even to indicate a constituency in which he would like to vote, is a most extraordinary and unprecedented thing.

Hon. Mr. BEIQUE: I will not be dragged into the discussion which has taken place as to the advisability of subsection 4. I have limited myself at this moment to the constitutional question and propose to continue to do so. I have a great deal of respect for the opinion of the honourable gentleman from Middleton (Hon. Mr. Ross), and it might have shaken my own opinion if he had attempted to discuss the question. But I think he will admit that when he said that heretofore the Dominion of Canada had adopted the franchise of the provinces, and that as a matter of fact the franchises of the provinces included as voters other persons than residents—I think the honourable gentleman will admit that that is not a legal argument. I am sure he did not intend to present it as such. I would ask the honourable gentleman and all other members of this House to consider this.

The Dominion Parliament is, of course, the master of the franchise. The Dominion Parliament may pass an Act to-morrow, to adopt universal suffrage in its most extensive form—to give the right to vote to every citizen of the Dominion. I think this proposition will not be disputed, that it is open to this Parliament to-morrow to adopt such a franchise. I would like to know if this proposition is questioned by any honourable gentleman. I assume that it is not. Suppose that that were done, could this Parliament, as a second step, say that it would be open to any elector in the Dominion to decide for which electoral district his vote should be counted? Would it be claimed that it would be open to the Dominion Parliament to do anything of the kind? Would it not be the destruction of that part of the Federation Act which gave to each province a stated number of representatives, of members of the House of Commons? by giving to each province a certain number of representatives is it not implied that these representatives shall be elected by the people of the province? It seems to me it is unquestionable, and, you see, the moment you depart from the true principle that residence, or, if you like, the holding of property, is the necessary basis of the qualification to vote, then you are carried away to such extremes that you fall into absurdity. It would violate the very principle of representation.

Hon W. B. ROSS : The honourable gentleman is making the same kind of argument as that which he accuses me of making, namely: he has confounded the constitutional right to say who shall vote with the consequences of passing a bad electoral Act. The two things are different. Parliament can pass a law to chop a man's head off, but the fairness of doing so is another question. We must assume that Parliament in the exercise of its right to fix the franchise, will exercise that right as fairly as it can. A mere legal power is not destroyed by saying that the unconscionable use of that power will result in a catastrophe.

Hon. Mr. BEIQUE : I am not confusing anything in the argument which I am offering. I know perfectly well that it would not be a good argument to say that the law would be an absurd one. when the law is within the power of Parliament, however absurd it may be, it is binding upon the people; but I say—perhaps I did not use an apt expression—that it would be repugnant to the principle of responsible government.

I desire to call the attention of this House and of the honourable gentleman from Middleton (Hon. W. B. Ross) to this. The basis of our constitution is responsible government, is it not? And is it not a fact that responsible government implies residence or a property owner? It implies that the vote shall be given to persons

who can be taxed, but not to aliens, non-residents, persons altogether outside of the territory, who may be living in India, or in any other part of the world. Should they have the right to vote if they have no interest whatever in this country? Is that not repugnant to the principle of responsible government?

Of course, the honourable gentleman took this position that if I was unable to show a text in the constitution limiting the rights of this Parliament, the rights exist. I think that that proposition is too broad, and I have no doubt that the honourable gentleman did not intend to have it understood as broadly as that. The true doctrine, which will not be disputed, is laid down in Lefroy's "Canada's Federal System," page 17, where he says:

> Again, the British North America Act, although upon it is established the Constitution of a vast Dominion, is, after all a statute, and Courts of law must treat its provisions by the same methods of construction and exposition which they apply to other statutes, no matter how great the constitutional importance of questions which may be raised. As the Privy Council say in their very recent judgment in respect to references by the Dominion Government to the Supreme Court of May 16, 1912: "In the interpretation of a completely self-governing Constitution founded upon a written organic instrument, such as the British North America Act, if the text is explicit, the text is conclusive, alike in what it directs, and what it forbids. When the text is ambiguous, as for example, when the words establishing two mutually exclusive jurisdictions are wide enough to bring a particular power within either, recourse must be had to the context and scheme of the Act. Again, if the text says nothing expressly, then it is not to be presumed that the Constitution withholds the power altogether.

I think this is the true principle for the interpretation of the statute. Now, I agree that I must find in the text or in the context of the Act, or in the principle upon which the constitution is based, elements to support my proposition. I think I find them in the economy of the Act itself. The Act is not that of a legislative union, but of a federation; and because it is a federation, each province is given a certain number of members in the Chamber who are entrusted with the legislative power. This legislative power and the determination of the number of representatives who are to be elected by each province depends upon the population of each province. This, I claim, indicates that the intention of the Act is that the representation should be based on the population of the province, and that in the interpretation of the Act due regard should be had to the population of each province. Then, I claim that if it is permissible to import foreigners or non-residents and give them the right to vote, and allow them to assign their votes to any of the electoral divisions in Canada, it is repugnant to the principle of responsible Government, and would defeat the entire economy of the Act.

Hon. Sir JAMES LOUGHEED: The many differences of opinion which have been expressed with regard to this subsection must lead one to the conclusion that it would be utterly impossible to devise a provision which would appeal to all. The honourable gentleman from De Salaberry (Hon. Mr. Béique) has advanced certain propositions of constitutional law which are not agreed to by the honourable gentleman from Ottawa (Hon. Mr. Belcourt), who is regarded as an authority on constitutional questions. The honourable gentleman from Grandville (Hon. Mr. Choquette), who occupied a position in the judiciary of this Dominion for some years, differs entirely from the honourable gentleman from De Salaberry and also from the honourable gentleman from Ottawa. Likewise, there have been different expressions of opinion as to the policy which should be pursued.

In the first place, it is admitted that this provision does not interfere with the representation of each province. Consequently there is no disturbance of representation. I tried to follow the argument of the honourable gentleman from Ottawa up to a certain point, when it occurred to me that he considered himself to be on somewhat thin ice and did not pursue it further. My honourable friend admits that each province has the right to govern its own qualifications for voting, and that in many of the provinces, if not in most, non-residence is not a disqualification for a voter. The honourable gentleman from Ottawa went so far as to say—at least I so understood him—that the province of Quebec might legislate, and has legislated, to the effect that residents not only from the different provinces of Canada, but from alien countries could come into Quebec and vote on a property qualification.

If a property qualification constitutes a qualification for voting, it must necessarily follow, if it is not altered by statute or by the Constitution, that any other basis would form a qualification. I ask if national service to the state is not a greater qualification than that of property. The very life of the state depends upon the national service which is rendered in the defence of the State, and, if you weigh the qualifications,

it can not be contended for a moment that the property qualification will be more than an infinitesimal part of the qualification by national service.

If the provinces have the right to establish a franchise under which non-residence will permit a man to vote, then let us follow that line of argument into the Dominion sphere. The honourable gentleman from De Salaberry (Hon. Mr. Beique) has not yet been able to show anything within the four corners of the British North America Act, by which that proposition can be controverted. Now, we face the condition of this being the law of the Dominion of Canada for years. Non-residence has been imported into the Dominion Elections Act, as I told my honourable friends before adjournment. Now, is it because the provinces passed it?

Hon. Mr. BEIQUE: I did not catch that remark.

Hon. Sir JAMES LOUGHEED: I cite to my honourable friend section 30 of the Dominion Elections Act, which says:

> The provisions of the law of the province as to the places where non-resident electors shall vote shall apply mutatis mutandis to any Dominion election, and the returning officer at such election shall have the powers and be charged with the duties of the sheriff or returning officer under such provisions; but nothing herein shall enable any person to vote by schedule or otherwise than by appearing personally.

Hon. Mr. TALBOT: That does not apply to non-citizens of Canada.

Hon. Sir JAMES LOUGHEED: If my honourable friend had followed carefully what I said before adjournment, he would have found out that it relates to non-citizens. A man living in the United States can vote in Nova Scotia or Quebec or any of those provinces where property is the qualification, provided that he is a British subject. We are not permitting any one to vote who is not a British subject.

It is because the Dominion Elections Act has adopted the franchise of the provinces, not because the Dominion Parliament has not the right to incorporate or import into its Election Act the provision that non-residence will not disqualify a voter. Because it has adopted the franchise of the provinces, it does not follow that the Dominion has not the same power. The Dominion exercises precisely the same power, but for convenience says that when a province has a certain franchise on the statute book, we will adopt that franchise, and we have adopted it, and those provinces have accepted this declaration of policy and of right by the Dominion Government. Notwithstanding any question which my honourable friend may bring to bear on it, we cannot controvert the fact that we have legislated along that line for years. Hence, it seems to me that not only constitutionally have we this right, but that on the merits of the case there was never a greater right placed upon the statute books than the right to vote given to those who at the present moment, at this most crucial time, are fighting for the defence of Canada. It therefore seems to me that honourable gentlemen should be only too glad to join the Government in giving recognition to those who are rendering service of such an invaluable character and say to them: "No people in the Dominion have a greater right than you, who are fighting not only for civilisation, but for the defence of the country in which you live."

Hon. Mr. DAVID: Does the honourable gentleman contend that the Canadian Parliament would have the power to give the right to vote to any man rendering service to Canada?

Hon. Sir JAMES LOUGHEED: There is a difference between the right and the exercise of the right. It seems to me that the honourable gentleman from De Salaberry (Hon. Mr. Béique) has confused absurdity and constitutionality. He pointed out certain propositions, and asked if it would not be repugnant to the Constitution to crystallise those absurdities into law. It might not be unconstitutional for the Parliament of Canada to resort to the most absurd legislation. It might be perfectly constitutional, but we have to assume in all things, that average intelligence shall be exercised. My honourable friends did conjure up certain contingencies that might happen: all those non-resident voters might be marshalled together and driven like so many sheep to the polling places, and their votes distributed, thus undermining the votes of certain districts in Canada. Honourable gentlemen must not come to the conclusion that anything of that kind will be done.

Hon. Mr. DANDURAND: Is it not repugnant to the Constitution, to all constitutions, to have the votes of 10,000 or 50,000 Canadians nullified by the votes of 10,000 or 50,000 non-residents?

Hon. Sir JAMES LOUGHEED: I will answer in this way. It would do violence to the constitution perhaps to do that under certain conditions, but we are facing conditions to-day that have no analogy in history. We are facing conditions which, if they reached their fruition, so to speak, would result in the destruction of all our institutions, and we have to adapt our legislation to national conditions which arise from time to time. And if, at this time of extraordinary happenings, we adjust our constitution to the extraordinary conditions which have been pointed out this afternoon and this evening, and which are associated with the protection of our own institutions, honourable gentlemen must not express the horror which they are doing that the Constitution is being trampled upon and destroyed.

Hon. Mr. WATSON: I do not wish to discuss the constitutional aspect of this question. I think we should take it for granted that the members of this House and the members of the other House want to do justice by the soldiers. What we are trying to do is to prevent a man putting on a uniform to-day, voting to-morrow, and taking it off the next day. That might be termed legalised personation, if you wish to put it that way, because we know that improper practices are carried on during elections. Would it not be well to allocate the soldier and give him the full franchise?

The Hon. the CHAIRMAN: We are discussing paragraph c of section 2.

Hon. Mr. WATSON: They go together. If you follow the suggestion of the honourable gentleman from De Salaberry, you will also strike out subsection 4 of section 3. Is it not worth while considering whether we should allocate these men to the place where they enlisted, where they mobilised, or to an unorganised territory where they might elect, say, two representatives, instead of dividing them up in this way, otherwise there is a stigma attached to the soldiers' vote. It will be said that you are going to allow some 12,000 or 15,000 men who have no residence in Canada to vote, and that their votes can be applied to any place in Canada. If they are confined to the centres where they have been recruited, that stigma will be removed. It seems to me that that is about the only criticism which I have to make of this Bill. We are not objecting to giving the soldiers a vote, if the vote is fairly distributed. It is claimed that it is the intention of the House of Commons and of this House that it should be fairly distributed, and the criticism is for the purpose of attaining that end, and to try to do the soldiers justice.

Hon. Mr. TANNER: If one did not know something about the soldiers, who are supposed to come mainly from Canada, one would be of the opinion that they were a pack of heathens, an utterly unintelligent lot of people, incompetent to discharge the duties of citizenship, more ignorant than any class of people which can be found in the country. I think that anyone who knows anything about them will credit them with being among the most intelligent people. I should look to put a concrete case before honourable gentlemen opposite. I should like, for instance, to take them to New Glasgow, where there is a great amount of munition work going on. Men have come in from the United States and elsewhere to work at those plants. Men also have come to Nova Scotia who have resided for years in the United States, but have retained their British citizenship, and they have enlisted and are now overseas. These men are fighting in the trenches and possibly losing their lives to-night, while we are quibbling over constitutional questions as to whether they should or should not vote. I have known men who came all the way from Texas to enlist, who formerly lived in Nova Scotia, and are now overseas. They had no residence at the time, but they came over to Pictou and enlisted there.

Hon. Mr. WATSON: If my honourable friend will look at section 3, he will find that those sections provide for any man who has ever resided in Canada.

Hon. Mr. TANNER: I am talking about section 3 as well as section 4. Take the case of a man who did not reside in the country before, and who comes, perhaps at this time of the year, and enlists. Another man comes over and brings two or three hundred dollars worth of furniture with him, and takes employment in a munition plant, and settles down to draw his $6, $7 or $8 a day at that work. That gentleman will go on the list and have a vote, but the man who came over and enlisted in the forces of the country, and who goes overseas will not have a vote, if honourable gentlemen opposite could have their way. In Nova Scotia it is not necessary to possess real estate in order to qualify for voting.

A man may come into a county there in December, may rent a little building and pay $5 or $6 a month; and in the following month he becomes an elector, and would be entitled to vote in this election. The son of that man would be entitled to vote, or if he got himself assessed for a little personal property he would be a voter. The question of residence is not fundamental in Nova Scotia, nor is it fundamental throughout Canada. In regard to the men we call income voters, residence is essential; they have to be within the county for a certain length of time; but under the Nova Scotia law, as it has been amended since the breaking out of the war, a man who did not have a residence in the province before, but who comes in and stays for a few weeks and enlists and goes overseas, is a voter, his enlistment and his services being made equivalent to residence in the province. So that if this law is not adopted, the result would be the shutting out of a large number of Nova Scotians and other Canadians, British subjects, who have been in the United States, as well as a few British subjects who perhaps never resided in Canada at a previous time. It seems to me most unseemly for this House to be debating and splitting hairs about questions as to the construction of the British North America Act, as to whether we will let those British subjects vote who have come into this country and joined hands with us in its defence, and who are to-day in the trenches fighting the Germans and dying to preserve this British North America Act.

Hon. Mr. DOMVILLE: We all agree that those men who are fighting and shedding their blood for us should vote, but where would the honourable gentleman suggest or think that they should have votes given?

Hon. Mr. TANNER: I suggest just what is in the Act, that they should be permitted to choose their own constituency.

Hon. Mr. DANDURAND: They do not know; they have not been in the country.

Hon. Mr. TANNER: How does the honourable gentleman understand that they do not know? Honourable gentlemen not only presume that they do not know, but they go so far as to presume that those men will be driven to the polls like a pack of sheep—that they will be dominated by their officers. I would like to see the officers who could dominate the class of men that have gone over there.

Hon. Mr. TANNER.

Hon. Mr. DOMVILLE: Nobody suggested that they would be driven. All I want to find out is the construction of this Act as to where they shall vote, not, as we say in New Brunswick, "swamp voters." Let us arrange the place where their votes should be.

Hon. Mr. FOSTER: I want to put myself on record as being absolutely opposed to the views expressed by some honourable gentlemen from the province of Quebec on the other side of the House. So far as I am concerned, and the people I represent in this House, we do not believe in a single word that the honourable gentleman has said concerning this Act. So far as the Constitution is concerned, this House is at liberty to say that a man or a woman who pays $2 a month rent or owns $150 worth of land can vote. That being so, it follows that it has the right to say that a man, no matter whether he lives in Canada or not, who is fighting for my home or his home, is entitled to say what man shall represent him and me in this Parliament of Canada. The proposition made by the honourable Senator from Grandville (Hon. Mr. Choquette), of herding together the men who are defending us, and making 2, 3 or 4 divisions—goodness only knows where he would put them, in Alaska or Labrador, or where—and shoving them off to a corner of this country, saying that this is where they live and that is their home, is repugnant to me. I say that when the boys who have gone from my district to the front come home, whether they lived there as their home, or came in from the United States and joined our boys, I want them to come back to Brome and Sherbrooke and Compton, and not have them shoved off into the north part of this country. I say that we are entitled under the law of this country to say to those men who have gone and fought for us, that they are entitled to vote, and that they may have some discretion as to the place in which they can vote. I hold up both hands for that clause as it is, and so far as the large proportion of the people in the province of Quebec are concerned, I am certain they are in favour of this war and want to do everything they can to compensate the men who have fought for us. I favour the clause as it is.

Hon. Mr. DOMVILLE: My honourable friend is turning this into a popular vote. Suppose they should all go to Sherbrooke, where would the rest be? I do not think that is the interpretation to be placed upon the section. Under this Act they could be all herded together in one place. I do not

say they will do so, but it would be well to define the matter. Supposing a certain percentage were given to New Brunswick, a percentage to Nova Scotia, and so on, or that there should be some sort of selection of their own. Would it not be well to alter this in some shape so that the difficulty would not arise as to their being herded in one place or another?

Hon. Mr. BOSTOCK: I think there is some misapprehension in the minds of some honourable gentlemen as to just what we are doing in regard to this Bill. The honourable gentleman from De Salaberry (Hon. Mr. Béique) has moved to strike out the words "whether or not" in paragraph c of section 2, and substitute therefor the word "and," which would make a military elector, being a British subject, ordinarily resident in Canada. If I understood the honourable gentleman from Brome (Hon. Mr. Foster), he was dealing with men who were entitled to vote and were resident in Canada; but we have already passed the two subsections of section 3 that deal with that situation, and the leader of the Government allowed this definition of a military elector to stand until we got to subsection 4 of section 3, which deals with the question of men who are British subjects but have never been in Canada, or have been here such a short time that they cannot describe any district in which they wish to vote, and therefore they have not been in Canada long enough to be entitled to vote in any particular district, or cannot specify any electoral district or place wherein they have resided so that they might vote in it. These men, who are British subjects, and are qualified under subsection 2 or subsection 3 of section 3 are the only ones we are dealing with at present.

Hon. Mr. DANDURAND: It seems that when legislation is brought into this Chamber from the other House, if it refers in any way to the conduct of the war or to military matters, or to privileges to be given men who have fought, we must all close our eyes and open our mouths and swallow. It would seem as though that were in the minds of some honourable gentlemen who say, "People are fighting in the trenches to-day, and here we are discussing constitutional questions." Well, the soldiers are in the trenches to fight; and are we not here to make legislation? It seems to me that we should approach these questions with an open mind and discuss them, as it is our duty to do. Here we are, the revising body; legislation is brought to us from the House of Commons; is it not our duty to examine it in calmness, with a judicial mind if we can offer it, and reach the best possible conclusions for the country? No one in this Chamber objects to the soldiers voting. Two or three years ago, in 1914 or 1915, we unanimously passed that law. There were some amendments made to the Bill that came from the House of Commons. Those amendments were discussed in the House of Commons. When we returned the Bill there, I remember perfectly well the Minister of Justice coming over to see some members of the Senate and discussing with them an adjustment of the difference of opinion between the two Chambers, and we came to a conclusion. It seems that when we are performing the same duty, of examining a law, and we do so with no spirit of recrimination or obstruction, all suggestions that may tend to ameliorate or improve the law should be accepted. If they are not deemed acceptable, well, the majority rules.

Hon Sir JAMES LOUGHEED: Up to the present time we have accepted your proposals.

Hon. Mr. DANDURAND: We are discussing the propriety of adding British subjects who have enlisted in the Canadian Expeditionary Force, say from the United States, and who have never set foot in Canada, or who have done so just during the time of examination by the military authorities, and being sworn and leaving for the other side, and giving them a vote in Canada. I confess that no argument so far has been advanced to satisfy me that it is the correct thing to do. Take a British subject in the United States, who has been living there either three months or three years; the war is on; he is impelled as a British subject to offer his services to the British authorities, he is impelled to go and defend his King, his flag and his country, and liberty and democracy, if you will, in the bargain; he desires to enlist, go over and fight. I will appeal to the judgment of every honourable member in this Chamber, for whom is he primarily fighting? Is he not fighting for the British Crown, for his King and his country? What do these words mean—his country—to his mind and imagination? Is it Australia which he has never seen or gone into? Is it Canada, which he has never entered? It is his country, his home, the land of his ancestors, the land where he was born. Is that not logical? He goes to fight for his country and all that it represents. Well, if he happens to have a vote in Eng-

land, where he comes from, or in Newfoundland, where he comes from, would he think for a moment, because he enlists here in the Canadian Expeditionary Force, at the nearest point where he can enlist, of asking for the right of expressing an opinion in the election in Canada over Canadian matters? If no news of what we are now doing reaches the trenches before the returning officer goes there, and one of those British citizens who came from the United States and had enlisted here was asked to give his vote on Canadian matters as between the two parties or between two candidates, he would say, "Well, that is not for me; I am not voting there; I have no interest there. That is not my country." He would express surprise and would feel that was not doing the right thing. He would say: "Surely not —I am from London," or I am from Newfoundland," or "I am from the United States; why do you want me to express an opinion in Canadian affairs?" That would be the first remark if he had not heard that we had done this extraordinary thing. The honourable leader of the Government admits that it is extraordinary, exceptional legislation. If it is, is there anything wrong in our discussing this extraordinary legislation, unheard of in the world up to the present time? Does it suffice to say that we are at war and these men are fighting in the trenches for us? I beg to differ. They are not fighting for us. We perhaps think that in the minds of those men we are playing a great role. No; let us be a little more modest. They are not fighting for us; they are fighting for their homes and for the Empire, for Australia, New Zealand, South Africa, as well as for Canada. But would it be thought that they should be given a vote in those colonies besides having a vote in their own land? I put these arguments because it does not seem to me that these men should vote. We are too grateful to them. There is no one in this Chamber who desires more than I that we should do all we can to win the war, but I wonder if we are doing the right thing.

Hon. Mr. GORDON My honourable friend is very much accustomed to splitting hairs, and for that reason I would just like to ask him this question.

Hon. Mr. DANDURAND: Yes, providing the honourable gentleman proves that I am now splitting hairs.

Hon. Mr. GORDON: Yes. If the soldiers whom the honourable gentleman is pleased to call the British Americans who are serving in the Canadian Expeditionary Forces, went overseas to help Great Britain and not Canada particularly, what difference to Canada would that make in the result?

Hon. Mr. DANDURAND: The general result?

Hon. Mr. GORDON: Yes.

Hon. Mr. DANDURAND: None whatever, but that does not mean that the whole British Army should be asked to vote in Canada.

Hon. Mr. GORDON: They are not.

Hon. Mr. DANDURAND: There would be as much reason in that. We are all fighting for the same cause, but the Canadian soldier who is stationed in England and may be for one reason or another—I take it, for a good reason—retained for a year in some part of England, at Shorncliffe or elsewhere, will not be given a vote. Such a proposal will not enter the mind of any British statesman.

Hon. Mr. GORDON: That has nothing to do with the matter.

Hon. Mr. DANDURAND: But our soldiers are in England. They went across the Atlantic to defend Great Britain, the Empire, the world. They are in England, but there is a distinction made between those who have interests in the country and those who are transients, and are there accidentally. My honourable friend (Hon. Mr. Gordon) asks, "What will be the difference?" I thought he was going to ask what would be the difference in Canada if they do vote. This brings me to one aspect of the question on which I would like to say a word, the constitutional aspect. In the Confederation pact it was declared that each province should have a certain number of representatives. Prince Edward Island was allowed six representatives. It has four. Let us say that it was allowed four representatives, that Prince Edward Island has a right to four representatives in the House of Commons. What does that mean? It means that those representatives shall be elected by the majority of the electors in that province, since the system of majority rule is that which prevails in Canada. The people of Prince Edward Island expect that in virtue of the contract entered into they are entitled to elect four representatives. Suppose that in Prince Edward Island there were open voting, such as we had up to 1871 or 1872. I do not know

if it is not still open voting in that province. Suppose the majority in Prince Edward Island choose four representatives. The people of Prince Edward Island, in virtue of the Federal pact, have the right to send those four representatives to Parliament, for they have been chosen by the electorate of Prince Edward Island. Say the majority is 50 or 100. The British Americans have voted and their votes have been put in special sealed envelopes and can be distinguished, and when the envelopes are opened those four representatives chosen by the people are found not to have been elected at all, because 100, or 200, or 300 of those British Americans have been pleased to select the four constituencies of Prince Edward Island in which to cast their votes. Is not that repugnant to the whole economy of the British North America Act?

Hon. Mr. GORDON: No.

Hon. Mr. DANDURAND: If the majority of the people of the province of Prince Edward Island find that by reason of the principles obtaining in Canada, they have not been able to give effect to their wishes, if the will of the majority of the people is defeated by those British Americans who have selected those four constituencies, that strikes me as being a violation of the spirit, if not of the letter, of the constitution. We must examine the situation from the point of view of the constitution. It seems to me that we are breaking faith with Prince Edward Island, to which province we promised four representatives, to be elected by the majority of the people. The vote of the majority may be wiped out by the imported vote of persons who have never been in touch with Prince Edward Island. This is where it seems to me there is a violation of the compact entered into by the various provinces.

Hon. G. W. FOWLER: Mr. Chairman, I notice that the honourable gentleman from Portage la Prairie is in favour of the soldiers having votes, considering that military service is at least equal to the property qualification. The only distinction he makes is that they should be segregated in some out-of-the-way districts cut out of our Northwest territory which is yet unorganized, and have representatives elected for those districts by the soldiers' votes. Does it not follow that if a man has the right, which he certainly has, to make a choice of the constituency in which he shall purchase his property, he has therefore the right to select the constituency in which he shall vote. As military service is equivalent to property qualification, surely the man who has qualified by military service has the right to select the constituency in which he shall cast his vote; he is as much entitled to do so as the man with the property qualification. My honourable friend from De Lorimier (Hon. Mr. Dandurand) goes further, though; he denies the right of the soldier to vote at all.

Hon. Mr. DANDURAND: No, not the right of the soldier.

Hon. Mr. FOWLER: I mean the soldier from outside of Canada.

Hon. Mr. DANDURAND: Who has never resided here.

Hon. Mr. FOWLER: But who is a British subject; because only a British subject can vote; and British subjects are interested, if they are true British subjects. They have shown their devotion to the Empire to which they belong by enlisting for service.

Hon. Mr. DANDURAND: Yes.

Hon. Mr. FOWLER: Therefore we must say they are true British subjects. If so, they are interested in this part of the Empire as well as in the sea-girt island, or in Australia or any other part of the British Dominions. I think my honourable friend from De Lorimier cannot say that these men are without interest in the matter. My honourable friend must presume that these men are not intelligent, that they have no minds of their own, that they have no spirit with regard to this thing. I say to my honourable friend that those men who get a vote by reason of their military service will appreciate that franchise just as much as the men who acquired the right to vote by renting a place at $5 or $6 a month, as the honourable gentleman from Pictou (Hon. Mr. Tanner) has said. They will appreciate the honour that has been conferred upon them in giving them the franchise in Canada; they will take it as being in some way a reward for what they have done in enlisting in our Canadian Forces and fighting for the Empire; and, appreciating that honour, they will guard it just as sacredly as would other men, who may not vote according to their conscience, but rather according to inducements. That being the case, I do not think my honourable friend need be apprehensive that these men are going to be herded and placed in certain constituencies where, in political parlance, they may be said to do the most

good. They will select with intelligence the constituency for which they wish to vote.

Hon. Mr. DANDURAND: That is just the difficulty: they do not know.

Hon. Mr. FOWLER: But they do know. My honourable friend must not think that Canada is an unknown land—that nobody knows about it. These men knew enough to come to Canada. They know where the constituencies are in Canada. They may not know the exact subdivisions, but neither do you, honourable gentlemen, nor I know the exact subdivisions throughout the country. These men will know how to cast their ballot, and will cast it intelligently. They will cast it without coercion, because, as I say—and I think my honourable friend will see the force of this argument—they will naturally appreciate the honour, as I may call it, which has been conferred upon them in granting them the Canadian franchise. They will appreciate it so much and hold it so sacred that they cannot be coerced or purchased and will cast an honest ballot according to their conscience.

The amendment of Hon. Mr. Béique was negatived.

On subsection 4 of section 3—voting by military electors:

Hon. Mr. BEIQUE: Mr. Chairman, I move that subsection 4 of section 3 be struck out.

The amendment was negatived.

Hon. Mr. BOSTOCK: I think that on this subsection we want a little further discussion. Of course, I am quite in favour of the soldiers having a vote, but I am not in favour of this subsection 4 of clause 3, because I think it leaves the matter altogether too wide open. I think it would be well if we could devise an amendment that would enable a man who has gone to the front and who has rendered service to the country, or even a man who has gone to Europe, to record his vote. But as I understand subsection 4 of section 3, it allows a man who is enrolled as a soldier, and who may have been in Canada only a day or two before the election, to vote. He may be discharged three days afterwards or may be disqualified on account of being medically unfit or for some such reason, but in the meantime he will have voted. I do not see that that man has rendered much service to his country. He may have been willing to do so, but he certainly has not succeeded in doing it. I think that this subsection is too wide to be left in the Bill. I suggest that it be amended so that, at any rate, the men who under this subsection are entitled to vote shall vote in certain districts, and I would therefore move:

That the words, "to such electoral district as he may indicate," in line 37, after the word "applied," be struck out and the following substituted therefor:

In the electoral district in which is situated the headquarters of the military district in which he was attested or taken on the strength of a unit.

So that the clause would read:

If he cannot, because of non-residence or otherwise, so state or specify, he shall be deemed to be an elector of, and his vote shall be applied in, the electoral district in which is situated the headquarters of the military district in which he was attested or taken on the strength of a unit.

I think that defines as well as possibly can be done the district in which the vote should be applied, and I think it will assist in preventing those votes from being all cast in any particular district, or in a way that would not be fair to the people of the country. I mentioned before that in the province of British Columbia we had some experience of trouble with the soldiers voting and that I think we should try to do everything we can, in dealing with this Act, to remove any abuses that might arise.

Hon. Mr. FOWLER: Mr. Chairman, my objecton to the amendment is that it gives only a qualified vote to the soldiers. It discriminates against the qualification of military service in favour of a mere property qualification. It must be remembered that many of these men, British subjects, speaking our own tongue, understanding our institutions and trained along the same lines as ourselves, have been performing military service for Canada for three years. On the other hand take the case of a man raw from Galicia, from Russia, or from Italy. He does not know our language, he has not been educated as we are, he does not understand our institutions, and yet, he is made a British subject and given an unqualified vote. He is given the opportunity of selecting where he shall pitch his vote, where he shall pitch his residence. Is that quite fair? Is that reasonable? Are we not discriminating unduly in favour of the uninformed stranger and against our fellow-subject? If we are going to extend the franchise to these men, we should not be niggardly in doing so. We should do the decent thing and give them the full franchise, the same as we would to the wild, haired denizens of the forest of Ga-

licia who comes to this country. That seems to me to be a reasonable proposition. Honourable gentlemen should not always be watching for the joker in the pack. I am afraid that is what my honourable friends are thinking about. They should divest themselves of that idea. There is no intention of that kind on the part of this Government. The fault which I have to find with this Government is that it is too simple, too easy-going with its opponents. This Government is actuated by one desire, to win the war, and to do the right thing by those who are helping to win the war. We all want to do that. I think we should all try to do that. Do not give a qualified franchise to the men at the front, let our gift be full and free, and the new voter will cast his vote independently and honestly.

Hon. Mr. McMEANS: I point out to the honourable the leader of the Opposition the utter absurdity of the amendment which he has proposed. Military district No. 12 extends from Port Arthur on the east to Regina on the west. The headquarters of that military district is in South Winnipeg, and as I understand the amendment, the whole thirty battalions in that district would vote in South Winnipeg.

Hon. Mr. LANDRY: The headquarters of each regiment.

Hon. Mr. KING: It was not my intention to take part in this discussion. I have been forty years in politics, twenty years in the Senate, and I should have been in the House of Commons for the other twenty years if I had got fair play in my elections. I am surprised at the honourable gentleman (Hon. Mr. Fowler), who stepped out into the middle of the floor and talked as he has talked. I do not want to sail under false colours, and I am not going to. I want it to be understood from one end of my province to the other, and from one end of Canada to the other, that if I had been here I would have voted for conscription. My honourable friend Senator McSweeney and I went home. We paired. I was delayed in returning on account of a wash-out on the railway, and did not get back here in time to vote. Had a vote been taken on the third reading I would have voted in favour of conscription. I have sat in my seat and held my tongue, and what have I seen? I was not surprised at the vote on the Canadian Northern Railway Bill. I am not going to impute motives to any one. I did not expect anything better. The honourable gentleman from Kings (Hon. Mr. Fowler) has now the honour of representing the county in which I was born and in which I lived for a few years. To-day that county is united with the county in which I now live. We are likely to have an election, and what is likely to happen? I do not want to impute any wrongdoing to the honourable gentleman from Kings (Hon. Mr. Fowler). He has been overseas; he says he has been at the front. I do not want to contradict him.

Hon. Mr. FOWLER: You had better not.

Hon. Mr. KING: But I do not know.

Hon. Mr. FOWLER: I do know.

Hon. Mr. KING: To-day I have four grandsons taking part in the war. One of them has been at the front for three years. His mother has seven daughters. This boy, an only son, has been fighting for three years—longer than my honourable friend—and at $1.10 per day. What has my honourable friend been getting? Has he drawn his pay as a member of the House of Commons? Is he drawing pay to-day as a member of the Senate?

Some Hon. SENATORS: Order.

The Hon. the CHAIRMAN: I must call the honourable gentleman to order.

Hon. Mr. KING: Call him to order as soon as you like.

The Hon. the CHAIRMAN: He has no right to make personal speeches.

Hon. Mr. KING: I am asking a question.

Hon. Mr. FOWLER: Will the honourable gentleman resume his seat and allow me to answer the question? I am surprised at the honourable gentleman, who says he comes from the same county that I come from, making this attack upon me. I do not know what I have done to invite it. I want to say to the honourable gentleman, who is so inquisitive with regard to my pay, that I sacrificed a very large professional income, a much larger income than I have received by reason of wearing a uniform. I abandoned large business interests in order to go and do my duty to this country. The honourable gentleman cannot understand that. There are certain men who are of so small a type that they cannot understand that.

Some Hon. SENATORS: Order, order.

Hon. Mr. FOWLER: I am making a general remark.

Hon. Mr. BOSTOCK: The honourable gentleman was going to answer a question.

Hon. Mr. FOWLER: I am going to answer the question. Some men are so small that they cannot understand a man being actuated by a high and noble motive. They are always looking for something sordid, because their natures and their lives are so sordid. While Iam a member of this Senate I am receiving no pay whatever from the military authorities. That is my answer to my honourable friend.

Hon. Mr. LANDRY: I rise to a point of order. The honourable gentleman (Hon. Mr. King) had the floor. He has it now. We cannot have two speakers at one time.

Hon. Mr. FOWLER: He asked a question and I answered it.

The Hon. the CHAIRMAN: Order, order. The honourable gentleman from Queens (Hon. Mr. King) had better proceed with his speech and not make personal remarks.

Hon. Mr. KING: Mr. Chairman, I think that this is bad legislation. I do not impute to honourable gentlemen on the other side of the House any desire to take advantage of this legislation. I am quite sure that with my experience, which I will not refer to—I was cheated out of four elections—I could deal with this Bill to-night, but I do not propose to do so. I had hoped that on a question of this kind there would be some honourable gentlemen, one or two or three, who would have seen the fairness of amending this Bill so that men who do not belong to Canada, men who have never seen Canada, men who never expect to see Canada, should have some place assigned to them to vote, so that their votes will not be spread broadcast wherever they may be expected to defeat a Liberal candidate. My honourable friend from Kings (Hon. Mr. Fowler) is in a position to cultivate some of his friends on the other side and thus defeat the Liberal candidate in the county which he has represented for a long time. I am not saying that he did not represent it fairly, but I know that he will turn every effort in that direction. It is not fair to take advantage of this provision in that way. I have already stated where I stood on the question of conscription; but if I had known the character of the legislation which the Government was going to attempt to railroad through both Houses since that vote was taken, I would have opposed conscription.

Some Hon. SENATORS: Order, order.

Hon. Sir MACKENZIE BOWELL: That question is not before the House.

Hon. Mr. BOSTOCK.

Hon. Mr. KING: I am not in the habit of speaking, as may be judged from the way in which I have expressed myself to-night, but at the same time I know what I want to say, and, Mr. Chairman, if I do not comply with what you think is right, I am willing to withdraw. Let me point out the effect that this Bill will have. Right alongside of me sits a gentleman from Prince Edward Island (Hon. Mr. Yeo). There are four seats in Prince Edward Island, and the probability is that 50 votes would change the result of an election there and send four Conservatives straight to Parliament instead of the representation being half and half, as it has been of late years. There are men who would think there was no harm in collecting those votes for that purpose if they had the opportunity to do so. So far as I can see, the country is now scarcely worth saving. In view of the efforts which are being made I would not be at all surprised to see the Government returned. I would be very much surprised, however, to see them govern the country long after Parliament meets.

Hon. Sir MACKENZIE BOWELL: I merely want to ask the leader of the Opposition if he has thought of the effect of his motion if it is carried. 92,000 men joined battalions in Toronto in military district No. 2.

Hon. Mr. BOSTOCK: They would not come under this clause.

Hon. Sir MACKENZIE BOWELL: If the honourable gentleman will have a little patience I will explain. I think I am quite capable of telling my own story; and if I do not tell it correctly I shall be very glad to hear from the honourable gentleman and his friends behind him. Among those 92,000 men who enlisted in that district there are thousands who come from different parts of the country. Some of them come from as far away as Texas. If this amendment were carried all these absentees who enlisted in Toronto would be herded together and would cast their vote in one district. The case I mention is stronger than that mentioned by the honourable gentleman from Winnipeg (Hon. Mr. McMeans). It is much better to leave the Bill as it is unless you want not only to influence but to carry your riding. Apart from what I have already said, there are two or three thousand men who have enlisted in Toronto from

other districts in Ontario. Under the Bill they could cast their votes in those districts.

The amendment of Hon. Mr. Bostock was negatived.

Hon. Mr. BOSTOCK: What is the object of inserting those words "or other places" in paragraph d when the definition of "camp" in section 2 b mentions base, barracks, rest station, ship, dockyard, hospital or other place? Would not that definition cover?

Hon. Sir JAMES LOUGHEED: No; there might be a place that would not be within the meaning of that definition; for instance, if men were "assembled under a commanding officer for the performance of any military or naval duty." These words are inserted simply to cover some unlooked for place where men may be found.

Hon. Mr. BOSTOCK: The places where the votes are to be taken are designated by the presiding officer, are they not?

Hon Sir JAMES LOUGHEED: They are to take those votes wherever they are, but this paragraph simply provides that they may exercise their power in designated places or other places.

Hon. Mr. BOSTOCK: The language seems to be very general. The men are usually in some designated place.

Hon Sir JAMES LOUGHEED: You cannot be sure of that at all times in a condition of war. It is simply for caution.

On subsection 2 of section 5:

Hon. Mr. DOMVILLE: The difficulty I see about that is that there is no way of rectifying afterwards anything that might occur in reference to the ballots and envelopes.

Hon. Sir JAMES LOUGHEED: I do not see any other precaution that we can take. We have to take some chances.

On section 6—information as to candidates:

Hon. Mr. DOMVILLE: I was going to suggest that this would delay the fighting if they have to get boards and put them up. They would not be able to fight like my honourable friend from Kings (Hon. Mr. Fowler).

On subsection 1 of section 8—conduct of polls:

Hon. Mr. BEIQUE: I would suggest changing "the day" on line 7 to "two full days," so as to enlarge the time before the polling commences and give time to have the posting done. It is incumbent upon the officers after the nomination day to telegraph the names of the candidates; but that might take twenty-four hours. Then it is incumbent on the officer also to post in the camp the names of the candidates. It would be better to allow one full day after the nomination.

Hon. Sir JAMES LOUGHEED: We might let that stand until we can look into it.

Hon. Mr. DOMVILLE: There is a difference of five hours in the time, so that if the polls here closed at five or six o'clock it would be eleven o'clock in the evening there, and they would have no time at night to put out those bulletins.

Section 8 stands.

Hon. Mr. BOSTOCK: Under section 8 the polls are assigned to the charge of presiding officers, but there does not seem to be provision for assigning those polls, unless it be in paragraph d of section 4.

Hon. Sir JAMES LOUGHEED: Let that stand, and I will get the information.

Hon. Mr. DOMVILLE: I desire to call attention to the question of the ballot boxes.

Hon. Sir JAMES LOUGHEED: What is it my honourable friend desires to know?

Hon. Mr. DOMVILLE: The question of the ballot boxes is mentioned in e and g, also in b. We have had a very sad experience in that respect. In New Brunswick we have known of ballot boxes disappearing. I have in my pocket affidavits, but I do not want to produce them.

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend that the ballot boxes are those approved, as I understand, under the Elections Act. I know of no other ballot box that will be used than that sanctioned by law.

Hon. Mr. DOMVILLE: That is the point that I am making.

Hon. Sir JAMES LOUGHEED: What is the point?

Hon. Mr. DOMVILLE: That care should be taken to see that the ballot boxes cannot be moved out.

Hon. Sir JAMES LOUGHEED: That is reasonable.

Hon. Mr. DOMVILLE: We had this question of loose ballots to deal with before.

Hon. W. B. ROSS: If the bottoms were fastened with copper, would that do?

Hon. Mr. DOMVILLE: Yes; but the man in question is sitting in the Government today, in the other House.

Hon. Mr. BOSTOCK: Mr. Chairman, I would draw the attention of the honourable leader of the Government to paragraph e:

The voters shall fold the ballot, place it in the envelope, securely close the same and hand it to the Deputy Presiding Officer.

The same system, I believe, was adopted with regard to the voting in British Columbia:

Hon. Mr. WATSON: This is for the voting in France.

Hon. Mr. BOSTOCK: There were brought to notice afterwards a number of cases where, when the envelope was handed over to the returning officer, no ballot was found in it. It would be a good thing, I think, if we could provide some way to prevent that. It might be necessary to provide that the deputy presiding officer should see the ballot placed in the envelope.

Hon. Sir JAMES LOUGHEED: That has always been very much questioned, because it is susceptible to interference with the secret voting. The voter himself places the ballot in the envelope. Of course there is no means of compelling a voter to put a ballot in the envelope. He may, as many a voter does, wish to escape voting. He may seal the envelope, keep out the ballot, and hand the envelope to the deputy returning officer. I do not see how we can overcome that. Many a voter is under the impression that the voting is not secret and for that reason he withholds the ballot.

Hon. Mr. DOMVILLE: It is all a question of whether fraud may be undertaken or not. We are entirely in the hands of the Government, with their subordinates, to see that every care is taken that the ballot shall not be tampered with.

Hon. Sir JAMES LOUGHEED: We will try to see to that. Both sides of the House, I think, have together worked this out.

Hon. Mr. DOMVILLE: They might get together—I have seen them get together in a polling district.

On section 8—polls and voting:

Hon. Sir JAMES LOUGHEED: May I return to section 8 for a moment. The presiding officers are appointed by the Governor in Council.

Hon. Mr. BOSTOCK: Are they assigned to certain districts?

Hon. Sir JAMES LOUGHEED: Yes, to particular districts, just as any returning officer would be assigned to a constituency. I may say that I saw the Prime Minister about this a few moments ago. The object of fixing the commencement of polling for "the day following" was this, that it was desirable that as much time be given to the men as possible. If we make it the second day after, these men may be ordered out on an assault or may be ordered into action. We cannot tell. The assumption is, in fact, that they cannot vote unless they have the names. Therefore, it is very desirable that whatever time can be given to the vote should be given, and if the names come the day following, as is provided in section 8, the day "following that of the nomination of candidates," they should use that time at once. That would be the object, because one cannot say at what moment they will be ordered to move.

Hon. Mr. BOSTOCK: But I understand that the point made by my honourable friend from De Salaberry (Hon. Mr. Béique) was that in the case of the names not arriving——

Hon. Sir JAMES LOUGHEED: I have asked the Minister of Justice to come over and explain to me any of these points.

Hon. Mr. DANDURAND: He would be welcome here to explain this himself.

Hon. Mr. DOMVILLE: A new member.

Hon. Mr. DANDURAND: I have been advocating for the last eight or ten years the idea of having the Ministers from the other House come over here and take part in our debates in presenting their own measures. I welcome the honourable the Minister of Justice.

Hon. Sir JAMES LOUGHEED: I wish my honourable friend had continued to press for that.

Hon. Mr. DANDURAND: The point made by the honourable gentleman from De Salaberry (Hon. Mr. Béique) is that if the voting starts the day after nomination, the names of the candidates will not have reached the other side, nor will they have been posted. He thought if 24 additional hours were given after which the voting

would start, there would be time for the transmission of the votes to the other side.

Hon. Sir JAMES LOUGHEED: It seems to me quite manifest that polling cannot possibly take place until the names are received officially—

Hon. Mr. WATSON: Why does not the Bill say so?

Hon. Sir JAMES LOUGHEED: —because the polling is conducted under duly authorized officers and according to duly authorized methods, and if those names have not reached there the day following, the polling cannot proceed until they are received. But the principal consideration in the House of Commons, as has been stated to me by the Prime Minister and now by the Minister of Justice, was that immediately the names are received—and they will be forwarded the moment they can be—no time should be lost, on account of the uncertainty of the time at the disposal of those men. They may be ordered into action.

Brigadier General Hon. Mr. MASON: On account of military exigencies.

Hon. Sir JAMES LOUGHEED: Military exigencies may demand that they use every moment at their disposal.

Hon. Mr. DOMVILLE: There is a difference in time between this country and Europe.

Hon. Sir JAMES LOUGHEED: That is to our disadvantage.

Hon. Mr. DOMVILLE: It seems to me the voting should not take place before the names of the candidates are made known to the members of the camp, and as the subsection is drafted I think there is no guarantee at all that the voting will not take place. We must remember the difference in time.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DOMVILLE: That and the difference of 24 hours make two days.

Hon. Mr. DANDURAND: It gives 27 days in which to enter the voting.

Hon. Sir JAMES LOUGHEED: As I have already said, the exigencies of the situation may be such as to deprive the men of the ability to vote.

Hon. Mr. BEIQUE: If I am not mistaken, further down in the Bill there is a provision allowing the vote to be taken in case of emergency.

On subsection 2 of section 10—military elector resident in Canada:

Hon. Sir JAMES LOUGHEED: There is an amendment which I wish to make in line 45 of section 10, page 8. After the word "service" I wish to insert:

> or in the case of an officer the official letter or document from competent authority releasing him from service.

That is practically a repetition of the amendment which is made on page 2.

On subsection 1 of section 11—forwarding the ballots:

Hon. Mr. BOSTOCK: I should like to ask the leader of the Government how this officer is going to put the documents in the box. If my understanding is correct, the keys are in the hands of the officer to whom the box will eventually be sent. The presiding officer cannot put the documents into the box through the slit where the ballots are inserted.

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at paragraph a of section 2 he will find out how it is done.

Hon. Mr. BOSTOCK: The slit will be big enough to put in an envelope containing a ballot paper; but will it be big enough to put in the documents?

Hon. Sir JAMES LOUGHEED: They will be forms which may be folded up and put through the slit.

Hon. Mr. BOSTOCK: From what I have seen of these matters I think the opening in the ballot box would be too small.

Hon. Sir JAMES LOUGHEED: It has already been demonstrated that the slit will be sufficiently large to permit of the entry of the forms which will be used.

Subsection 1 of section 11 was agreed to.

Hon. Mr. DOMVILLE: I would remind my honourable friend that the half-hour which he mentioned has gone by.

Hon. Sir JAMES LOUGHEED: Would my honourable friend prefer finishing to-night or sitting to-morrow morning?

Hon. Mr. DOMVILLE: I would rather sit to-morrow.

Hon. Sir JAMES LOUGHEED: Then we will rise and adjourn until the morning.

Hon. Mr. DANDURAND: There is very little on the Order Paper for to-morrow afternoon.

Hon. Sir JAMES LOUGHEED: If my honourable friends wish to rise, I would prefer to sit in the morning.

Progress was reported.

LIVE STOCK BILL.

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 123, an Act respecting live stock.

He said: This is a bill to provide for the establishment of live stock exchanges throughout Canada wherever there are stockyards. It practically proposes to place the administration of the stockyards, so far as the exchanges are concerned, in the hands of the Department of Agriculture. Licenses will be issued to persons wishing to conduct an exchange business, which will greatly facilitate all transactions in live stock.

The motion was agreed to, and the Bill was read the second time.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Thursday, September 13, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

MILITARY VOTERS' BILL.

CONSIDERED IN COMMITTEE. AND REPORTED.

The Senate again went into committee on Bill 127, the Military Voters' Act, 1917.—Hon. Sir James Lougheed. Hon. Mr. Daniel in the Chair.

On subsection 3 of section 12—opening of envelopes, and deposit of ballots in boxes:

Hon. Mr. BOSTOCK: Is this a sorting of the ballots? How is that done in the first instance? Do they take all the ballots out of the boxes and sort them out first of all, and then are they sent to other places to be counted?

Hon. Sir JAMES LOUGHEED: The envelopes are allocated first. The ballots are then removed from the envelopes and counted.

Hon. Mr. BOSTOCK: The envelopes are first sorted out according to constituencies?

Hon. Sir JAMES LOUGHEED: The removal of the ballots from the envelopes and the counting of the ballots are separate operations. First, the envelopes are allocated; then the ballots are taken from the envelopes, which is another operation.

Hon. Mr. BOSTOCK: That is all done by the deputy presiding officer?

Hon. Sir JAMES LOUGHEED: Yes, special returning officers. Those are selected by both political parties, so that one will be a check upon the other.

Hon. Mr. BOSTOCK: Who are selected—the special returning officers?

Hon. Sir JAMES LOUGHEED: Those who allocate and count the ballots represent both political parties, half being selected by the leader of the Opposition, and the other half by the Government, no two of the same political party working together. That is provided in an earlier section of the Act.

Hon. Mr. LANDRY: If in any constituency there are five candidates, what takes place?

Hon. Sir JAMES LOUGHEED: In paragraph e, subsection 1 of section 4, my honourable friend will see that:

> Six scrutineers, three to be appointed on the nomination of the Prime Minister, and three on that of the leader of the Opposition.

Then, in paragraph c of subdivision 1 of section 4:

> A sufficient even number of special returning officers, and the same number of clerks, of whom one clerk shall be assigned to each special returning officer.

You will observe that under paragraph c of subsection 1 of section 4 this selection is to be made by the representatives of both political parties, so as to assure absolute fairness and the elimination of all early activity on the part of the officials. It seems to me we have enough trouble in making provision for the two parties without taking into consideration a third party.

Hon. Mr. CLORAN: It is very well for the two dominant political parties in Canada to look after their own interests, but what about the other parties who have some substance and who have been strong enough to maintain this Government in power for the past six years? What about their rights and their interests? Should they not have representatives? That is a fair question.

Hon. Sir JAMES LOUGHEED: The answer to that is that Parliament gives official recognition to only two parties. Parliament has already made provision for the recognition of the leader of the Opposition and he is designated and recognized in the same way as the Prime Minister, as being the leader of that particular party. Then of course there is the Government party. Outside of that we simply have to adjust ourselves to any unlooked-for conditions that may arise.

Hon. Mr. DANDURAND: I saw the other day in the press a statement from the Prime Minister that the Tory-Nationalist coalition was off, that he had repudiated his allies; so that at all events they are now recognized as a third party.

Hon. Sir JAMES LOUGHEED: My honourable friend is drawing on his imagination when he speaks of a Tory-Nationalist party.

Hon. Mr. DANDURAND: It was not imagination on the night of the last elections.

Hon. Sir JAMES LOUGHEED: If my honourable friend referred to the Liberal-Nationalist party he would be in line with the facts.

Hon. Mr. CHOQUETTE: Suppose that the next general election is of the same kind as we had in 1911, with Tory candidates and Tory-Nationalist candidates?

Hon. Mr. DANDURAND: Subsidized by the Tory funds.

Hon. Mr. CHOQUETTE: Subsidized by the Tory funds and supported by the Tory organization in Quebec, which, as is generally known, gave their money. If a vote is given—

Hon. W. B. ROSS: I think we are getting away from the point.

The CHAIRMAN: Order.

Hon. Mr. CHOQUETTE: Suppose a vote is given—

The CHAIRMAN: I think the honourable gentleman is not sticking to the clause before the committee. We are on subsection 3 of section 12.

Hon. Mr. CLORAN: I think I was perfectly in order in raising the point. I want scrutineers for all who are interested. I am prepared to have the Government's proposal accepted as far as it goes, but I feel that throughout the country there are other interests besides the Conservative and Liberal interests. There is the Labour interest; there is the Independent interest; there is that Nationalist interest, which is quite a strong one—strong enough to be allied with the great Conservative party of this country to maintain power. Is it not fair for the Government to take precautions to give to their allies, the Nationalists, who have kept them in power—is it not fair for the Government to give them proper protection in this election? In 1911 nobody knew what was going to happen. The Nationalists put into the field some 35 or 40 candidates and they captured 27 or 30 seats.

Hon. Sir JAMES LOUGHEED: Perhaps it would be a relief to my honourable friend if I pointed out to him that on page 17 of the Bill there is a ballot which makes provision for the Independent candidate, and provision for the Labour candidate.

Hon. Mr. CLORAN: But where are his scrutineers? He will not have any.

Hon. Sir JAMES LOUGHEED: He will have to look out for scrutineers.

Hon. Mr. BOSTOCK: I would point out to my honourable friends that the Government apparently has given some recognition to the idea of there being an Independent or Labour party, because in subsection 5 of this same section, that question is dealt with:

> Such recognition shall be made in the case of the Government party by the Prime Minister, in the case of the Opposition party by the leader of the Opposition, and in the case of any Independent or Labour party by the recognized leader of such party.

But no provision seems to have been made for an Independent or Labour party being recognized at the time of counting the ballots.

Hon. Mr. TESSIER: What about the women's party?

Hon. Sir JAMES LOUGHEED: I have nothing more to say. We have done all we could.

Subsection 3 of section 12 was agreed to.

On subsection 7 of section 12—ballot not rejected for uncertainty if intentions of voter can be seen on mere inspection:

Hon. Mr. CLORAN: Does not a danger lurk in this clause? A ballot need not fully describe the candidate; his Christian name may be badly spelled or may be omitted. Who is going to identify such a man if a full description is not given? It has happened before now that a man whose name was

not on the ballot-paper has claimed to be elected. The voter may say, "I vote for Mr. Smith," and there is no indication of who Mr. Smith is. How is he going to be identified? Any old Smith can come along and claim the election.

Hon. Sir JAMES LOUGHEED: The language is quite clear. The ballot is not rejected if it is possible to ascertain the intention by mere inspection.

Hon. M. CLORAN: But if the intention of the voter becomes apparent, the special returning officer decides.

Some Hon. SENATORS: Order.

Hon. Mr. CLORAN: We are not fighting on party lines. I am asking for information so that this clause may be made clear. I am surprised that the gentlemen behind the leader of the Government are not as considerate as he is. He is quite willing to give the information.

Hon. Sir JAMES LOUGHEED: I am glad to answer.

Hon. Mr. CLORAN: All I have to say is that there still exists a lurking danger. Such things as I have mentioned have happened, not only in time of war but in time of peace, and men have claimed elections because the candidate was not properly described.

Subsection 7 of section 12 was agreed to.

On subsection 8 of section 12—ballot-box not received on time, or appearing to be opened, defective certificate, or envelope appearing to be opened:

Hon. Mr. THOMPSON: That means the box would not be examined at all.

Hon. Mr. DOMVILLE: That is what it says.

Hon. Mr. THOMPSON: It would be thrown aside and not considered.

Hon. Sir JAMES LOUGHEED: If it appears that the box has been tampered with it will not be used, and the reason why it has not been examined will be stated.

Hon. Mr. THOMPSON: Will it be thrown aside definitely?

Hon. Mr. CLORAN: It should be ascertained who has tampered with the box.

Hon. Sir JAMES LOUGHEED: If it has been tampered with, it is useless to examine it.

Hon. Mr. THOMPSON: The only inference I can draw from that section is that a person having a knowledge of the contents of the box might do damage to it if he were not in sympathy with the contents.

Hon. Sir JAMES LOUGHEED: The same condition might arise from various causes. Assuming that any one wanted to destroy the result of the vote contained in the box, he might destroy the box.

Hon. Mr. THOMPSON: I do not think it ought to be thrown absolutely to one side. I think it should come forward to this country or to some place where it could be looked into.

Hon. Sir JAMES LOUGHEED: It will come forward, but it will not be looked into by the overseas officers.

Hon. Mr. CHOQUETTE: Do I understand, then, that the votes will be lost, or can we get an order from a judge in that district to open the box?

Hon. Sir JAMES LOUGHEED: The boxes will be sent to Canada. They will be amongst the documents of the election returns, and it will be for the Government or Parliament to determine what is to be done with those boxes.

Hon. Mr. THOMPSON: Would not the result of the election have been declared and the candidates elected before such dealing with that box could have any influence upon the election?

Hon. Mr. CLORAN: This Bill is going to open up a very fat field for lawyers in contested elections. The lawyers throughout the Dominion of Canada are going to have a nice time of it.

Hon. Sir JAMES LOUGHEED: They have to live, you know. My honourable friend belongs to the legal profession.

Hon. Mr. CLORAN: I do.

Hon. Sir JAMES LOUGHEED: If the honourable gentleman looks at the last part of subsection 10 he will see that the boxes are to be returned to Canada.

Hon. Mr. THOMPSON: Does not the Secretary of the High Commissioner's office practically handle the elections over there, and does he not determine the results of the vote before he returns the ballots to Canada?

Hon. Sir JAMES LOUGHEED: Yes, but in any contested or controverted election the results may be finally changed after

the boxes are sent to Canada, and after the recount.

Subsection 8 of section 12 was agreed to.

On subsection 10 of section 12—ballots, after counting, to be sent by commissioners to general returning officer at Ottawa:

Hon. Mr. POWER: The honourable the leader of the Government said there was a provision that the ballot-boxes which had been tampered with would be forwarded to Canada. That provision would naturally come under subsection 10.

Hon. Sir JAMES LOUGHEED: Will my honourable friend look at clause e of subsection 10? It says: "Any other documents—"

Hon. Mr. POWER: A ballot-box would not be a document.

Hon. Sir JAMES LOUGHEED: The contents would be.

Subsection 10 of section 12 was agreed to.

On section 13—duty of every returning officer, under Part III, to send certificate, ballots, etc., to general returning officer:

Hon. Mr. POWER: The committee have already made one or two slight amendments to this Bill. Therefore I think the leader of the House will probably be willing to accept any suggestion which would really be an inprovement. Commencing at line 22, this section says:

—the report required by section 213 of Part III, and after the sixth day after he has made such final additions, transmit to the general returning officer—

Would it not be well to insert the word "immediately" before the word "after," because "after" might mean six months after?

Hon. Sir JAMES LOUGHEED: I have no objection to that, although this is the language of the Elections Act.

Hon. Mr. POWER: I move that the word "immediately" be inserted before the word "after" in the 23rd line.

The amendment was agreed to, and, section 13 as amended was agreed to.

On subsection 1 of section 15—final addition and recount by judge under this Part:

Hon. Mr. CHOQUETTE: Is not four days too short a time? That is the number of days mentioned in the Dominion Elections Act, but in this case there has to be communication with the other side. Why not say six or eight days?

Hon. Sir JAMES LOUGHEED: Under subsection 2 of the same clause authority is given to the judge if application is made, to extend the time.

Hon. Mr. CHOQUETTE: Yes, but application will have to be made. Those who are interested in a party here may want to make application.

Hon. Sir JAMES LOUGHEED: All those proceedings take place on the other side of the water.

Hon. Mr. CHOQUETTE: Those supervising the proceedings may not want to take on themselves the responsibility of asking for a recount.

Hon. Sir JAMES LOUGHEED: This is a rather extraordinary proceeding in the case of the ballot-boxes being lost in transit to Canada. If it is thought advisable to have a recount, they will exercise their own discretion. I am afraid the time would be very short for that.

Hon. Mr. BOSTOCK: Do I understand that the boxes from France go first of all to the High Commissioner's office in London, and then from there to Canada?

Hon. Sir JAMES LOUGHEED: If it is desirable to have a recount on the other side, the ballot boxes would have to be sent from France to England, but only for that purpose.

Hon. Mr. DOMVILLE: How will you count the votes if the soldiers die in the meanwhile?

Hon. Sir JAMES LOUGHEED: So long as the votes are recorded by living men they are good.

Hon. Mr. DOMVILLE: It does not make any difference whether they die or not?

Hon. Mr. JAMES LOUGHEED: We would all be very sorry for that.

Section 15 was agreed to.

On Form B—certificate to be endorsed on the ballot envelopes:

Hon. Mr. LANDRY: What would occur within those twenty-eight days if there were a change of Government?

Hon. Sir JAMES LOUGHEED: We would simply have to recognize it with the Christian resignation that always characterizes the Conservative party.

Hon. Mr. LANDRY: If a man says, "I vote for the Government," and there is a change of Government, what would happen?

Hon. Sir JAMES LOUGHEED: The new Government would get the advantage of it.

Form B was agreed to.

On Form D—oath or affirmation of honourably discharged military elector:

Hon. Sir JAMES LOUGHEED: I should like to make a change in this form to harmonize with the other I made, by inserting in the sixth line, after the word "discharge," the following words: "or, if an officer, I produce the official letter or document from competent authority releasing me from service."

Hon. Mr. LANDRY: But the oath does not recite what has taken place.

Hon. Sir JAMES LOUGHEED: It is proposed to amend it by this recital.

Hon. Mr. THOMPSON: A man who is rejected as being medically unfit is discharged?

Hon. Sir JAMES LOUGHEED: He never becomes a member of the Force.

Hon. Mr. THOMPSON: Suppose he is two or three months in Canada and is trained, and then reported for medical unfitness, he goes out, would he get an honourable discharge?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. THOMPSON: And if he goes to the front anywhere, he would get a vote under this Act?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. THOMPSON: And his relatives would get a vote under this Act?

Hon. Sir JAMES LOUGHEED: Not under this Act.

Hon. Mr. CLORAN: What is the object of that amendment? Is not a soldier just as good as an officer?

Hon. Sir JAMES LOUGHEED: My honourable friend was not here when I explained yesterday that under the Militia Act a private or a non-commissioned officer receives a discharge on leaving the service. An officer does not; he is simply relieved or released from service. This amendment provides that that shall be equivalent to the discharge of the private.

Hon. Mr. CLORAN: I understand that now. I want to point out that when a soldier is discharged he has no more pay and no more honour. When an officer is discharged, you let him down easily. Does that officer remain under pay?

Hon. Mr. LANDRY.

Hon. Sir JAMES LOUGHEED: No, he goes off the list.

Hon. Mr. DOMVILLE: If he were in the Senate he would still draw his pay.

Hon. Sir JAMES LOUGHEED: No.

The amendment was agreed to, and form D, as amended, was agreed to.

The Bill as amended was reported.

LIVE STOCK BILL.

CONSIDERED IN COMMITTEE AND REPORTED.

On motion of Hon. Sir James Lougheed, the Senate went into committee on Bill 123, an Act respecting live stock. Hon. Mr. Thompson in the Chair.

On section 5—live stock exchange at stockyards:

Hon. Mr. BOSTOCK: Is there any provision in this Bill that will prevent these live stock exchanges becoming close corporations in time?

Hon. Sir JAMES LOUGHEED: The matter is entirely in the minister's hands. My honourable friend might look at section 4.

The Bill was reported.

OTTAWA SEPARATE SCHOOLS CASE.

DISCUSSION CONTINUED.

The Senate resumed from September 10 the adjourned debate on the statement and inquiry of Hon. Mr. Landry respecting the Ottawa Separate Schools case.

Hon. Mr. BEIQUE: I have only a few words to add to this debate. I agree entirely with every word that has been said by the honourable member from Ottawa (Hon. Mr. Belcourt). The Act as passed by the province of Ontario is in complete disregard of the judgment rendered by the Privy Council and in violation of the most sacred rights. I had hoped that a few voices at least would have been heard in this House amongst the honourable members speaking the English language, who would have resented legislation of that kind, which treats the judgment of the Privy Council as a scrap of paper. When the venerable member for Hastings (Hon. Sir Mackenzie Bowell) adjourned the debate, I hoped, appreciating as I do his sound judgment, his great experience, the full possession which he has retained of all his faculties—I was hoping that with the serenity of judgment pertaining to his great age he would have found

in his good heart the proper expression with which to qualify legislation of this kind. I must confess, however, that I was disappointed, and the only word that I desire to add is to say how depressing such a state of things is for anybody who entertains the proper ideals of the future of this country.

Hon. P. A. CHOQUETTE : I had expected the other night that the honourable member for Hastings (Hon. Sir Mackenzie Bowell), who in the opinion of all is a very wise, honest and impartial man, would have given his views on this question. After the very eloquent and convincing argument advanced by both the honourable member from Stadacona (Hon. Mr. Landry) and the honourable member from Ottawa (Hon. Mr. Belcourt), he said, if I remember correctly, that there was another side to the question, and he moved the adjournment of the debate in order, as I thought, that at the next sitting he might deal with the other side of the question. When the honourable gentleman stood up I was on my feet, but I was glad to resume my seat in order to give him the opportunity to speak first and answer the argument put forward by the two honourable gentlemen whom I have just mentioned. I would have been particularly pleased to hear the reasons and arguments of my venerable friend on this question. I feel very strongly upon it, but my mind is open, and I would have heard with interest any reasons the honourable gentleman might give. I do not know why he has not given the reasons he intended to adduce. At the last sitting he said that the case being before the court, it was not proper to talk of it. Well, I think he is mistaken, and on that point I would take issue with him. The case as put forward by the honourable gentleman from Stadacona is not, as a matter of fact, before the court. It is before the Government of this country. The sole question to which the honourable gentleman from Stadacona has directed the attention of this House is the fact that the two Acts of the Ontario legislature to which he referred were now before the Government in the form of a petition asking for their disallowance. So the case is not before the courts, but before Parliament, and this was the proper time and the proper occasion for the honourable gentleman to give to this House his opinion. As I have said, my mind is open; and, knowing the honourable gentleman as I do, knowing what he has done in the past, knowing that he has even suffered from his own friends—his nest of traitors, as he said, because of the position he took on a somewhat similar question—I think, a correct one—the members, especially those on this side of the House, and above all the French Canadian members, would have been glad to know the reasons of my honourable friend; and I am sure that they would have carried some weight and might perhaps have removed some prejudices. So I am sorry that the honourable gentleman did not think it proper to speak. He has, then, withdrawn from the field of battle.

Now, honourable gentlemen, I do not want to go at length over this question, for I could not advance stronger reasons than those brought forward by the two honourable gentlemen whom I have mentioned. I desire only to give some proof of what they have said, to show that fair-minded men, educated men in Quebec and Ontario, professors in universities, are against what is going on now in Ontario and are implicitly asking for the disallowance of the Acts passed by the Ontario Government, saying that those measures, even if ultra vires, are unfair, unjust, despotic and Prussian-like. And I will give some proof of that.

The honourable gentleman from Ottawa, in arguing the case following the address by my honourable friend from Stadacona (Hon. Mr. Landry), has shown how the French people have been deprived of their right to their own language and have been condemned to pay heavy penalties or be sent to jail, simply for having, as school trustees in Ontario, permitted the teaching of the French language in schools where the majority of the pupils, if not practically all the pupils, were French. We have always been told that Ontario was the specially loyal province of this Dominion. In fact, the people of Ontario seem to believe that they have the monopoly of loyalty, that they always obey the laws, that they always respect the British flag and always stand by it; and naturally they say the French Canadians, from Quebec above all, are against all that; that they are disloyal, they do not like the British flag, they are jealous of the English people, and so on. Honourable gentlemen, let us see who are the men in this country who are loyal to the Empire and always ready to submit to the law of the land, to the decision of the highest courts, not only in Canada, but in the Empire, and who would never speak a word

of defiance against this highest authority. I do not wish to go back and refer again to the time of the cession of Canada to the British Empire and bring up the report of General Murray, the first Governor General of Canada after the cession, in which he stated that the English of the time were causing all the trouble, because they were trying to deprive the French Canadians, who were then in a large majority, of their rights and to prevent them from holding any public office or even from sitting on juries. We all remember that General Murray stated that the then few English residents were the most immoral collection of men in the country; that they had their fortunes to make, and few of them were solicitous about the means when the end could be attained. Later on it was such people who attempted to burn the parliament buildings because the Governor General was going to sign a Bill which had been passed by Parliament to give justice to those to whom justice was due. In that instance again, you do not find the French Canadians defying the law or throwing rotten eggs at the Governor. No; it was the English people, who then were signing petitions for annexation to the United States. You have never heard of the French Canadians doing that.

The Hon. the SPEAKER: I do not see why the honourable gentleman is mentioning all these things, which are not relevant to the present discussion. I think the honourable gentleman should confine his remarks to the subject of the motion made by the honourable member for Stadacona (Hon. Mr. Landry). It is not necessary to say anything injurious to anybody in the discussion of that question.

Hon. Mr. CHOQUETTE: With reference to the motion asking for disallowance, I was going to say that this Act of the Ontario legislature ought to be disallowed, because it has been passed in defiance of the decision of the highest tribunal of the Empire, the Privy Council.

Hon. Sir MACKENZIE BOWELL: That is merely the honourable gentleman's statement. It is not correct.

Hon. Mr. CHOQUETTE: The facts are there. The facts are that a law has been re-enacted after a similar law passed by the same legislature had been declared unconstitutional, ultra vires, by the Privy Council. Now they are defying the judgment of the highest court in the land. These facts cannot be denied, and it would seem to be customary in Ontario to do such things. Not later than last week there was read in the Railway Committee a telegram from the mayor of Toronto; I am glad to say it has since been withdrawn; but the mayor of Toronto telegraphed to the committee not to pass a certain law; that if any such law were passed he would defy it; he was prepared to call out the whole police force of Toronto, and if necessary the militia, in order to prevent those who had rights under the law from doing any work in the streets of Toronto.

The Hon. the SPEAKER: Order. I repeat my warning that the honourable gentleman has no right to depart from the question before the House.

Hon. Mr. CHOQUETTE: I am only speaking of defiance of the law and have been citing all these bad examples given by loyal Ontario, and I claim that these instances have a bearing upon the motion which is now before the House, that these Acts of the Ontario legislature be disallowed.

Hon. Sir JAMES LOUGHEED: The motion itself covers two pages. Surely that is enough for my honourable friend.

Hon. Mr. CHOQUETTE: I think that if the honourable gentleman would take the trouble to read the motion again, he would see—

Hon. Sir JAMES LOUGHEED: These questions are not referred to in the motion.

Hon. Mr. CHOQUETTE: At any rate, this Act ought to be disallowed, because it is in defiance of the decision of the highest tribunal in the land. I will go further: I say that in passing that law, in depriving men who are paying taxes from the right to be represented on the Board of school trustees of Ottawa, we are going back to the dark times when those who paid taxes had no representation. We know that many battles have been fought in every country, especially in England and in this country, to obtain representation for those who pay taxes. The slogan has been, "No taxation without representation." Now, what is the effect of the law which the petitioners are asking to have disallowed? It is a law which takes from the taxpayers of Ottawa the right to elect their own representatives. Those persons belonging to a certain class, and paying taxes in this city, had the right

under the constitution of the province of Ontario to elect their own trustees. They are deprived by this law of those rights and their elected representatives are replaced by a commission appointed by the Ontario Government. Those ratepayers have been deprived even of the right to dispose of their own money. Is not that a fact? Then the petitioners say, "We ask that this law be set aside by the Dominion Government for these reasons," and I think they are very good reasons.

Now, as the honourable gentleman from Ottawa (Hon. Mr. Belcourt) said, let us suppose the case reversed. Take the law passed by Ontario on this subject, and particularly regulation 17, and change the word "French" to "English" and put that law in the statute books of Quebec. What would be the result? The honourable gentleman said very truly that there would be a revolution in Quebec; the English-speaking people would certainly fight that law. However, I dare say there will be no revolution, because never would a government in Quebec think for one moment of doing such a thing. But if it were done, what would be the result? I will quote to this honourable House the words pronounced by a gentleman well known in Quebec, one of the brightest judges, the Hon. Mr. McCorkill, who had long been a member of the local House from the Eastern Townships of Quebec, who has been provincial treasurer, a member of the Legislative Council, and a member of the Protestant Committee of Education, who adorned the Bench of Quebec for many years. A dinner was given by the Canadian Club of Quebec to the Hon. Mr. Belcourt, of Ottawa. He was asked to put plainly before the people of Quebec the question of the bilingual schools in Ontario and especially to explain the famous regulation 17. The Hon. Mr. Belcourt came to Quebec, both French and English-speaking men were gathered at the meeting, and the Chairman was, I think, Mr. Justice McCorkill himself, though I am not absolutely sure. At any rate, Judge McCorkill listened to the able address which was delivered by the honourable gentleman from Ottawa on the same lines as he spoke here, giving a synopsis of the Ontario Bill and explaining particularly regulation 17. After his forceful and eloquent speech, Mr. Justice McCorkill was called upon to offer a vote of thanks. Let me read to you what he said:

> They have adopted our system, but there are two things they have clung to, their religion and their language. I believe that their national sentiment—

He was speaking of the French-Canadian people.

> I believe that their national sentiment is stronger even than their religious sentiment. I really believe so. The national feeling amongst them is intensely strong. But I would ask you, English, Irish and Scotch descendants born in this country and brought up here, supposing a regulation similar to No. 17 were passed in the province of Quebec, what do you think our duty towards it would be? Supposing Sir Lomer Gouin—I cannot imagine it, but suppose he did have the courage, or the nerve so to speak, to pass a regulation of that kind, there would be a rebellion in this province, I think. And here we have our French Canadian brethren of the sister province who, by constitutional means, are trying to obtain the repeal or the modification of the regulation, or some other settlement of the question which would be satisfactory to all concerned.

This is the language of one of the most prominent Englishmen in Quebec, a member of the Protestant Committee of Education. He says that if a by-law like regulation 17 passed by the Ontario Legislature were passed by the Quebec Government against the English-speaking people, there would be a revolution in Quebec. Is it not sufficient to cite that to show that this law, including this regulation, and all similar laws passed by that Government, ought to be disallowed by the Federal Government even if they were constitutional, because, even if constitutional, they are against the good feeling which ought to prevail in this vast Dominion? They are unjust to nearly half of the population of this country, and prejudicial to the welfare of the country and of the Empire itself.

Now, I may be permitted to cite the language of Professor Squair, formerly a teacher of the French language in the Toronto University. I quote from a Toronto paper:

> Prof. Squair urged that the flexible and expressive French language be taken up as a serious study in Ontario schools. Hitherto it had been treated as though fit only for ladies. He said that men could surely not wish any more virile vehicle of thought than that used by the heroes of the Marne and Verdun, who had held back the Huns and saved civilization. French had always been, and still is, the language of diplomacy and the highest type of literature.

Why pass by-laws depriving the French people of the use of their language, which, as Professor Squair says, is the language of diplomacy.

Now, at a meeting of the English Public School Committee in the city of Ottawa,

one of the inspectors or professors said that a kind of referendum had been taken among the students with regard to the teaching of the French language. I am glad to say that the people of Ottawa are not as bigoted as some other people in Ontario. This gentleman said that 90 per cent of the English students asked that the French language be taught in the schools I think that if this legislation were disallowed, it might teach a lesson to the Ontario legislature, and show them that they could not defy the judgment of the Privy Council by re-enacting such legislation. They might well take into consideration the opinion expressed by Professor Squair and the students in Ottawa, and say, "Let us have the French language taught as much as possible." They might tell the people to follow the example which has been shown to them in Quebec. There is not a college or a commercial school in Quebec where the students are not obliged to learn to speak and write the English language. In the classic and commercial college curricula there is a special clause saying that English will be taught. Why is this? It is because we in Quebec are not afraid of the English language. On the contrary, we desire it. Everybody is anxious to learn English, because they know that a man who can use two tools is of more value than a man who can use only one. They know that in this country, with its mixed population, a man who can speak two languages is more useful than he would be if he could speak only one. A commercial man, a business man, a member of the House of Commons or of the Senate, is a better man if he can speak both the official languages of the country. When occasions arise, as when we receive in this House prominent men of England or prominent men of France, those of us who understand both languages can listen to them with pleasure, and are not obliged to ask our neighbour, "What is he saying?" Do you not think, honourable gentlemen, that it would be better for every man in this country to understand both languages?

I do not urge that the French language should be used more than the English, but I say, put them on the same footing. As I say, all the French professors in our province invite their pupils to learn the English language, and advise all young men to speak it, because it is just as important as French and because in doing that they will be able to earn a better living, they will be better men, and more opportunities will be open to them.

Therefore I say this law should be disallowed, and the provincial authorities should be asked to think a little more. If the example of what Quebec has done were pointed out to them, it seems to me that all men of good judgment and intelligence in Ontario ought to be convinced that that law is wrong, and should be repealed, or at least that Ottawa and all French districts should be exempted from its operation, though it will again be a mistake to keep it in force anywhere.

Now, all my authorities have been English, and I will cite some more. There is another gentleman well known in Quebec, a member of the local House representing the Eastern Townships, Mr. Bullock, who was a Protestant minister in these townships until he resigned the ministry, ran for a seat in the local House, and was elected. I have in my hand a report of a lecture given at Quebec by this gentleman. This report appeared in the Quebec Chronicle, which is a good Conservative paper, in its issue of April 1, 1916:

> Mr. Bullock was asked to give a lecture at the Morin College Hall. He accepted the invitation, and delivered a strong speech before a large and representative audience of both French and English speaking citizens. Mr. John Hamilton, one of the prominent men of Quebec, occupied the chair, having introduced the speaker, stated that in the large audience present there were many who did not know much about this burning subject. Mr. Hamilton counselled both French and English-speaking citizens to be cautious in the way they discussed this important subject and in introducing Mr. Bullock to the meeting said that he was sure they would know something more about the question after listening to the speaker of the evening than they did before coming there.
>
> Mr. Bullock, who was received with applause, informed his audience that a few days ago when he accepted the invitation to address the Quebec people on this great question he was under the impression that there would be other speakers, but this was his mistake and not the fault of those who invited him to come. Since he had made his speech in the Legislative Assembly on this question he had been told he should mind his own business and not that of the people of Ontario, but, he retorted, while we do not wish to interfere with the people of Ontario in their affairs we at least have a right to think about the question, and to let the people of Ontario know how we feel about the matter.
>
> If the legislature of Quebec passed an act such as was passed in the Ontario legislature, with regard to school questions, would not the English-speaking people of Ontario express their opinion and lend such help as they thought necessary to the people in the Ministry in this province, and who, they thought, were unjustly treated.
>
> Before the year 1841 education in these two provinces was not very flourishing. When the

two provinces united in 1841, the great question of education began to be studied.

From 1841 to 1867 education and education laws were very much advanced, to such an extent, however, that when Confederation took place, the school system we have to-day was not definitely established in the provinces of Ontario and Quebec. There was no more great or more important question at the time of Confederation than that concerning education. Three or four politicians were opposed to Confederation on the ground that the minority of both provinces would suffer in this respect. These gentlemen foresaw all sorts of dangers for the minorities in Quebec and Ontario. At that time Sir John A. Macdonald assured them that the Act of Confederation would be carried out in such a way as to ensure that the rights of the minorities would be preserved. We all know how the province of Quebec, in this respect fulfilled its obligations from the first to the present time.

He also quoted regulation 17 and showed the disadvantages which the French Canadians were laboring under with respect to it,—with respect to having to be taught in a tongue foreign to them after they had passed through form I, and contrasted the position which the English-speaking minority of Quebec would be in if such a rule was passed in regard to their schools.

Mr. Bullock stated emphatically that the question was not a religious one or a fight between public schools as some people thought, but was simply a laudable desire of the French Canadians to retain their mother tongue to a large extent, a national issue between two races belonging to the same faith.

"What are the French Canadians asking?" demanded Mr. Bullock. "Let me tell you."

1st. The respect of their rights for the education of their children in schools supported with their money.

2nd. The efficient teaching of the two official languages of Canada during the whole primary course in the schools or classes attended by their children.

3rd. The teaching of their children through the natural vehicle: the mother tongue.

4th. The grouping by schools or classes of the children to which their parents wish to have the two official languages taught.

5th. Competent teachers capable of teaching the two official languages of Canada to take the management of schools or classes attended by the children whose parents require teaching of French and English.

6th. Their part of school grants voted each year by the Legislative Assembly.

7th. One inspection, Franco-English, of separate schools attended by their children.

8th. One inspection. Franco-English, of public schools attended by their children.

9th. The granting of certificates to bilingual teachers who have successfully passed the examinations required by the Department of Education.

Mr. Bullock could see no wrong in these demands.

The French in Ontario, said Mr. Bullock, were open to learn English in Ontario, none know better than they the value of learning this language, but they could not be expected to lose their native tongue in so doing. He knew from experience the benefit of learning two languages and the people who had a knowledge of the French and English languages were better equipped for life's battle than those whose knowledge was limited to one tongue.

The speaker showed how successful separate schools had been in his own constituency, where there were French Canadian, English Protestant and Catholic schools.

During the course of his lecture Mr. Bullock said:—

II. Let us look at this matter historically.

1. The history of the educational question dates back to 1841, at the time of the Union of the two Canadas. It would be too long to go into this otherwise than to say that during this period education in both provinces made good progress and many progressive changes were made. Nearly every session brought amendments. Early during this period a system of separate schools was established of nearly all. In 1841 there were in the two provinces 550,000 English and 450,000 French-speaking.

2. At Confederation. Among the many difficulties was that of education and the rights of minorities.

All was not plain sailing, three men in Quebec, especially opposed the measure, Dorion, Joly and Laframboise. They feared practically just what is now happening. Destruction of the race.

Quotations from Macdonald and Cartier: Life of Sir Etienne Cartier by John Boyd, p. 243-4. This is what Mr. Boyd says: It was also explicitly stated by both Cartier and Macdonald during the discussion that steps had been taken to guarantee the continued use of the French language. Dorion had expressed the view that there was no guarantee for the continuance of the language of the French Canadian, but the will and forbearance of the majority. John A. Macdonald in answer to this emphatically declared that it had been proposed and assented to by the deputation from each province that the use of the French language should form one of the principles upon which Confederation should be established and that its use would be guaranteed by Imperial Act.

And Cartier added: That it would also be necessary to protect the language of the English Ministry in Quebec because in the local parliament of Lower Canada the majority will be composed of French Canadians. The members of the conference were desirous that it should not be in the power of that majority to decree the abolition of the use of the English language in the legislature. And gentlemen we all know how this has been kept.

Now as a result of all these conferences read the British North America Act.

British North America Act. Article 93.

93. In and for each province the legislature may exclusively make laws in relation to education subject and according to the following provisions:

1. "Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union."

2. All the powers, privileges, and duties at the Union by law conferred and imposed in Upper Canada on the Separate Schools and School Trustees of the Queen's Roman Catholic subjects shall be, and the same are hereby extended to the Dissentient Schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

I leave to the consideration of the members of this House these important remarks of Mr. Bullock. In perusing them at leisure

I am sure honourable gentlemen from Ontario will be convinced that the French Canadians of Ontario are justified in claiming their rights and in asking for the disllowance of the Acts mentioned in the motion of the honourable gentleman from Stadacona. Furthermore, can there be any better proof of the benefits which may be derived from the teaching of both official languages in all the provinces of this Dominion? Can there be stronger proof that the French Canadians of Ontario are not asking that English be not taught in the schools, but that both languages be put on the same footing, as in Quebec, and that they have the right to learn in their own language first, because it is easier for them to begin to learn in their native tongue than in the English language? Is not that a fair demand? Is there anything wrong with that? If not, why slander us as we have been slandered? Why slander those who have been asking for equal rights in this Dominion?

Hon. Mr. BLAIN: Why does not the honourable gentleman use his eloquence and influence in the Ontario legislature, which has all power in regard to educational matters?

Hon. Mr. DANDURAND: Would my honourable friend allow a question? Does he not think that it is for him to do so, rather than for us from Quebec?

Hon. Mr. BLAIN: The province of Ontario and the Ontario legislature are eminently fair with all classes of people. My honourable friend knows as well as any man in this House knows that regulation 17, of which he and his friends complain, was enacted for the express purpose of helping the French people rather than for taking away anything which they possessed.

Hon. Sir MACKENZIE BOWELL: The honourable gentleman might add that the province of Ontario has spent public money for the purpose of educating teachers in the French language.

Hon. Mr. CHOQUETTE: I am quite willing to accept the suggestion of my honourable friend (Mr. Blain). I am willing to do what I can in that regard.

Hon. Mr. BLAIN: Permit me to ask if it has never occurred to my honourable friend that since the agitation began with regard to regulation 17, which has been going on for so many years, there has never been a leader of his own in the Ontario Legislature who has dared to suggest that the regulation be repealed. If the honourable gentleman thinks the Ontario Government, composed as it is of Conservatives, is unfriendly, does he not think that his own party would be willing to listen to suggestions made by him? I do not subscribe, and I do not think my honourable friend subscribes, to the doctrine that the Protestant people of Ontario are anxious to take away the rights of the French-speaking people of that province. I do not think that the agitation of my honourable friend and his remarks from time to time will help his cause. The people of Ontario on both sides of politics are sensible people. They have the reputation of being eminently fair to all classes, and it was owing to the condition of the French schools in Ontario that regulation 17 was enacted. The late Sir James Whitney was so fair about the matter that he established special schools to train teachers in order that they should teach the children under that regulation.

Hon. Mr. CHOQUETTE: I am sorry that the honourable gentleman has not spoken before. What he has said is in defence of the law.

Hon. Mr. BLAIN: Perhaps the honourable gentleman will answer my question.

Hon. Mr. CHOQUETTE: May I first say that if I were permitted to go to the Ontario legislature, I would do so with the greatest of pleasure, and if my honourable friend will invite me, through his friends, I will do so; but I think it would be better to invite at the same time the honourable gentleman from Stadacona (Hon. Mr. Landry) and the honourable gentleman from Ottawa (Hon. Mr. Belcourt) and we would try to persuade the Ontario legislature.

Hon. Mr. BLAIN: My honourable friend can communicate with the leader of his party there.

Hon. Mr. LANDRY: I did that, and I have not yet received an answer.

Hon. Mr. CHOQUETTE: Sometimes leaders have to follow, as they cannot lead. I am willing to believe in the good intentions of my honourable friend. Hell is paved with good intentions, but as the facts are to-day, we cannot for one moment but believe that this law was passed to hurt the French Canadians and blot out their language.

Hon. Mr. BLAIN: Does my honourable friend deny that it was enacted to help the French people?

Hon. Mr. CHOQUETTE: Yes; quite the contrary. I understand that some people in Ontario—my honourable friend may be one of them—have good intentions; but the law is there.

Hon. Mr. BLAIN: The Prime Minister, who introduced the law, made the statement clearly and distinctly to the legislature and to the people generally that regulation 17 was enacted for the express purpose of assisting the French people.

Hon. Mr. CHOQUETTE: It may have been done with the best of intentions, but as I said, hell is paved with good intentions. If what my honourable friend says is so, the effect of this law is contrary to the intention, and when the law was declared to be ultra vires, what was the reason for re-enacting it?

Hon. Mr. BLAIN: Regulation 17 was carried to the highest court in the Empire, and that court has declared that the Provincial Government had the right to enact such a regulation.

Hon. Mr. CHOQUETTE: Yes, I remember the two judgments, but they were not as my honourable friend says. My honourable friend says nobody in Ontario opposed this law. But is it not a fact that there are four or five French members in the Ontario House, Liberals and Tories, all of whom spoke and voted against it? I am sure that if the French members in the Ontario Legislature had believed for one moment that this law was good for them they would not have opposed it. Is that not sufficient to show how absurd it is to pretend that the law was passed for the good of the French people? As I have said, the French people wish to learn English, but they also wish to retain their French language, and all who have spoken on the subject in Quebec and Ontario have said that this ought to be so. I believe that the fair-minded and honest men of Ontario wish no harm to the French people; but the French people are not satisfied with this law, and if it was a present, as my honourable friend said a moment ago, it was a bad one. Suppose you make a present to a man, and he says: "I don't want it; it is no good to me; it is bad;" would you still persist in pressing it on him? If this law was a present to the French people from the Ontario House for their benefit, they would be very foolish not to accept it; but they fought it because it was against their interest. There would be a revolution in Quebec if a law like that were passed by the Government of Sir Lomer Gouin. It was said by Judge McCorkill that the French people of Ontario would not make a revolution, but they ask for justice as long as they do not get it. The French Canadians are the best judges of that matter, and they say that regulation deprives them of their rights to their language. They have fought a very hard battle in every way, being even ready to go to jail; but do you believe for a moment that if it was to their interest, as has been foolishly said, they would do that? My honourable friend may think it; but Dr. Merchant, the High School Inspector of Ontario, made a report that contradicted the good intentions of my honourable friend. So I conclude that the French Canadians are not satisfied; they are suffering from this law; they appealed to the courts to repeal it; yet in spite of all that my honourable friends and the Ontario Government persist in imposing and re-enacting it.

Well, I will bring another proof. There is a man in Quebec of the name of Mr. John Boyd, a well-known journalist, author of the Life of Sir George Cartier. He is a good Tory, but a clever and educated man, and he speaks good French. He has been in Ontario especially to study this legislation. He looked over all the statutes, and came back to Montreal and wrote an article entitled, "A Plea or Argument in favour of the French Canadians." It was published in the Montreal Gazette, and was written in answer to an article sent to the New York Times by a journalist of Montreal, whom we all know, who is supposed to be friendly to the French, but who is a hypocrite, abusing the French people in New York papers. Mr. John Boyd, who knows well what he is talking about, wrote that article on the French question and the war, and his conclusions are to the very same effect as those drawn by the Hon. Mr. McCorkill and by Mr. Bullock. This article is too long to be read here, but I will just cite the following extract:

> French Canadians, as a matter of fact, do not object to learn English. They fully realize the importance in their own interest of knowing that language. It is taught in their schools, and the great mass of the French Canadian people know English. The best proof of this is the far greater number of English Canadians who are able to speak English than there are English-speaking Canadians who can speak French, which to the mass of the English-speaking people of the Dominion is practically a dead language. What French Canadians do object to is that their children should be deprived of having instruction in their mother tongue, which it must be remembered has been recognized in Canada since the Cession and was specifically

recognized by the Canadian Constitution framed in 1867 as one of the two official languages of the Dominion. It is rather late in the day to seek to deprive the French Canadians of their language, the language of one of our great Allies in the struggle for freedom, liberty and democracy. When a writer seeks to compare the language of a people to such a thing as slavery, it only shows to what lengths he is prepared to go.

The few facts that I have cited are sufficient, I believe, to show how baseless as well as unjust are the general conclusions which the writer of "Peril of Civil Strife Arises Anew in Canada" parades with so much assurance in order to make out a case against the French Canadians. The fact is that the French Canadians are being systematically maligned. A few ignorant, narrow-minded individuals would apparently like to see them deprived of their language and their religion, and Anglicized and Protestantized. These people seem to forget that the forefathers of the French Canadians were the discoverers and colonizers of Canada, that the French Canadians themselves with their fine qualities and virtues, are a most valuable asset to the Dominion, that they have given to Canada some of its greatest men, that they form a bulwark of our national life, and that anything that would injure them would damage the whole fabric of Confederation.

The expression of opinion with which the Times article concludes: "We will some day or other have to take up arms to show Quebec that Canada is an English and Protestant country and is not going to allow itself to be led by a priest-ridden province;" and: "We may allow our loyal troops from Ontario and the Western Provinces to stop long enough in Quebec on their way to Europe to practise on the French Canadians what they will afterwards give the Germans," is a good illustration of the style of reasoning of certain extremists. That attitude, however, savours too much of that "Prussianism" which all the free nations are fighting at the present time, and will be condemned by all right-thinking people.

Civil war in Canada might serve the purposes of certain extremists, but it would be both criminal and suicidal.

French Canadians number over two million souls in Canada and nearly three million in the whole of North America. For nearly four hundred years they have been here, and they are here to stay. They cannot be suppressed or Anglicized against their will. The more that is attempted the more will they be solidified and sundered from the other elements that go to make up our population.

Again I ask, can the French people of Ontario be so foolish as to refuse to obey a law which was passed entirely in their interest? That may perhaps be said in good faith; but surely no sane man would pretend that the Frenchmen and Frenchwomen of Ontario feel that this was a favour done in their interest by the Ontario Legislature. These laws ought to be repealed.

As Mr. Bullock said at Quebec, a man is a better man if he can understand both languages. I have a letter from an Ontario soldier who has been in the trenches, telling his parents how glad he was to have learned a little French in Ontario, how useful it had been to him in this terrible war to be able to converse with the French people in France; how often he had been called upon to interpret for his comrades from Ontario and the West in order to get some favour or privilege for them, and how he blessed the Providence that had enabled him to learn to understand the French people in that far country, and that was a great consolation to him in his hardship. This is a proof of how useful the French language is, and I cannot understand how a word can be said against the teaching of it in Ontario, or how a regulation can be put on the statute book to prevent the French people and also the English from learning that language.

If the Ontario people wish to do a favour to the French, let them do it rightly. My honourable friend says they intend to do them a favour by improving the French schools and helping them to learn the French language. If that is true—and my compatriots think it is not the right way to do it—why not grant the favour in a way that is better for them, and even the English people of Ontario would get the benefit of it; and later on, as Sir George Foster said in Toronto, they would be very glad to speak and understand the French language, and would not blush as he did in Paris. At the Toronto Canadian Club Sir George Foster, on coming back from the Paris conference, told how sorry he was to feel that he had to be dumb at that conference, not understanding a word.

In conclusion, let me say that if my remarks and the speeches of my honourable friends from Ottawa (Hon. Mr. Belcourt) and Stadacona (Hon. Mr. Landry) shall have the slightest effect in Ontario, especially on my friend over there (Hon. Mr. Blain), in whom I have faith, and who has a good feeling for us, I shall be very glad, and shall feel repaid for my efforts.

Hon. Mr. DONNELLY: I did not have the privilege of hearing the addresses of the honourable member for Stadacona (Hon. Mr. Landry) and the honourable member for Ottawa (Hon. Mr. Belcourt); but in listening to the honourable member for Grandville (Hon. Mr. Choquette), I gather that he holds their view, that the people of Ontario have a great aversion to the French language, and desire to suppress it in some way. Living in the province of Ontario as I do, I desire to dissent entirely from that view. He argues on the ground that conditions in Quebec and Ontario are similar. The conditions are not the same.

In Quebec both languages have equal standing in the courts, in the legislature and in commerce. But it is entirely different in Ontario. There English is the language of the courts, of commerce, and of the legislature. The people of the province of Ontario feel that it is desirable for every child who goes through their schools to get a knowledge of the English language that will equip him to take his proper place in that province when he grows up. We have no desire to suppress the French language. I consider it a great accomplishment. I am paying to have three of my children taught in that language; I have no objection at all to it. My honourable friend argues that Regulation 17 was passed in order to suppress the French language. It was passed in order to give French a legal standing in the province of Ontario.

Hon. Mr. LANDRY: It has not had that effect.

Hon. Mr. DONNELLY: Well, that was the intention. My honourable friend tells us it was passed for political effect. I dissent entirely from that view. This agitation was started two or three years ago around Ottawa for political effect. The Liberal party, feeling that they had got into power in 1896 on the school question, thought they would be able to put themselves again into power on that question, and the agitation was started for that purpose; but having started it, they find that it is growing to such a size that they are unable to control it, and it has created a great deal of dissention between the two parties in the province of Ontario.

Hon. Mr. DANDURAND: I want to say a few words in answer to my honourable friend before moving the adjournment of the debate. He says that no person in Ontario desires to eradicate the French language from that province—that on the contrary, they are desirous of developing the use and teaching of the French language, and that regulation 17 was passed in order to give legal standing to the French language in Ontario and promote its teaching and development. Well, the way in which that regulation was carried out was very unfortunate; for if the intention was kindly, as my honourable friend states, it has produced the very contrary effect upon the very people who stood to be benefited by that legislation. As a matter of fact, I think that the Act and all that preceded the passing of the regulation occurred on somewhat different lines from those which my honourable friend has stated, and I will simply tell him the impressions I have received from reading what took place when regulation 17 was projected. That regulation came into life upon the assertion that the English-French schools did not teach sufficient English, that the children who came out from those schools did not sufficiently know the English language; and my reading of the events which surrounded the passing of regulation 17 is that the regulation was made for the avowed purpose of strengthening the teaching of English in the French-English schools. Now, if that regulation had been carried out in a way not to offend or hurt the French Canadians in their innermost feelings, I would have said amen, and so would everybody. Everyone in the province of Ontario would say amen if the Ontario legislature should enact regulations to the end that every child in every school of Ontario should learn English. It is in the interest of every man to learn a second language, and all the more so in a country where that second language is the tongue of the vast majority. That stands to reason. No one will for a moment dispute that affirmation. If we are all agreed upon the very great importance to Canada of our children learning the English language—I am not speaking for the moment of the French language—and if that was the intention, and the sole intention, of the Ontario Legislature, they were very unfortunate in the method of carrying out of their intention.

Hon. Mr. DONNELLY: Is it not a fact that regulation 17 provides that where French has been the language of the school, in the higher classes, if the parent of the child desires, one hour shall be given in each school day to the teaching of the French language? And is not one hour in the six sufficient to give to any subject?

Hon. Mr. LANDRY: Not in all the schools.

Hon. Mr. DONNELLY: I said in the French schools.

Hon. Mr. DANDURAND: The effect of the regulation is that French may be allowed for one hour as the language of communication for the children in the first and second forms when it is found that they do not understand the English language sufficiently to make any progress. This is how I view it. In order that the honourable gentleman may understand the feeling of the French minority in Ontario, I would

ask him to enter with me into one of those English-French schools where, as in Ottawa, for instance, the number of children would be from four to six hundred, divided into a great many classes, the number of pupils being sufficient to separate them, putting the English under one roof, and the French under another. Let us observe the spectacle of a woman teacher having fifty pupils under her charge. We enter a school where teacher and pupils are all English-speaking. I reverse the proposition, so that my honourable friend may learn the feeling of that class, and see how he would feel himself. In this school regulation 17 applies to the English minority, and the teacher being English, and addressing English pupils exclusively, would start the class by saying: "Mes enfants, nous allons maintenant étudier la grammaire anglaise;" and she would continue in French teaching English grammar for an hour in the presence of my honourable friend, and that class would wrestle with the difficulties of the English grammar, through the medium of the French language, imperfectly known by most of the children.

Hon. Mr. DONNELLY: Do you assume that the limitation of an hour is applied to the first and second forms? That is only applied to the higher classes. The first and second forms may be taught in the language to which they are accustomed.

Hon. Mr. DANDURAND: No, I assume that the hour is limited to the first and second forms.

Hon. Mr. DONNELLY: I think the honourable gentleman is wrong; I think that applies to the higher forms.

Hon. Mr. DANDURAND: The inspector may allow an hour in the other forms, but it is discretionary with him. He may or he may not. I take it for granted that the men of Ontario who are leaders of the people are mostly men of good will, and that they would not willingly be unjust towards the minority if they were not hampered by a certain section of the community which is governed by sectarian views and narrow prejudices.

Now, this re-enactment of the law by the Ontario Legislature does not settle the question. The grievance which the minority feels that it has is not removed. I know quite well that the discussion in this Chamber will not change the law. On the contrary, certain sections of the community, which are led by a fanatical press, will make use of this discussion to say that Quebec wants to impose its views upon Ontario. But I speak now, not for the immediate effect that my speech may have upon the Ontario Legislature. I rise simply to ask that the representatives of Ontario in this Chamber, after the next general elections have taken place, at which it will be in order for party purposes to accentuate the differences between the provinces of Ontario and Quebec, to consider this question carefully. It is clear—we can see it in every line of a certain section of the press—that whatever advantage the racial cry may bring to one party or the other will be used to the extreme limit. But when all this has reached an end, when the ballot boxes have been closed, I would ask that the representatives of Ontario look into this question and see if there is not some way of settling the matter so as to bring the two races of the country together and remove that grievance, or what the minority feels to be a grievance. The solution which I suggested two or three years ago I now repeat. Let the good men of Ontario examine the situation, and try to enact a regulation which will decree that half of the time shall be given to the English language as a language of communication in the bilingual schools, and the other half of the time to the French language as the language of communication. I have said that if you divide the seven or eight hours of the day and give half to the English language and half to the French, the French boys after four or five years at school will know the English grammar better than their own French grammar, because in that length of time they will not have mastered to the same degree the French grammar, which is much more difficult than the English. It has been my experience, and the experience of all of us who have attended a bilingual school, in Montreal, that after four or five years the boys are able to write the English language correctly. They will not have mastered the genius of the language, but they will carry on their commercial correspondence in English, and will not attempt to write it in the French language, because it is necessary to continue a few years longer in order to learn French thoroughly. So I offer this very easy solution of the difficulty. Not to-day. I know that what we are saying now will have no immediate beneficent effect. But I would beg of my friends in this chamber, who have influence in Ontario, that within the next six months or a year they get together and see if they cannot remove what the French minority,

which represents at least a quarter of a million of the population of Ontario, feel to be a grievance.

I close with a quotation from a well-known philosopher of modern times, a French philosopher, Gustave Lebon, who looks at things from a point of view which shows that he is not influenced by any sectarian feeling. I have made a free translation of this statement on "the Errors of Psychology in Politics":

The great driving forces in the conduct of peoples are religious beliefs and self-interest. As beliefs cannot be eradicated or crushed out by reason or by coercion, the governing powers must limit themselves to conciliating the conflicting interests. Centuries of persecution and of bloody wars have only succeeded in establishing the orthodoxy of this psychological principle.

Exceptional measures imposed upon a political, religious or ethnological group have but succeeded in strengthening it; isolated through the inequality of treatment, the persecuted group increases in cohesion, whilst it dissolves when these inequalities come to an end. It is in virtue of this psychological law that the Jewish race has maintained through the ages its individuality. It is because this same law has been disregarded that the Austrian Empire will inevitably see the breaking away of its provinces. The real statesman will utilize the illusions which many souls cannot be without. The inexperienced statesman will persecute them and will be the victim of his persecution.

I close with this statement in answer to my honourable friend, who says: "But Ontario is not persecuting the minority." My answer is that the minority thinks it is persecuted, and we who read that regulation from the French viewpoint hold the view that it is an unfair regulation, and I appeal to the wise men of Ontario to see that that regulation is modified. They will understand the French Canadian point of view if they simply strike out from regulation 17 the word "French" and put therein the word "English," and apply the regulation to one of their own schools. The two races are in Canada to stay. There are 2,000,000 of French descent. Say what you may, this is a fact which cannot be overlooked. The Ottawa river separates us. We have, under the wise guidance of good and true men in the past, shaken hands across this river, and have worked together towards the development of Canada's destiny. Surely the men of this generation and of the morrow will not be found inferior to those of yesteryear.

Hon. Mr. LANDRY: I would ask the honourable minister if he could give me an answer to section 4 of my questions.

Hon. Sir JAMES LOUGHEED: I submitted the answer to my honourable friend, but I understand it does not quite supply the information he wants. If he would be good enough to state it, I will see that he shall get the additional information.

Hon. Mr. LANDRY: If nobody wants to take the floor on this question, I will move the adjournment of the debate, and I will give a few words of reply at the next sitting.

On motion of Hon. Mr. Crosby, the debate was adjourned.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Friday, September 14, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE NEW PARLIAMENT BUILDING.

SPEAKERS' QUARTERS.

Before the Orders of the Day:

Hon. Mr. BOSTOCK: I want to draw the attention of the honourable the leader of the Government to a discussion which occurred in another place yesterday on the question of the location of the Speakers' quarters in the new building. I think it would be well for members of the Senate to express an opinion in regard to this matter. I understand that no decision has yet been come to by the committee which was appointed by both Houses to deal with the question of the new Parliament Building. I think it would be of great advantage to the House of Commons and to the Senate that the Speakers should have proper quarters in the new building, as was the case in the old building. I think, for the convenience, first of all, of His Honour the Speaker, and, secondly, for the benefit of the members of the Senate, that it is the best policy to pursue. The duties of the Speaker, outside of his duties in the House, can be very much better performed if he has proper quarters in the building.

Hon. Mr. SPROULE: I can only speak of the convenience or inconvenience of the custom, with reference to the Commons; but I assume, from my knowledge of the two Houses, that the same applies equally or almost equally to the Senate. To me it would be a matter of regret if it were decided that the Speakers were not to have accommodation in the new building. The Speaker is practically at the head of a department, and his services are called into

requisition so frequently during all hours of the day, and often during the night as well, that it would be very inconvenient if his quarters were removed from the building. His books, papers, records, and so on, are at his hand when he is in the building, and are all available for reference when information is desired by members. The customs and practices of our houses of Parliament change very little from generation to generation and from age to age. There is a dignity that attaches to them from the sacredness of age that I think should not be overlooked or disregarded. The practices and customs which have obtained in our houses of Parliament since Confederation have been established along the same lines and upon the same principles—so far as they are applicable to our situation, which differs from theirs in many particulars—as those of the House of Commons and the House of Lords in England. In keeping up those customs and practices, it seems to me that we are not only maintaining the connection with the general principles which, when learned by public men, are so easily kept in mind and so easily followed, but as time goes on we are adding a greater dignity and influence to the houses of Parliament than they would have if we were constantly changing from one condition to another. Judging from my experience in Parliament—and I am in my thirty-eigth consecutive year, and I think —I may be pardoned if I say that I have given fairly close attention to the business of Parliament and to the duties of the members of both Houses—it would be a mistake to depart to any great extent from what has been our regular custom and practice heretofore, in having the Speakers' apartments in the building instead of outside.

Hon. Mr. EDWARDS: Honourable gentlemen, I concur most fully in the observations made by the two honourable gentlemen who have preceded me. This is not a time when any of us are willing to advocate unnecessary expenditure, but I do not think that what has been proposed would increase the cost of construction to any appreciable extent. I think it is highly desirable and fitting to continue the old practice of having accommodation in each House for its Speaker. While I am a pronounced radical, I believe in a certain dignity being maintained; and I think it would be a serious departure from the dignity of the House of Commons and of the Senate to discontinue the practice of having the Speakers' quarters established in the building. Many members have almost continuous business with the Speaker, and it would be a great inconvenience to them to have to go perhaps to some remote part of the city. I sincerely hope that the committee having this matter in charge will not depart from the old practice, and that accommodation for both Speakers will be provided in the building.

Hon. Mr. LANDRY: I am the next speaker here for the moment, but I am not the next Speaker.

Hon. Sir JAMES LOUGHEED: You are the ex-Speaker. It sounds very much the same.

Hon. Mr. LANDRY: I may say that my sentiments are in accord with those expressed by the honourable gentlemen who have spoken; but what is the use of my expressing an opinion now? What is the use of trying to preserve our ancient customs? We are in a time of war, and everything that is conservative in our usages we put aside; but one thing continues—the plan of the new building provides ample accommodation for the future; and, if so, I do not see why we should not avail ourselves of the accommodation, and, as the honourable gentlemen who have preceded me have said, retain a usage which is for the common benefit of the House itself and of the honourable gentlemen who will adorn the position of Speaker in the future.

Hon. J. W. DANIEL: I do not think very much would be effected merely by giving expression to views. I think what would be effective would be for the Senate to pass a resolution stating that in their opinion the Speaker's chambers ought to be provided in the new building. Apparently the Government have come to the conclusion that they are responsible for the quarters of the Speaker and that it is the duty of the country to provide quarters for him. I think we may take that for granted, because the Government are now paying for the quarters of the Speaker outside of the building. So that part of the matter is settled. Then, if the Government is responsible, what is the best way of fulfilling that responsibility? I think it would be the general view that the best way of carrying that out would be by providing chambers in the new building, or attached thereto in such a way as to conform with the architectural features. I think that if the Senate takes sufficient interest in the matter and has formed a strong opinion upon it, it should be put in the form of a resolution, and it would then be likely to have some effect.

Hon. ROBT. WATSON: I am sure that my colleague on that committee, the honourable leader of the House (Hon. Sir James Lougheed), will be pleased to have this expression of opinion from the Senate. This matter has been discussed by the committee and up to date the feeling of the majority of the committee has been that the Speaker's quarters should not be in the building. That question was discussed more from the point of view of economy than any other, the committee feeling that at every change of Speakership the Speaker's quarters have to be practically renewed.

Hon. Mr. CLORAN: Especially in the Senate.

Hon. Mr. WATSON: And the cost of renewal has been discussed more or less.

Hon. Mr. LANDRY: When I was made Speaker of the Senate I think no change was made in the Speaker's quarters.

Hon. Mr. WATSON: As a rule, the Speakers ask for a change of furniture, decorations, etc. The Public Works Department, which pays the expenses, has so reported. However, that difficulty might be overcome, because there is, I believe, a feeling growing in Canada that the Speaker should be permanent. In England they have a permanent Speaker, not by law but by practice. The United States have practically the same thing.

Hon. Mr. CLORAN: No; the Speaker of the United States is elected by vote.

Hon. Mr. WATSON: But they have the same Speaker.

Some Hon. SENATORS: No, no.

Hon. Mr. EDWARDS. With a change of administration in the United States, the Speaker always changes.

Hon. Mr. CLORAN: It depends on the vote.

Hon. Mr. WATSON: Very well. I concur with what has been said by the honourable gentleman from Stadacona (Hon. Mr. Landry) that there is ample space in the new building for Speakers' quarters, and it is only a question of deciding whether the Speaker shall have them or not.

Hon. Mr. CLORAN: Would the honourable gentleman like to be Speaker?

Hon. Mr. WATSON: No, I would not. This expression of opinion will, I have no doubt, be taken into serious consideration by the honourable leader of the House and myself as members of the Committee. The Senate appears to be in favour of the quarters being in the building.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, in this connection I may say as member of that Committee that I am very glad to have the opinion of the House expressed upon this subject. The architect has intimated to-day that he is very desirous that members of the Senate should look over the plans of the Senate section of the building. The plans will be here this afternoon placed upon the table of the news room. He will be very glad indeed if honourable gentlemen will look over the division which he has made. Of course, that division of accommodation, for Committee rooms, offices, and rooms for members, is only suggested.

Hon. Mr. THOMPSON: Do the plans make provision for apartments to be provided for the Speaker?

Hon. Sir JAMES LOUGHEED: I really do not know; I have not seen them.

Hon. Mr. WATSON: The space is there.

Hon. Sir JAMES LOUGHEED: As the honourable gentleman from Portage la Prairie (Hon. Mr. Watson) has stated, there is ample space for the accommodation of the Speaker. However, if honourable gentlemen will avail themselves of the opportunity of looking over the plans this afternoon when they are placed upon the table in the news room, and will make any suggestions either to myself or to the honourable gentleman from Portage la Prairie we shall be only too glad to convey those suggestions to the committee.

MILITARY VOTERS' BILL.

THIRD READING.

Hon. Sir JAMES LOUGHEED moved the third reading of Bill 127, the Military Voters' Act, 1917.

Hon. HEWITT BOSTOCK: Before that motion is put, I want simply to emphasize the fact that in any criticism which was made on this side of the House with respect to this legislation, honourable gentlemen on this side were only anxious to see that every precaution was taken in this Bill and every method adopted whereby the soldiers' vote could be fairly and straightforwardly recorded, that every opportunity should be given to the men who are so nobly defending this country and doing their duty to the Empire, to record their vote as they may see fit. Any amendments that we moved

were moved with that object in view. We desired in every way to assist in the proper taking of this vote, and every suggestion that was made was for the purpose of giving every opportunity for that vote to be taken and recorded as it properly should be.

Hon. H. J. CLORAN: The discussion has changed from a plain one dealing with kitchen and domestic matters, the Speaker's chambers, etc., to a discussion of high Imperial and continental issues. The Bill now before us is one which is going to pass by a very small majority in the Parliament of Canada, a majority composed of packed members. I use the word deliberately, so that the fact may be known not only here in Canada but throughout England, France, and the other Allied countries. This voters' Bill will therefore pass under this packed majority, against the rights of the Liberals of the Dominion of Canada. The positions of ancient Liberals in this House have been filled by good, honest, reliable—especially reliable—sturdy supporters of the Government. The Government has availed itself of a technicality in the agreement which was made between the Opposition and the Government when this war broke out, that members whose seats became vacant on either side of the House should be replaced by members of the same political faith. By some looseness of contract the Senate was not included, and this Government, through its Prime Minister, availed itself of that looseness in the contract by filling the places of stalwarts of the Liberal cause with stalwarts of the Conservative cause—to my mind the most flagrant breach of the truce that has obtained in this country on behalf of the winning of the war by Canada as far as it could go. I say that the present Government is responsible for the condition of things that exist to-day—that it cannot obtain a union or coalition Government. What Liberal will join a party that has been discredited in the past by its own members—discredited by Hon. Robert Rogers, ex-Minister of Public Works; discredited by the ex-Minister of Militia; discredited by the departure of Mr. Patenaude—discredited by their own friends.

The Hon. the SPEAKER: Order.

Hon. Mr. CLORAN: Well, now, what right has the Speaker to intervene?

Some Hon. SENATORS: Order, order.

The Hon. the Speaker: I would call the attention of the honourable gentleman to the fact that the question before the Senate is the third reading of the Military Voters' Bill, and he has no right to speak on other questions. He has used the expression "packed majority."

Hon. Mr. CLORAN: And I stand by it.

The Hon. the SPEAKER: The honourable gentleman has no right to use that expression.

Hon. Mr. CLORAN: Well, I will not say "packed majority," then; I will say loose majority. I suppose that will cover it. But I am giving reasons now why this Bill should not be passed.

Hon. Mr. POWER: The honourable gentleman is going a long way.

Hon. Mr. CLORAN: The honourable senator from Halifax (Hon. Mr. Power), who has been 45 years in this House, ought to know that young men have different ideas from his. He has lived in the past; let me live in the present. It is about time for the honourable senator from Halifax, who has been in this House 45 years or 50—I don't know which—to give the young men of Canada a chance to have a say. I respect his grey hairs, or those that are not on his head at all.

Some Hon SENATORS: Order.

Hon. Mr. CLORAN: And I respect my own intelligence and my own devotion to the people.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: There would be order if there were no such interruptions. I am giving reasons why this Military Voters' Bill should not be passed by a loose majority. We have the honourable senator from Stadacona (Hon. Mr. Landry), the honourable senator from Montarville (Hon. Mr. Beaubien), I think, and the honourable gentleman from Shawinigan (Hon. Mr. Montplaisir). That is a loose majority, so it is not a packed majority. I beg pardon.

When this Bill passes, what happens? A delegate will have to be named by the Government, either through the mail to send or personally to bring this measure over to the War Office in England. It is presented to the Minister of Overseas Military Forces. When the War Office receives the Act, with all its provisions, it will transmit it at once to the Commander in Chief of the armies of Great Britain, Ireland and the Empire. What does he do? He takes up the Act and reads it, and he sees that the soldiers are going to be interfered with, in all branches of military

life, in the army of Great Britain, Ireland and the Empire. He stands aghast at the Act. He says: "I am Commander in Chief of the Army for military purposes, and I will not allow any disturbance of my military orders on account of any political, civil or other affairs. The men under my command are here for military or war purposes and these alone." That will be the decision of the Commander in Chief of the British armies, at the present time General Haig. Will he be right in stating so? All men who are not tied up with partisanship and other views regarding party will say: "Certainly; the Commander in Chief is master of his men, and if he thinks that the introduction of civil, political or domestic questions is going to interfere with his right of command over these men, why should he not have the right to say to any Government on earth. You shall not interfere with my command; if I allow domestic, civil, political, labour or other questions to be discussed in the ranks of my army, where is my control to begin or to end?" Therefore, the Commander in Chief of the British forces under the King's orders and regulations governing military practice, military service, military obedience, military discipline, will say to the man who presents this Act: "Get away from me; get away from here; I want no interference in the conduct of my army for civil, political, domestic or any other questions; all my men are here for is to obey my orders and to fight the enemy." It is admittedly an elementary military principle in England that no man in military service can participate in the discussion of public or political affairs. And here, a little colony called Canada, with six or seven millions of people, intervenes to tell the British Empire that it is going to rule the discipline of the army. What attitude do we assume before the civilized world? The idea of a little colony like Canada, with only 7,000,000 people, dictating to the Commander in Chief of the British Forces what he shall have his soldiers do. That is the effect of this Bill. France is the country that is suffering most, the one that is spilling most blood on behalf of democracy, and is losing a large portion of its historical buildings, of its fruitful lands, of its courageous people. Our emissary goes over to France, goes to General Petain, and says: "We have a certain number of Canadians in the army on the soil of France and in Flanders, and we want you to introduce this question of politics into the army, and we want to have these questions discussed in the trenches, so that the soldiers will be able to cast an intelligent vote; and we want our soldiers in the hospitals and camps to be able to discuss all the economic and political questions of Canada." That is the mission of the Canadian emissary to the Commander in Chief of the French army.

Nor does the French Republic, any more than England, give a vote to the soldiers, those gallant men who are dying by the thousand every day. But little Canada, with seven millions of a population, goes over to the Commander in Chief of the French forces and says: "We are going to go into your ranks and preach politics, preach elections, and so on." What attitude does Canada assume before the great French Republic? Why, that of sham patriotism from bottom to top, claptrap legislation to protect the present Tory party, which hopes to get votes from that source.

The great powers in this war are against this policy of introducing politics into the ranks, into the trenches, into the hospitals, into the camps of the Allied armies; yet we are going to persist. Italy gives no votes to its soldiers on the firing line, neither does Austria or Hungary, neither does Germany, above all. There is only one country on the firing line of this universal conflict that to-day gives the right to the soldiers to vote, and that is poor Russia. With what result? That there are rebellions, riots, the chasing of ministers from office, and even the Commander in Chief of the Russian army taking over that army to fight the present Government—all on account of the soldiers' vote in the trenches.

Can you face these facts and decide in your soul and conscience and heart, on behalf of Canada and the Empire, and the cause for which we are fighting, that this is democracy, that this is wise legislation? Is it wise in connection with those sacred causes affecting the best and most vital interests of humanity? This Bill is intended to promote simply the vital interests of the Tory party, which expects to get an undue vote from these sources. Honourable gentlemen, you are made up of the same blood as I am; you have the same ambition for Canada's progress and security as I have; why not drop party pride, party interests and fight for that unity and progress of Canada that we all desire? But no; the Government of the day, composed of persons who come and go, and honourable gentlemen of the highest intelligence, men

who have had experience in the world, men who have developed the interests and advanced the progress of this country, are willing to sacrifice all that for the sake of the little party interests which, in the long run, are only ephemeral. Why not stand to the colour of the country and the Empire instead of standing by the colours of party, whether a small low-lived party or a high-living party? I appeal to you in all sincerity, as a Canadian loving his country, wanting to see it progress and be united, and willing to shed my blood now, old as I am, as the younger ones of my family have shed their blood, in favour of this cause. I say this Bill is not destined to promote the unity of our Canadian boys in the army in England. Remember that out of 350,000 who are at the front there are many good Liberals' sons just as there are good Conservatives' sons; and do you mean to tell me that by introducing this Bill among them you are going to promote the harmony and unity that have existed up to the present time, when they have been fighting shoulder to shoulder just as the Orangeman of Ulster and the Irish Catholics of the south of Ireland have been doing on the battlefield of Europe on behalf of democracy? I appeal to you in all sincerity. The Irish Ulsterites and Orangemen have been fighting shoulder to shoulder with the Irish Catholics of the balance of Ireland for the same cause, and there was no Bill of this kind sent among them asking, "Are you going to vote for Home Rule, or are you going to vote against it?" If there had been such a Bill there would have been an immediate disruption. Ah, but the statesmen of Great Britain are wiser than our paltry little men here in Canada; they have a greater grasp and a deeper foresight as to what will happen. Yet this Parliament is called upon not only to condone, not only to sanction, but to adopt, measures that are diametrically opposed to the best interests of Canada and calculated to endanger the cause of the great consecrated Allied powers—Great Britain, Italy, France, Russia and the other nations. I do not expect that my words will kill this Bill, but I wish it to go on record for the present and the future that I had courage sufficient to speak what I have said.

The motion was agreed to, on division, and the Bill was read the third time and passed.

Hon. Mr. CLORAN.

LIVE STOCK BILL.

THIRD READING.

Bill 123, An Act respecting Live Stock.—Hon. Sir James Lougheed.

OTTAWA SEPARATE SCHOOLS CASE.

DISCUSSION CONTINUED.

The Senate resumed from September 13 the adjorned debate on the statement and inquiry of Hon. Mr. Landry respecting the Ottawa Separate Schools case.

Hon. Mr. CROSBY: I moved the adjournment of the debate yesterday, not because I had any intention of making extended remarks, but only for the purpose of saying one or two words on this subject. It is a matter wholly and solely between the province of Ontario and the province of Quebec.

Hon. Mr. CLORAN: Not the province of Quebec; the Federal Government.

Hon. Mr. CROSBY: The Federal Government has nothing to do with it. My honourable friend knows as much about that as he does about other things.

Hon. Mr. CLORAN: More than you do.

Hon. Mr. CROSBY: That would not be very complimentary to me, or to the little I do know. The matter is wholly and solely to settle a contention caused, apparently, by the people of the province of Quebec misunderstanding—

Hon. Mr. CLORAN: No.

Hon. Mr. CROSBY: The conditions in the province of Quebec—

Hon. Mr. CLORAN: I deny that it has anything to do with the province of Quebec.

Hon. Mr. CROSBY: That makes it more substantial. That makes it unanimous.

Hon. Mr. McSWEENEY: Let him go on.

Hon. Mr. CROSBY: We have had this school question before us in the different provinces of Canada for a great many years. I am glad and proud to say that in my province, Nova Scotia, we have some school districts wholly and solely peopled by French residents, many of the older ones not being able to speak any English at all. But if those people were to ask us to adopt what I understand to be the contention of some honourable gentlemen in this House, namely, the education of the children in both the French and the English language, you can see how difficult it would be for us to have our children taught anything at

all by the time they left school at the age of fourteen. I consider that the French people in this country have a great advantage over the English-speaking people, because they have not only their mother tongue, but they also have the opportunity of going to the English schools and getting a splendid foundation for learning the English language, which they can master by the time they are fourteen years of age.

Hon. Mr. CHOQUETTE: They learn English in all the French colleges, not in the English colleges. Some of them go to the English colleges, but generally they go to the French schools to learn English.

Hon. Mr. CROSBY: For the purpose of my argument I do not care where they learn it, whether it is in a college or in a school. For instance, take a man who has four or five or six or seven, or even ten children—

Hon. Mr. CLORAN: They would be French.

Hon. Mr. CROSBY: Oh, they might be Irish if my honourable friend were around. The point I want to make is that in the province of Nova Scotia, where the limit for school attendance is fourteen years of age, if you take a child beginning school at six or seven years of age, who belongs to a farmer or a fisherman or some other of the working class, and who has to acquire a good start in English and French, it would be impossible for him to learn both English and French grammar by the time he was fourteen. Therefore, I say that if you are going to have French and English taught to the children in the schools, you must raise the school-leaving age limit to sixteen or eighteen. We know that the classes from which the best men in this country come are the farming classes and others who have to work pretty hard for their living; hence it is necessary that their children should have some good starting point. The child who is born of French parents has that great advantage over the child of English-speaking parents, that he first learns his mother tongue, then goes to the English school and learns the English language, while the English-speaking child has not the opportunity of learning French because his parents are not able to send him to a French school, and he has not the time to learn that language. I venture the assertion that there is not a man in public life or playing any part in the business of Canada who would not sacrifice a great deal for the ability to speak the French language if it could be bought with money; but that cannot be done. I have gone through most of the British possessions in the West Indies, there I found the French language spoken to a greater extent than the English language. All through Demarara, British Guiana, Trinidad, and Jamaica, which are all British islands, and also in the Bahamas, and on the mainland, you find French spoken very much more than English. I do not say it is the real French. So that we English-speaking people are under the great disadvantage I have mentioned. It would be well for my honourable friend from Grandville (Hon. Mr. Choquette) to exercise his eloquence, his ability and energy, in trying to bring about a better situation. I am afraid my honourable friend sometimes becomes too enthusiastic. There is nobody I have ever met in this country who is opposed to the French language.

Hon. Mr. CLORAN: Yes, there is.

Hon. Mr. CROSBY: No, we are all for the French language. My honourable friend from De Salaberry (Hon. Mr. Béique) is smiling; he has the great advantage of knowing that language; I wish I could speak in French half as well as he can speak in English. It is the English-speaking people who are a good deal in the dark by not having the advantage of knowing the French language. If I were going to be born again and had any choice of a mother other than the one which, thank God, I had, I would choose a French woman. I would not choose a Frenchman as my father; I would dispense with a Frenchman; but I might possibly look for an Irish father.

I do say, honourable gentlemen, that there is a great deal of misunderstanding in these matters. The honourable gentleman who introduced this question is a very energetic and progressive man, and is bound to carry out what he has in his mind, no matter whether he is right or wrong. I am glad to say that in my opinion he is right on this occasion in trying to get this matter understood—and I believe he is trying. While I have been in Parliament I have met many men from Ontario, and, judging from the statement made yesterday by the honourable gentleman from Peel (Hon. Mr. Blain), I believe that the people of Ontario are anxious to do everything they can to give the French people fair play, so that the language may be taught to their children.

There is another side to this question, however. If my honourable friend from Grandville (Hon. Mr. Choquette) were bringing up his boy, who could speak the French language well because he had learned it from his father and mother, and if he knew that that boy was going to remain at school until he was fourteen years old, and that he would then have to earn his living, in Canada, in the United States or elsewhere, I am sure that he would come to the conclusion that in order to prepare that boy to take his place in the business world of this American continent, where the English language is prevalent, he would say: "I will do the best I can to give my child an English education." The French boy who learns the French language from his parents is very well equipped in that regard, and he has an opportunity of picking up French grammar as he goes along. The province of Ontario is mainly an English-speaking province, but there are a great many French Canadians in Ontario, as there are in all the provinces. In our province we have a large French population, and we have some school districts where nothing is spoken but French.

Hon. Mr. WATSON: Will the honourable gentleman permit me to suggest that this is a matter which can be discussed later? There is an important meeting of the Railway Committee about to take place, and I think this matter might be postponed.

Hon. Mr. CROSBY: I have nearly finished. I will not take further time. I have said practically all I have to say.

Some Hon. SENATORS: Move the adjournment.

Hon. Mr. CLORAN: On condition that the honourable gentleman will allow me to follow.

Hon. Mr. CROSBY: I am more willing that my honourable friend should follow me than that I should follow him.

Hon. Mr. CLORAN: Not at present.

Hon. Mr. CROSBY: I just want to say in conclusion, that I liked the speech made by the honourable gentleman from De Lorimier (Hon. Mr. Dandurand). It was a speech which was made with the intention of getting the people together in order to arrive at a better understanding of this question. I say, let us try to get this bilingual question settled. Surely we can get together and come to a better understanding. Why should we take diametrically opposite positions? Why should we take sides on this question? Certain views are sometimes expressed in the press, or by public speakers, simply for the purpose of creating agitation, but whatever our views are we can get together and solve the difficulty. I only rose to make a few remarks. I hope that the remarks of my honourable friend from De Lorimier (Hon. Mr. Dandurand) will result in a better understanding.

Hon. Mr. CLORAN: I wish to move the adjournment of the debate.

Hon. Sir MACKENZIE BOWELL: Order.

Hon. Mr. CLORAN: I moved the adjournment of the debate. I have the right to do that. What is the use of calling "order" when I am in order?

Hon. Mr. LANDRY: If the honourable gentleman from Victoria will withdraw his motion I think we can conclude this discussion in a few minutes. As a personal favour, I ask the honourable gentleman to withdraw his motion.

Hon. Sir JAMES LOUGHEED: The honourable gentleman from Stadacona (Hon. Mr. Landry) will conclude his remarks in a very few minutes, and I ask that the question be disposed of now.

Hon. Mr. CLORAN: I withdraw my motion, but I do not sacrifice my right to answer any other speaker who comes before me.

Hon. Mr. LANDRY: I think it should be understood that my speech will end the discussion. If not, I consent to the question being put.

Hon. Mr. SPROULE: If that be the case, and if it is the intention of the honourable gentleman to make his speech now, I should like to say something on this question.

Hon. Mr. CLORAN: I have not much to say on the question, and I am prepared to let the honourable gentleman from Stadacona (Hon. Mr. Landry) proceed, because he is more au fait of the whole question, which is one that I consider more important than any little railway. If the honourable gentleman from Stadacona wishes to go on, I am prepared to withdraw my motion to adjourn the debate. If I withdraw the motion, what will happen?

Hon. Mr. LANDRY: I will reply, and the answer of the Government will be given.

Hon. Mr. CLORAN: Then I cannot speak. I have only a few words to say, and the honourable gentleman can follow me.

Hon. Mr. LANDRY: If the motion is not withdrawn with the understanding that the debate will be closed now, there is no use in withdrawing it. We will adjourn the debate to another day.

Some Hon. SENATORS: Adjourn the debate to another day.

Hon. Mr. CLORAN: I am going to withdraw my motion. All I ask is that the French people in Ontario be treated in the same way as the English-speaking people are treated in Quebec. That is all I have to say.

The motion to adjourn the debate was withdrawn.

Hon. Mr. SPROULE: I did not intend to say anything on this subject, but owing to the course of the discussion and the number of questions involved in it, it seems to me that a member from the province of Ontario ought to know more about the question than the average member, is justified in saying something upon it.

In the first place, in my judgment a discussion of this kind in this House at the present time is very much out of order. The rule is laid down—and it must be known to the honourable gentleman who started this discussion, because he is a comparatively old parliamentarian—that it is not the practice to import questions into this House and discuss them while they are before the courts. This question is before the courts, and therefore in my judgment it is very much out of order and very improper for us to discuss it here.

In the second place, the question of education is one which undoubtedly pertains to the exclusive rights of the province, unless there is involved in it an element which brings it within the rights of other provinces. That is the way in which minority rights are interfered with. As this is a matter of education, and as it is being dealt with by the province in such a measure as the people of the province believe they have an undoubted and exclusive right to deal with it, it seems to me it would be very much out of place for the Federal Parliament to take it up, discuss it or interfere with the rights of the provinces in connection with it. Let us reverse the situation. Let us suppose that this a question that pertains to the undoubted rights of the province of Quebec. Let the question be brought into this House, and let an agitation be raised and be kept up from time to time. Such action only continues the disturbance in the country and draws public attention to it. It improperly accentuates the matter and creates a feeling that would otherwise not exist. I say again that this question should not be imported into this House except at a proper time and under proper provocation, which is not to be found in the question that is now engaging the attention of this House. The importation of these disturbing questions only keeps up trouble, and ought to be avoided as far as possible. This question is always raised under the plea of rights denied. Very often claims are put forward with regard to rights which are not proper claims at all. We believe that in connection with this matter there are put forward many claims which should not be put forward.

Hon. Mr. CLORAN: Who is to be the judge?

Hon. Mr. SPROULE: We are told that they are minority rights. We admit the minority rights which are granted under the British North America Act; but we deny that these minority rights should be so insisted upon as to interfere with and prevent the possibility of the majority rights being enjoyed by the people. This is exactly what we claim is being done in connection with this question. If the minority rights are enforced as the minority desires them to be enforced, this prevents the possibility of the majority enjoying their undoubted rights.

Hon. Mr. CLORAN: The enforcing of a minority right never interfered with a majority right.

Hon. Mr. SPROULE: I have the floor, and only claim—

Hon. Mr. CLORAN: That shows a lot of intelligence.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: That shows a lot of intelligence.

The Hon. the SPEAKER: Order.

Hon. Mr. SPROULE: When I have the floor I claim to have the right to express my views, and to have the common courtesy of quietness on the part of honourable gentlemen extended to me.

Hon. Mr. CLORAN: I did not make the row.

Hon. Mr. SPROULE: What is the situation in Ontario? If time permitted, and if it were necessary, I could quote sworn

evidence substantiating the allegation that I am about to make, that, in schools where the two languages are to be taught, and where the rights of the minority—if you call the French the minority—are being enforced, unfortunately the minority will not be satisfied with the management and conduct of the schools in such a way as will enable majority rights to be enjoyed by the majority. Let me give an example. The law provides that in schools where the two classes of children are found, teachers who can teach both languages shall be employed. But in a school where there are French pupils they are not satisfied with the French-English teacher there is in the country, though he may have a certificate from the Normal School or some other school as an evidence of his qualifications. The minority refuse to accept him as capable of teaching the language of the minority. What is the result? They are not satisfied unless the teacher is one whose language is their mother tongue; and when such a teacher is employed, it may be found that he is not sufficiently conversant with the English language to be a competent teacher of English. Therefore, the English pupil in that school is entirely deprived of the right of the majority. That is where the trouble is imported. The provincial minister on this occasion exercised his undoubted right in trying to make regulations which would do no injustice to the minority, but which at the same time would give to the majority the rights which they are entitled to enjoy. That is what has been done by the Minister of Education. Then we have this agitation imported into this House. It is also actually extended to the province of Quebec, where a Bill is brought into the legislature for the purpose of raising money to fight the province of Ontario. Ontario is doing what it has an undoubted right to do, that is, controlling education, and does not desire to interfere with the rights of the minority. These are the troubles with which we are confroned to-day, and I say, from my knowledge of the situation, that the Government of Ontario is honestly desirous of doing, and is trying to do, what is conciliatory, what is generous to give to both the minority and the majority their rights. The province is working out its educational system, as it has the right to do so long as it is not improperly interfering with the rights of the minority as provided for in the British North America Act.

Hon. Mr. SPROULE.

Hon. Mr. BEIQUE: Will the honourable gentleman allow me to ask him two questions?

Hon. Mr. SPROULE: Yes.

Hon. Mr. BEIQUE: The first question is this: will the honourable gentleman admit that it would be within the power of the province of Quebec to enact a regulation similar to No. 17 in that province?

Hon. Mr. SPROULE: I am not sufficiently conversant with the laws of the province of Quebec and the respective rights of the minority and the majority to be able intelligently or wisely to answer that question. Therefore I must decline to do so.

Hon. Mr. BEIQUE: Is not the honourable gentleman aware that it is the same law, the constitution, which applies to both the provinces of Ontario and Quebec?

Hon. Mr. SPROULE: But the educational system of the province of Quebec is worked out by a Board of Education surrounded by many provisions and restrictions which have a bearing on the subject and which I do not understand.

Hon. Mr. CHOQUETTE: But the constitution is the same for both provinces?

Hon. Mr. LANDRY: If no other honourable gentleman desires to speak on this question, I shall conclude the discussion. My honourable friends from the province of Ontario and the province of Nova Scotia, have put forth a plea, which I accept as the expression of their ideas on this question. They take for granted that the regulation is in favour of the French language being taught in the province of Ontario. That is what they understand. That is what they say. But what are the facts? When you go before a court, the court gives a judicial decision and that decision is binding. The members of the Privy Council in England, in their findings on the case which was brought before them, said that regulation 17 was no doubt enacted to banish the French language from the province of Ontario—or something to that effect; to prevent the French language from being taught in the province as we desire it to be taught.

Hon. Mr. SPROULE: As far as I am aware, there was no such decision given by the Judicial Committee of the Privy Council. The decision was entirely on another subject.

Hon. Mr. CLORAN: Read the decision.

Hon. Mr. SPROULE: It deals with the liberty or power of the province of Ontario by an Order in Council to substitute a School Commission for a Board of Trustees. That was it.

Hon. Mr. LANDRY: I trust the honourable gentleman will permit me to differ with him entirely on that point. We are going to get the judgment of the Privy Council, and I will try to convince my honourable friend from Grey that the judgment of the Privy Council is on the lines which I have just stated. Moreover, the judgment of the Privy Council stated that the regulation was couched in such obscure terms that they could not find what its real meaning was.

Hon. Mr. SPROULE: Then they could not say it was to prevent French from being taught.

Hon. Mr. CLORAN: Well, get the judgment.

Hon. Mr. LANDRY: At all events, your own judges in the province of Ontario have condemned our teachers to jail or to certain penalties because they were teaching French one hour a day in the schools.

Hon. Sir MACKENZIE BOWELL: Sent them to jail for teaching an hour a day?

Hon. Mr. LANDRY: Yes.

Hon. Mr. SPROULE: That is not so.

Hon. Mr. LANDRY: That is the case. That is the interpretation given by the Ontario courts to that regulation. In interpreting it they said, "You must not teach the French language." I am speaking of the Green Valley case.

Hon. Mr. SPROULE: The honourable gentleman (Hon. Mr. Landry) has made a statement which is an allegation of fact, that is, that the teachers were condemned and sent to jail for teaching French one hour a day. I deny that, and challenge the statement.

Hon. Mr. CLORAN: What do you deny?

Hon. Mr. SPROULE: I deny that it ever occurred.

Hon. Mr CHOQUETTE: Do you deny that the penalty was imposed?

Hon. Mr. LANDRY: In the Green Valley case, to which I am alluding, here are the facts. Green Valley is not one of the schools which have been declared to be bilingual schools. You know that under regulation 17 the first thing that is done in order to apply the regulation is that the Minister of Education announces each year which schools are to be considered as bilingual. A school not included in that declaration by the minister is not regarded as a bilingual school. Take Windsor, for instance. In Windsor there are three schools: one has a French attendance of 45 per cent, the other has 65 per cent of French pupils, and the third has 85 per cent. The minister's promulgation declared the first of these to be bilingual, the one in which 45 per cent of the pupils were French; and though there are in the same locality a school where the French attendance is 65 per cent and another where it is 85 per cent, these are not bilingual schools, because the minister refuses to issue a proclamation which would make them bilingual and subject to regulation 17. So the first requirement is the good will of the minister. We cannot get it. The school at Green Valley could not get it. They asked for it, as the schools of Windsor asked for it, and they could not get it. Do you see where the difficulty comes in? In the case of a school which is not bilingual, it comes under regulation 12, under which German or French may be taught one hour per day in such a school. The Green Valley was not a bilingual school, and there regulation 12 was in force. Under regulation 12 the teacher tried to teach French during one hour. The Green Valley case is a special case. Do you know what the teacher was teaching in that hour? He taught catechism for ten minutes of that time. Catechism is with us a religious matter; it is the teaching of our religion. That was brought before the courts and the courts decided that, as it was not a bilingual school, the teacher had no right to teach any French in the school for one hour because the French did not prevail in the district and moreover because during this hour the teacher had taught catechism, which was not one of the subjects he was allowed to teach. In a Catholic minority school—

Hon. Mr. GORDON: Was that a mixed school or a separate school?

Hon. Mr. LANDRY: It was a separate school—a Catholic minority school.

Hon. Mr. CLORAN: What was the number of French pupils and what was the number of English pupils?

Hon. Mr. LANDRY: In that school the totality was French Canadian.

Hon. Mr. CLORAN: Dear, oh, dear; and yet they were not allowed to teach French. That would not happen in Germany.

Hon. Mr. LANDRY: Would the honourable gentleman allow me to go on? I have not his talent, and I want to follow up my argument.

Hon. Mr. CLORAN: I am backing you up.

Hon. Mr. LANDRY: The honourable gentleman is backing me too much. You see how the matter stands. We are willing to try to have the parties come together to discuss this question.

I praise my honourable friend from Halifax (Hon. Mr. Crosby) for the good disposition he has shown at this time. We are willing to confer and try to devise means of reaching an understanding. We are not opposed to the study of English in those French sections. Our own interests require us to learn English. We are not trying to avoid that, the agitation is being kept up by certain people giving the country the impression that we do not want to learn English. We do want to learn English, and we accept any regulation which requires the study of English in those French schools; but what we do not want is the banishment of the French language. We want to retain the language which we have inherited from our mothers. That is a natural sentiment. Cannot we get together and find some means to adopt that proposition? I think we should.

The honourable gentleman from Peel (Hon. Mr. Blain) yesterday said: "You know that in the Toronto House not a voice was heard against those regulations." No, not a voice was heard against those regulations, because they were adopted on the last day of the session, when it was not known that they were coming up. But at the last session what took place?

Hon. Mr. BLAIN: My honourable friend knows that there have been several sessions of the Ontario Legislature since regulation 17 was adopted.

Hon. Mr. LANDRY: I know that.

Hon. Mr. BLAIN: Therefore it could have been done.

Hon. Mr. LANDRY: I am going to answer that immediately, to show the disposition of the Ontario Legislature. At the last session that question came up.

Hon. Mr. BEIQUE: Before the last session.

Hon. Mr. LANDRY: A Bill was presented, and what did our friends do? They voted against the Bill. Moreover, they introduced an amendment, asking that that law be submitted to the Supreme Court in order that its opinion might be had on the constitutional aspect of it. Nobody listened to that request.

Hon. Mr. BLAIN: My honourable friend (Hon. Mr. Landry) has misquoted me not intentionally. My point was this. I asked why did not my honourable friend use his influence in the Ontario Legislature, which had the power to correct these wrongs, if they were wrongs?

Hon. Mr. CLORAN: He was not there.

Hon. Mr. BLAIN: His friends were.

Hon. Mr. LANDRY: The honourable gentleman asks why I did not use my influence. I wrote to the Prime Minister of Ontario three times. I wrote to honourable Mr. Hearst when he came into power. That was about October, 1914. I have not all the dates here, but I could give them. The first time I wrote Mr. Hearst, his secretary answered that he was away, but that as soon as he returned I should get an answer. I waited a month without receiving an answer; so I wrote the second time, renewing my request. I did not get an answer; so I wrote him the third time.

Hon. Mr. BLAIN: No answer to the letter?

Hon. Mr. LANDRY: No. My letter was acknowledged, but when I say I did not get an answer, I mean I did not get an answer to the request I was making.

Hon. Mr. BLAIN: My honourable friend, of course, would give to the Prime Minister of Ontario the credit of having been courteous in acknowledging the communication?

Hon. Mr. LANDRY: Yes. I am not complaining on that ground, but I say I had no answer to the question I put in the letter. I asked him to fix a date for an interview, in order that we might go to Toronto to see him and discuss the question. I never received an answer to that proposal.

My honourable friend from Grey (Hon. Mr. Sproule) says that this is not a question to bring up here, because it is before the courts. I think my honourable friend does not realize what question is before this House. It is not a question to ask the opinion of this House on the bilingual matter. The situation is this. After the judg-

ment of the Privy Council in England was rendered, the legislature of the province of Ontario passed a new law, re-enacting the former legislation, giving the Government power to appoint a new commission if the present School Board did not obey the law. That is the effect of the Act. At the same time, a second Act was passed by which all indebtedness incurred by the Government Commission would be imposed on the appellants themselves, not on those who were defending their case before the Privy Council.

Hon. Sir MACKENZIE BOWELL: On the ground that the expenditure was illegal?

Hon. Mr. LANDRY: Yes. They wanted to indemnify those who had been condemned by the Privy Council to pay the costs of the case which had been sent to London. This in face of the judgment of the Privy Council, and in face of the fact that it was interfering with the rights of the minority. I will answer that second objection in a moment. We have asked the Dominion Government to disallow that Act. That is the question which is now before this honourable House, and my inquiry of the Government is, as you may read in the order paper: "Is it the intention of the Government to disallow the legislation?" We have a right to ask that whether it is interference with the rights of the majority or not. By the British North America Act the British Government has the right to interfere with and to disallow a provincial law.

Hon. Mr. SPROULE: I admit that, but I want to point out this fact, that while that is the question which is being asked, the history of the whole agitation is being set out on the records of this House, and then the honourable gentleman avails himself of the right to debate the whole question and to import into it what, in my judgment, it is not for this House to deal with.

Hon. Mr. LANDRY: I agree with the honourable gentleman, and I think it is the only way to come to an understanding. The honourable gentleman says: "Oh, if you keep quiet, if you bow to those who"—he did not say persecute—"if you bow to those who are not of the same opinion, if you accept what they say and do, peace will be maintained in this country." I know that; but when you interfere with what we think are our rights, with what we claim as our rights, well, leave us at least the liberty to complain; leave us at least the liberty to ask the Government, in view of the judgment of the Privy Council, to interfere. The Privy Council has declared that that legislation is ultra vires, but you are coming back with it. It is you who are agitating the public mind on questions which have been decided and settled by the highest tribunal of the Empire. I think it is the duty of the Government in these cases to interfere and disallow the Act. If the Government does not want to disallow it, in the face of the threats which to-day menace the existence of our minority in school matters in the city of Ottawa, well, the Government will take the responsibility of its refusal. But we will go on agitating, and trying to get justice, and in those efforts I hope we shall meet with the good-will of our friends, and shall one day come to an understanding. That is what we want; we want to come to an understanding. If you say, honourable gentlemen, that your desire is not to choke the French language in the province of Ontario, give us a chance to speak it.

Hon. Mr. TAYLOR: It has never been interfered with.

Hon. Mr. LANDRY: No, except that the teachers in our schools and our trustees are condemned to imprisonment or to pay a fine.

Hon. Mr. TAYLOR: If they obey the law, they are all right.

Hon. Mr. LANDRY: If that is the law, we are asking you to amend it, if your intention is not to prevent the teaching of French in our schools.

Hon. Mr. BLAIN: It does not.

Hon. Mr. LANDRY: Why will you not be as generous to our people as we are to yours in the province of Quebec?

Hon. Mr. TAYLOR: We are.

Hon. Mr. LANDRY: We think you are not. Why do we not come to an understanding? I do not want to defy the English-speaking population in the province of Ontario; I want that we should live together in peace and harmony. My honourable friend said that I was urgent in my claims, that I was sticking to my guns. I will stick to my guns and do all I can to have justice done to my people; and I am addressing myself to your generosity. Surely cannot you do something for us? If your intention is that we should have something to do with our language, in our province, give us your assistance.

Hon. Mr BLAIN: I venture to say that my honourable friend actually refuses to give credit to the Government of Ontario of having passed the regulation for the ex-

press purpose of assisting the French people. My honourable friend has no word of commendation for such a Government, but rather uses his influence for its condemnation, and further suggests to those who disobey the law that they should continue to disobey it.

Hon. Mr. LANDRY: I will answer that. What does the Government of Ontario do for the purpose suggested by my honourable friend? They vote certain sums of money for the education of French and English teachers of the normal schools.

Hon. Mr. BLAIN: For special schools.

Hon. Mr. LANDRY: Yes, for special normal schools. Well, the honourable gentleman would be amazed if he knew that those at the head of those schools for teaching French do not speak a word of French, and do not understand that language. Here in Ottawa there is a school like that, and there is another one at Sturgeon Falls.

Hon. Mr. GORDON: That is not the case there, though.

Hon. Mr. LANDRY: I said in Ottawa. The principal does not understand a single word of French, and the French that is taught there is taught in English.

Hon. Sir MACKENZIE BOWELL: French is taught in English?

Hon. Mr. LANDRY: French is taught in English. You will see the difference between that—

Hon. Mr. GIRROIR: Is there no French teacher in that school?

Hon. Mr. GORDON: In regard to the Sturgeon Falls school—

Hon. Mr. LANDRY: I am speaking of Ottawa; I do not know about Sturgeon Falls.

Hon. Mr. GORDON: But you intimated that the normal schools—

Hon. Mr. LANDRY: If my words gave that impression to my honourable friend, I will withdraw them.

Hon. Mr. GORDON: Because they re all French teachers at Sturgeon Falls.

Hon. Mr. LANDRY: I am answering the objection of my honourable friend, and I am talking of the city of Ottawa. I know that some of those schools are in other parts of the country, as well as at Sturgeon Falls. There is one at Vankleek Hill, or somewhere thereabouts.

Hon. Mr. BLAIN: Does my honourable friend say that the special school established in the city of Ottawa for the purpose of turning out teachers in the bilingual schools does not teach French?

Hon. Mr. LANDRY: They are taught French in English.

Hon. Mr. GIRROIR: Who are the teachers? Are they English teachers?

Hon. Mr. LANDRY: English teachers.

Hon. Mr. BLAIN: Give us their names.

Hon. Mr. LANDRY: I do not know their names.

Hon. Mr. TAYLOR: Are there no French teachers there?

Hon. Mr. LANDRY: There are no French teachers there. If there is a French teacher there, he is bound to teach French in English. Now, let me give you an exemple. Let us say that you want to learn the Russian language, and you go to a Russian school, where you are taught the Russian language, but in the Russian language; what progress would you make?

Hon. Mr. BLAIN: My honourable friend knows that is going on all the time.

Hon. Mr. LANDRY: Not all the time. I will tell you one thing; those who learn English in the French language are able, after two or three years, to get on with your pupils who are always taught in English, and to beat them in the schools.

I want to make good the assertion I made just now, by reading what the Lord Chancellor of the Privy Council delivered in reference to regulation 17:

> The objects of the circular is to restrict the use of French in those schools, and to this restriction the appellants, who are the Board of Trustees of the Roman Catholic Schools of the city of Ottawa, assert that they are not obliged to submit. It therefore becomes necessary to examine the different terms of the circular, in order to ascertain the nature and the extent of the restrictions imposed. Unfortunately it is couched in obscure language, and it is not easy to ascertain its true effect.

That is what the Privy Council has decided. Evidently the Privy Council found that the object of the regulation was to restrict the use of the French language. That contradicts your idea, because you thought it was not to restrict.

Hon. Mr. SPROULE: My contention was that the restriction was only when the right

which ought to be employed was being exercised in a way that was extending it beyond what it ought to be. It was restricted to a certain time.

Hon. Mr. LANDRY: My honourable friend said that the legislature was supreme.

Hon. Mr. SPROULE: One hour of the day instead of six or eight; that was the only restriction.

Hon. Mr. LANDRY: I am very glad to have gained that point, then. My honourable friend said that this question is before the courts. It is not before the courts at all; it is before Parliament; but the question is brought up before the courts by the refusal of the Bank of Ottawa to pay the money which the court in England ordered it to pay. I admit that the question of education is exclusively within the competence of the provincial legislatures, but only within the provisions of the Act; if a legislature goes beyond those provisions it is no longer supreme. Legislatures must not interfere wih the rights of the minority. They have a perfect right to do as they please as to regulations, provided they do not interfere with the rights of the minority; but if they interfere with those rights they are not supreme. It is for that reason that we are asking that this law be disallowed because the Privy Council has decided that the nomination of the new commission by the Government of Ontario was an interference with the right of the minority, because the Act of 1863 declared that the minority had the right to choose their own trustees.

I thank you, honourable gentlemen, for your kind attention, and I hope that this agitation will be a fruitful one, and that it will bind together people who before had not the same conception of regulation 17 and of the laws passed by the Ontario Legislature. Let us join our hands, the two parties who are dissenting to-day, and find a way of bringing peace and harmony to this country. I hope that this agitation of to-day will be blessed by all people, by the French Canadians of the province of Ontario, who are willing to learn English but want to keep their French, and by the population of the other provinces, who feel annoyed to-day because they cannot understand French. Let them come into the province of Quebec, and we will give them all the French teachers they want, to induce them to learn the French language.

Hon. Sir JAMES LOUGHEED: My honourable friend (Hon. Mr. Landry) placed upon the motion paper the following inquiries :

(a) Is the Government aware that under the provisions of the British North America Act, they have the absolute and indisputable power to disallow any Act passed by a Provincial Legislature?

(b) Does the Government intend to accede to the request which was addressed to them to exercise this power, and will they, without further delay, disallow both chapters 59 and 60 of the statutes of the last session of the Legislature of Ontario, which are manifestly unjust, iniquitous and unconstitutional, and the existence of which, if it is prolonged by the non-intervention of the central power, constitutes an outrageous defiance of the judgment of the Privy Council, and an immediate and continual menace to the general peace and interests of the country

(c) In the event of, by their refusal to exercise their right and their duty to intervene, the Federal Power assuming the grave responsibility of contributing to this nearing, and inevitable receivership which would close the schools of the Catholic minority, and throw on the streets the ten thousand children who attend the same, what other solution to the embarrassing problem could they offer to preserve to this minority the advantages which it has a right to claim in virtue of the final judgment of the highest tribunal of the British Empire?

The answers of the Government are:

(a) The British North America Act speaks for itself.

(b) The Government is not at liberty to say what advice will be tendered to His Excellency in due time.

(c) Answered by a and b.

Hon. Mr. LANDRY: Do I understand that the Government are not at liberty, or that they cannot take the liberty?

Hon. Sir JAMES LOUGHEED: As to the advice to His Excellency, or as to the action that would be taken on the legislation in question. Of course, the Government is not giving publicity as to what that advice will be.

The Senate adjourned until to-morrow morning at eleven o'clock.

THE SENATE.

Saturday, September 15, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

THE INSURANCE BILL.

THIRD READING.

Hon. Mr. THOMPSON presented the report of the Standing Committee on Bank-

ing and Commerce, to which was referred Bill 53, an Act respecting Insurance, and moved that the report of the committee be concurred in.

The motion was agreed to.

Hon. Mr. THOMPSON moved that the Bill be now read the third time.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I move that Bill 53, an Act respecting Insurance, be not now read the third time, but be amended as follows:

That on page 65, line 34, the word "twenty" be substituted for the word "thirty."

This amendment was carried in the committee yesterday, but on reconsideration, fearing that possibly it might not pass the House of Commons, owing to shortness of time, we reversed that decision, and left the Bill as it was. Now I am assured that there will be no difficulty with respect to the House of Commons.

Hon. Mr. BOSTOCK: Would the honourable gentleman kindly explain the meaning of the amendment?

Hon. Sir JAMES LOUGHEED: It has reference to the length of time during which notice may be given to a company in the case of an accident. Heretofore no time was mentioned. Representations have been made that thirty days would be too long a period, because advantage might be taken of the full time, and companies might thus be prevented from making a fair examination into whether the accident really did happen or not. The contention was that the length of time was a premium on fraud being perpetrated.

Hon. Mr. THOMPSON: I may say, in seconding that amendment, that the matter was brought before the committee and the amendment was approved of. The amendment provides that twenty days shall be allowed to elapse before the policyholder loses his right by notice to his claim for insurance; but the next section provides that in the event of failure to make application within 20 days his claim shall not be invalidated if he can show good reason why he did not give notice during that period.

The amendment was agreed to, and the Bill was then read the third time, and passed.

Hon. Mr. THOMPSON.

WAR-TIME ELECTIONS BILL.

FIRST READING.

A message was received from the House of Commons with Bill 133, the War-time Elections Act.—Hon. Sir James Lougheed.

The Bill was read the first time.

Hon. Sir JAMES LOUGHEED moved that the Bill be now read the second time.

Hon. Mr. CLORAN: It cannot be read now. We have not received it. What is the use of passing a Bill of which we know nothing?

Hon. Mr. BOSTOCK: I would point out to the honourable leader of the Government that so far we have seen this Bill only in the form in which it was presented in the House of Commons. I do not know whether any amendments have been made in the House of Commons or not.

Hon. Sir JAMES LOUGHEED: I do not expect the members of the Senate to absorb the Bill until they have had a reasonable time to digest it. I proposed simply to move the second reading of the Bill and explain it, so far as I can, in order that it may be discussed to-day. We can take it up again on Monday.

Hon. Mr. POWER: With the understanding that members of the House will not be precluded from discussing the Bill generally in committee.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. CLORAN: I object to that, and I object on good grounds. I have not got the Bill as it was passed by the House of Commons at three o'clock this morning. I think it is unfair on the part of the Government to ask Parliament to pass judgment on a Bill of which they know absolutely nothing.

Hon. Sir JAMES LOUGHEED: As I have explained to my honourable friend, we do not propose doing that.

Hon. Mr. CLORAN: The honourable leader of the Government says he will give his views on this Bill, but while he is discussing it we shall not be in a position to contradict him on anything he says. We must have the Bill in order to see that what he displays before this House as the policy of the Government is correct. He will give an explanation of this Bill—and I have no doubt he will do it ably; but that does not deprive us of our right to have the Bill in our hands.

The Hon. the SPEAKER: I have been informed by the Clerk of the House that the Bill has been distributed in both languages.

Hon. Mr. CLORAN: I have no doubt about that; but we have had no time to read it. I am not stating that the Bill was not distributed, but I say we have not had it in our hands long enough, as the honourable leader of the Government says, to digest it. My proposition is a fair one. I ask the honourable leader of the Government, who I know is a fair-minded man, to defer the second reading. He now asks us to pass judgment, or to listen to a speech, on a Bill which we have had no time to read or digest.

Hon. Sir JAMES LOUGHEED: As I have explained to my honourable friend, it is not my purpose to ask the House to take any action upon the Bill to-day.

Hon. Mr. CLORAN: I am receiving the Bill now.

Hon. Sir JAMES LOUGHEED: It may possibly assist my honourable friend if I make some explanations upon the second reading of the Bill.

Hon. Mr. POWER: Hear, hear.

Hon. Mr. CLORAN: I have no objection to that.

Hon. Sir JAMES LOUGHEED: Then my honourable friend will be able to spend a quiet and reflective day to-morrow in perusing the Bill.

Hon. Mr. CLORAN: I will take it to church with me.

Hon. Sir JAMES LOUGHEED: And on Monday he will be au fait with its principles, its policy and all its particulars.

Hon. Mr. CLORAN: I will bring it to church with me to-morrow. That will be a good place to read it.

Hon. Mr. LAVERGNE: No, it is not. The honourable leader proposes to give the explanation to-day and to have the discussion on Monday? Is that his intention?

Hon. Sir JAMES LOUGHEED: Yes. With the permission of the House, I would ask that the Bill be allowed to stand for a few minutes, and in the meantime we will dispose of the other items on the Order Paper.

Hon. Mr. LAVERGNE: I was asking the honourable leader of the Government if he would defer it until Monday.

Hon. Sir JAMES LOUGHEED: No action will be taken on the Bill to-day. It is needless to say that we shall be very glad to have views expressed by any honourable gentleman who wishes to speak upon it to-day. It may be a relief to many to get off their minds any particular feelings which they may have, either in favour of or against the Bill.

Hon. Mr. LAVERGNE: Without having read it, I think it is a very bad Bill. Anyhow, we must read it carefully.

Hon. Sir JAMES LOUGHEED: My honourable friend entirely misunderstands the Bill if he has come to that conclusion.

The motion for the second reading of the Bill stands.

CRIMINAL CODE AMENDMENT. (INSURANCE) BILL.

CONSIDERED IN COMMITTEE—THIRD READING.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on Bill 54, an Act to amend the Criminal Code (respecting Insurance). Hon. Mr. Thompson in the Chair.

Hon. Sir JAMES LOUGHEED: I may say that this Bill has been held over pending the consideration of the Insurance Bill which we have just passed. It is the complement of that Bill; in fact, it is a transfer to the Criminal Code of the sections formerly contained in the Insurance Act.

Hon. Mr. BOSTOCK: Why is it necessary to proceed in that way?

Hon. Sir JAMES LOUGHEED: On account of the action of the Privy Council. Instead of placing the penal sections in the Insurance Act, we can only exercise our jurisdiction by incorporating them in the Criminal Code.

On section 508 D—offences:

Hon. Mr. BOSTOCK: I am unable to see why this provision is necessary. As I understand this clause, it is intended to prevent an agent making a reduction in the first year's premium to the insured. Has any abuse in this regard come to the attention of the Government?

Hon. Sir JAMES LOUGHEED: It practically means that a rebate is made. In modern business, particularly on the part of large corporations, nothing has been more vicious than the allowance of rebates. By this practice agents attempt to outdo one

another in giving away that which should be compensation for the services which they render, and as a result they have to be reimbursed in some other way, which lays a heavy burden upon the insurer or the insured and prevents uniformity being maintained. Without a law of this kind we cannot maintain a low level of insurance rates.

Hon. Mr. BOSTOCK: If the agent has to be reimbursed in some other way I can understand the necessity of such a provision; but if he is giving up something to which he is entitled, I do not see why we should interfere. Is this a new clause?

Hon. Sir JAMES LOUGHEED: No, it is clause 508 D. This is practically a transfer of the clause to the Criminal Code.

Section 508 D was agreed to.

The Bill was reported, read the third time, and passed.

WAR-TIME ELECTIONS BILL.

SECOND READING MOVED—DEBATE ADJOURNED.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 133, the War-time Elections Act.

He said: In moving the second reading of this Bill, which is very properly entitled the War-time Elections Act, I need scarcely say that, from a perusal of the Bill, honourable gentlemen will readily observe that it is somewhat of a departure from established lines. This is not to be unexpected. All measures of this nature, growing out of a condition of war, are approached with more or less caution and sometimes with distrust; but the conditions with which we have been confronted since the beginning of the present war have familiarized us with the principle that extraordinary conditions require extraordinary measures. In dealing with such measures, particularly those affecting the usages and practices of Parliament, we sometimes forget that most of the usages which we look upon to-day as being bulwarks of the constitution originated in times of national upheaval, storm and stress; and so the conditions we are facing to-day compel us to place upon the statute-book measures of an extraordinary character with which many honourable gentlemen are not in sympathy. In considering measures of this character, it is quite natural that there should be a difference of opinion between the Government and its critics or opponents. In the first place, the Government of the day is charged with the administration of government under very trying circumstances. They find an upheaval, not only in public opinion, but in respect to almost every condition of life, by reason of the titanic struggle in which the whole world is now engaged. In the beginning of the war we were called upon to adopt measures to meet the military requirements of the moment and all the exigencies which arose, and we approached that situation with great caution, with some distrust, and with much uncertainty. As the war proceeded, we realized that war is ruthless—that there is no condition in life so ruthless as a state of war. Hence those charged with the responsibility of administering government in war-time very soon realize that the conventions which restrain us under normal conditions, and the sanctity with which we regard the traditions which we have venerated for generations, are not to stand in the way of our meeting the situation which faces us, and which has been brought about by war conditions which they cannot avoid. The critics of the Government, no matter what that Government may be, have not the same experience, through observation, or through actual knowledge of the situation that has to be met, as the Government has. Therefore there are two viewpoints in regard to the legislation which we are called upon to enact from time to time in order to deal with war conditions.

It is not unexpected that the Government of the day has to prepare a Franchise Act, and that that Franchise Act may possibly not meet the views of its more critical opponents. In the early part of this session the Government anticipated that it would not be called upon during the present session to bring down any legislation looking to the holding of a general election. There was an expectation, and properly so, that Parliament would be fairly well united upon the necessity of prolonging the life of Parliament during the war—that both political parties in Canada would recognize the necessity of united action and united sympathy, in prosecuting this war to a successful conclusion. But as time went on such a diversity of opinion developed upon this subject that, desirable though it should have been regarded by all who were in sympathy with our attitude in the war, it soon became obvious that it would not be desirable to ask for a further extension of

the life of the present Parliament, notwithstanding the resolution adopted by the House of Commons in favour of that course. The Government therefore had no alternative other than to make preparation for a general election, and the Franchise Act which we are now submitting to Parliament is the outcome of that conviction.

I think it is regrettable that at such a crucial time in our history the two great political parties in Canada should be facing each other in a general election. This is a time when they should stand united, both in sympathy and in action, in prosecuting this war to a successful conclusion. Under such conditions, therefore, it is natural that the franchise law of the country should reflect the public sentiment of the day with reference to the men who are fighting not only the battles of Canada but the battles of civilization, and placing themselves in a position in which many of them are sacrificing their lives for the protection and the sanctity of our homes and our country.

The Bill is well termed the War-time Elections Act. It gives special recognition to the claims of the soldier upon the legislation which we are enacting to-day. It is not necessary for me to say that military service has long been recognized. Centuries ago it was practically the only service recognized by the autocratic or despotic governments of the age; and from early days down to the present military service in time of war has been regarded as having the first claim upon the Government of the country, no matter what that Government may have been. We need not recall those early days when military service was recognized as giving the soldier the right to loot—the right to act upon the old maxim that to the victor belongs the spoils. We do not need to go very far back in history to reach the time when lands were divided amongst those who were successful in military conquest, and when all possible recognition was given to the heroic soldiers, by monarchs, governments and parliaments. Consequently, when we come down to this day, we find the same principle asserted and crystallized in much of our legislation, and it is not unfair to say, particularly in regard to elections, that those who fight for the country should be the first to receive recognition. If this principle is found to run through the Bill now before us, it is because of that peculiar sense in human nature which, no matter how we try to suppress it, finds its origin and development in those considerations which always appeal most strongly to our sympathies.

This Bill is an amendment to the present Dominion Elections Act. That Act as it stands to-day upon the statute book, with the addition, in italics, of the provisions of the Bill now before us for consideration, has been distributed amongst honourable gentlemen.

This Bill will not be easily understood unless its scheme of construction is first explained. It consists of three sections only. The first section supplies amendments and additions to Part II of the Dominion Elections Act. The second supplies amendments and additions to Part III of that Act. The third is an application section. There is nothing permanent about it. It is a purely war-time measure. Honourable gentlemen will note that section 1 commences with the declaration that "for the period of the war" the Dominion Elections Act shall be " deemed " to be amended in certain respects, and proceeds to indicate in what respects. Each amendment or addition to or change in the Dominion Elections Act is indicated by a letter of the alphabet in brackets. In section 1 these run from a to t. In section 2 they run from a to h.

Twelve years ago, under the previous Administration, the present Part II of the Dominion Elections Act was enacted. It applied to Saskatchewan, Alberta and the Yukon Territory. The system of list-making provided thereby is one of great simplicity, and it possesses the merit that it can be very expeditiously carried out. For this reason, in view of the necessarily restricted period of time that will be available for list-making if a winter-time election is to be avoided, the system of list-making provided by that part has been adopted in the present Bill. In a general way it may be taken that the list-making provisions of Part II of the Dominion Elections Act, which formerly extended only to the provinces and territory mentioned, have been extended to all Canada. There are certain partial exceptions which will be noted at a later stage.

There was a real necessity for this War-time Elections Act, aside altogether from what is contained in it. For Saskatchewan, Alberta and the Yukon it was necessary to prepare voters' lists in any event. The present law so compels. A recent Act of the province of British Columbia, entirely apart from the fact of the inclusion of the names of female voters on the lists of that province—because, as honourable gentlemen

know, the franchise has been extended to women in many provinces—had so provided concerning the allocation of the names of the voters that the application of such names to polling divisions for the purposes of Dominion elections was practically impossible. Hence there has to be more or less elimination in reference to those lists. In the province of Ontario an analogous condition existed. As the result of a change in the provincial law made this present year there exist no voters' lists for that province which can be legally used for the purpose of a Dominion election. In addition to these necessities and complications, the provincial voters' lists of British Columbia, Manitoba and Ontario contain the names of female voters who, as the law officers of the Crown advise, are not in consequence qualified to vote in Dominion elections.

The necessity for list-making being established, the next consideration naturally was the franchise and qualifications of voters. Except where the necessities of the case demanded the application of a different principle, the provincial qualifications have been preserved.

The franchise is proposed to be extended to certain relatives of members of the military and naval forces. It being obviously impossible to apply to such persons the income and property qualifications which are required by certain provinces, only the provincial qualifications as to age, race and residence have been applied to women voters.

In order to make easier the understanding of the admittedly complicated provisions of the Bill, there have been provided in both languages printed copies of Part II of the Dominion Elections Act as it will appear when the amendments, additions and subtractions provided by this Bill have been made. Added matter is printed in italics. The amendments to Part III of the Dominion Elections Act almost all appear in full in the Bill.

The Bill suspends Part I of the Dominion Elections Act for the period of the war, but certain sections of it have been transferred into Part II.

So much for the structure of the Bill. Now as to its contents.

As stated, it preserves as far as possible the provincial qualifications of voters.

It admits to the franchise the mothers, wives, widows, and daughters of all persons who are on active service in the Canadian and British military forces outside of Canada, or in the Canadian or British naval forces within or without Canada.

The principle upon which the extension of a limited franchise to women is based is dual in character. The first consideration is the compensation of those who have undertaken military or naval service. There is a moral certainty that many of them will be unable to poll their votes at the election, and an actual certainty that none of them will be able to exercise their personal influence over others. It goes without saying that the—approximately 400,000 men who are overseas—will not be in Canada for the purpose of exercising either their own voting power or the influence which they would have over an election. It is, therefore, not unreasonable that that same influence should be delegated to those of their families who are permitted to vote.

The second consideration is the recognition of the sacrifice made by those to whom the franchise is so extended. That is to say, by extending the franchise to their relatives, we embodied in this Bill, the recognition of the services which they are contributing to this country.

The Bill disqualifies a number of classes of persons: first, conscientious objectors against combatant military service. If a man objects to fight he should not be permitted to vote. I think that goes without saying. The Bill also disqualifies such Mennonites and Doukhobors as are exempt from military service, excepting such as have volunteered for such service, and naturalized British subjects who were born in an enemy country or whose mother tongue is that of an enemy country and who were naturalized subsequent to the 31st of March, 1902. There are some exceptions, and all who are disqualified from voting and their minor sons are by the Bill exempted from combatant service. As honourable gentlemen will doubtless recall, some years ago we exempted the Mennonites and the Doukhobors from military service on account of their having conscientious convictions upon that subject.

All persons who actually vote at the election become ineligible for exemption from combatant service on conscientious grounds. If a man wants to vote, therefore, he throws off any exemption which he might otherwise claim as a conscientious objector, and becomes subject to military service.

It will thus be seen that the general principle of the Bill is that liability and willingness to serve the state imperilled is the test of the right to the franchise in time of war.

The voters' lists in the four western provinces, Prince Edward Island, and the Yukon Territory will be prepared entirely by enumerators according to the system hitherto in force in Alberta, Saskatchewan, and the Yukon Territory, but with certain added safeguards making possible a judicial revision. The lists of male voters in Ontario, Quebec, Nova Scotia, and New Brunswick, except in the cities of Ontario, will be those in force within the respective provinces. In the cities of Ontario there will be an enumeration followed by a judicial revision. The female voters in all the provinces will be enumerated according to a system which will be explained as the Bill is read.

With these explanations, honourable gentlemen, and feeling assured that the principle which we have embodied in this Bill should appeal to every loyal-minded citizen of Canada, I move the second reading of the Bill.

Hon. Mr. BOSTOCK: If no other honourable gentleman desires to speak at the present moment, I would like to move the adjournment of the debate.

Hon. Mr. RATZ: Before we adjourn, I would like to ask the honourable leader of the House a question. I understand that the Mennonite Church is disfranchised under this Bill; is that correct?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. RATZ: But there is another sect called the New Mennonite Church; would they be disfranchised also?

Hon. Sir JAMES LOUGHEED: If they do not come within the provisions of the Bill they would not be. My honourable friend will doubtless recall the fact that assurances were given to the Mennonites when they originally settled in Canada that they would be exempt from military service. I think that was done by Order in Council. As to whether the class mentioned by my honourable friend would come within that order I am not prepared to say; that is a matter that would have to be investigated.

Hon. Mr. RATZ: Whether this Bill would disqualify them because they belong to what is called the New Mennonite Church I am not prepared to say. I think it would be wrong if it did. The New Church is an offspring of the old Mennonite Church.

Hon. Sir JAMES LOUGHEED: If they are not entitled to exemption they will not be exempt; I mean to say, they will be subject to military service. If they have been exempted by the Order in Council, or come within the guarantees which were given by the Canadian Government at the time the Mennonites came here, of course they are exempt from military service, and they will be exempt from exercising their franchise under the Bill.

Hon. Sir MACKENZIE BOWELL: Can the honourable gentleman inform the House in what respect the new sect differs from the old? Do they hold the same views with reference to military service, or do they bring themselves under the general laws of the country?

Hon. Mr. RATZ: I am not prepared to speak as to the views they hold; but they cannot be exempt by the Order in Council, which I think was passed about 1873, exempting the Mennonite Church.

Hon. Sir JAMES LOUGHEED: I think it was about that time. It was passed when they first came to Canada.

Hon. Mr. RATZ: This new Mennonite Church was born since that date; it is not over ten or fifteen years old, possibly twenty at the outside. If this Bill is made law, and disqualifies what are called Mennonites, these people would be disqualified when they should be legally entitled to vote.

Hon. Sir JAMES LOUGHEED: That would be for the returning officer to determine when he comes to make up the lists. It will be for him to ascertain what the qualifications or disqualifications of the electors may be.

Hon. W. B. ROSS: Can the honourable gentleman tell us whether the difference between the new and the old Mennonites is theological or political, and, if theological, in what way does the theology differ?

Hon. Mr. RATZ: It is not political, because the Mennonite Church. as a rule, takes very little interest in politics. Up to the present time, though some of them have voted the majority have not done so. The difference between the two sects is theological. The New Mennonite Church is more in the form of the Methodist Church.

Hon. Sir JAMES LOUGHEED: Then they will be prepared to fight, I fancy.

The debate was adjourned until the first sitting on Monday.

Hon. Mr. LAVERGNE: I would ask the leader of the Government to fix the time for

three o'clock in the afternoon. I am speaking for others.

Hon. Sir JAMES LOUGHEED: There is no reason why we should not make use of the morning sitting. We will also sit in the afternoon, as the debate will continue all day, I fancy. Of course, there is no necessity for its continuing that long, but I would not be surprised if it did.

The Senate adjourned until Monday next, at eleven o'clock in the morning.

THE SENATE.

Monday, September 17, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

WAR-TIME ELECTIONS BILL.

MOTION FOR SECOND READING—AMENDMENT PROPOSED BY HON. MR. BOSTOCK.

The Senate resumed from September 15 the adjourned debate on the motion of Hon. Sir James Lougheed for the second reading of Bill 133, the War-time Elections Act.

Hon. Mr. BOSTOCK: Honourable gentlemen, in introducing this measure the other day, the honourable the leader of the Government referred to it as a war-measure—a measure that was introduced under exceptional circumstances. He remarked that it was unfortunate that such a measure should be enacted at the present time. His words were:

> I think it is regrettable that at such a crucial time in our history the two great political parties in Canada should be facing each other in a general election. This is a time when they should stand united, both in sympathy and in action, in prosecuting this war to a successful conclusion.

I have to take exception to this statement of my honourable friend, because it leaves upon the minds of the people the impression that both parties in Canada are not anxious to prosecute the war to a successful conclusion. I think that both parties in Canada are anxious to prosecute the war to a successful conclusion. The only difference between them has been as to the methods which should be adopted. Difference of opinion has arisen over the question as to whether men can be got to serve their country better by compelling them to come forward than by leaving it to their own good judgment, their own good sense, and their realization of what we are fighting for, and what it would mean to this country and to the rest of the world if the forces against which we are fighting should be victorious and be in a position to enforce their will upon the world. The situation, as I see it, is so serious that I cannot imagine any man not being inspired with the idea that Canada has to do her utmost to bring this war to a satisfactory conclusion, a conclusion whereby the Allies will be in a position to dictate the terms of peace. This is one of the reasons given by my honourable friend for the introduction of this Bill. It is unfortunate, possibly, that no agreement could be arrived at between the parties; but the method that was adopted by the Government in trying to come to an arrangement was not altogether wise or diplomatic. Had the question been approached in a different way, I think that a different result might have been brought about. But we are not dealing with that question now, and we can only look upon it from the point of view of those who were not immediately consulted in the matter. The question of the extension of the term of Parliament never came up in this House, and therefore we did not have to deal with it.

The Bill before us goes very far in dealing with the franchise. Honourable gentlemen may say that the question of the franchise does not concern members of this Chamber very much. We in this Chamber do not have to go back to constituents to ask for an endorsation of what we have done during the life of Parliament; but we have to consider whether the policy embodied in a Bill such as this is for the benefit of the whole country, is going to appeal to the people's sense of right and justice, and will tend to promote unity in the country; or whether it will tend to disrupt and injure the people, and possibly bring about a condition of things that may be of detriment to the country for many years to come. I think that we on this side of the House are practically agreed that the step taken by the Government in this measure is not a wise one. We think that the Government has not been wise in proposing to disfranchise, as this Bill does, a large number of voters who for many years have been privileged to cast their votes and take part in the public affairs of the country, and to say by their votes what they think of the way in which the affairs of the country are being carried on, and whether they approve of the policy of one party or the other. They will resent

greatly the taking away from them of this privilege at this time. The leader of the Government in another House has never pretended to say that the people who will be disfranchised by this Bill have done anything but behave themselves in a manner that has been on the whole satisfactory to the country. In discussing this question during the short session of 1914, he said:

> We have no reason to believe that those people are inspired by the militaristic tendencies which influence the German Government at the present time, or the Austrian Government for that matter. We have no reason to doubt, and we do not doubt, that these people will be absolutely true to the country of their adoption.

Therefore at that time he had apparently no thought, no suspicion, that any trouble would be created by these people. Then, again, in the succeeding session of 1915 the Prime Minister, in referring to the Austrian and German-born population, said:

> So far as the others are concerned, I repeat what I said in August last, when we were considering matters connected with the war, that those of German birth and those born in the Empire of Austria-Hungary who have come to this country to be citizens of Canada have with very few exceptions borne themselves worthily and well. I believe that I can speak with peculiar knowledge as to this, because it has been part of my public duty to make myself acquainted with their sentiments and with the part which they are taking at this juncture of our affairs.

Honourable gentlemen will notice from the statements made that the Prime Minister speaks practically from personal knowledge. He has looked carefully into the matter and realizes that these people are behaving themselves as good citizens of the country; and up to that time he thought there was no reason to introduce legislation of this kind. Again, when discussing this question during the present session, when this Bill was before the other House, he said:

> I have not a word to say against the loyalty to Canada of these men.

Then, we have the statement of the Secretary of State, who, I think, was responsible for introducing this measure into the House of Commons. He said:

> I am quite free to admit that, taken all in all, those who come from alien enemy countries have, in the main, during the progress of this war, conducted themselves satisfactorily within lines of obedience to the laws of Canada. It is not based on any complaint of that kind that the principle embodied in this Bill is adopted.

Honourable gentlemen will see from those statements, first of all by the Prime Minister, and afterwards by the Secretary of State, that the extraordinary causes which have been suggested as the reasons for adopting a measure of this kind are not due to the way in which the voters who are to be disfranchised have behaved since the war began. I think that if honourable gentlemen will consider the position in which these people have been placed—that they came to this country to get away from conditions which they found irksome, which they disliked, and for the purpose of benefiting themselves and living under conditions which seemed to them more true to the course of life which they wished to pursue—they will realize that these men have a better appreciation, possibly, than even native-born Canadians have of what it would mean if the forces of Germany and Austria were to gain the mastery in the great contest in which we are now engaged. They have been under the yoke; they have known what it is to be ordered around and made to do, not what they thought was right, but what they were told to do, without having any voice in the affairs of their country. Therefore it would come home to them possibly more than to other persons, what the result to this country would be if Germany were to win this war and be in a position to dictate to us what we must do, and take away from us our franchise.

Immigrants have come to this country under arrangements with the Government. The Mennonites and the Doukhobors were brought here under special conditions, and it was guaranteed to them that they should not be called upon to perform military service—that they should not have to fight, as that was supposed to be against their principles. But we know from the records that some of the men—I have not the figures, but no doubt they can be obtained—have volunteered to fight and help to defend this country. Those who have not enlisted, ought, I think to receive consideration from the fact that some of their men anyhow have done so. These people are all to be disfranchised under the proposed Act. A large number of people of other races have been brought to this country. They have come from parts of Europe which are, it is true, under the rule of Austria or Germany at the present time, but they belonged to a nation which has been fighting for its freedom for a great many years, and they are not in sympathy with the ideas of their rulers. They were opposed to the coercion which was placed upon them in their own country, and they would naturally object

to being brought back under the rule from which they escaped when they left Europe. Therefore I think that the Government is making a great mistake in proposing to disfranchise these people at the present time. I think that if the matter were properly placed before them, they would realize that it is to their own interest to do everything they can to help this country in winning the war, and would be possibly the last people who would want to vote for a party which they thought were opposed to this country doing their utmost to win the war.

I would like to refer, honourable gentlemen, to the arrangement that was made with such people at the time they came to this country. The Act, chapter 77 of the Revised Statutes, has a certificate which is given to them on their entering this country. The certificate contains the following words:

> This is therefore to certify to all whom it may concern that under and by virtue of the said Act.....has become naturalized as a British subject, and is, within Canada, entitled to all political and other rights, powers and privileges, and subject to all obligations to which a natural-born British subject is entitled or subject within Canada, with this qualification that he shall not, when within the limits of the foreign state of which he was a subject (or citizen) previous to the date hereof, be deemed to be a British subject unless he has ceased to be a subject (or citizen) of that state, in pursuance of the laws thereof, or in pursuance of a treaty or convention to that effect.

After they receive that certificate they are British subjects except when they go back to their own country. It is assumed that when a war such as the present one breaks out, if these people wanted to retain their citizenship of the country from which they came, they would naturally try to go back to their own country. As I understand, the laws of the country from which they came require that they shall go back to fight for their country; and, if they do not go back at the present time in order to assist their own government in carrying on the war, they deprive themselves, so to speak, of citizenship in their own country. Honourable gentlemen no doubt have met at different times, men from European countries who have stated that they could not go back to their own country because they had left it in order to escape the obligation to perform military service, of which they did not approve. Such men, by not returning to their own country at the present time, have practically cut themselves off from citizenship in that country, and therefore they are all the better citizens of Canada.

Further, section 24 of the Naturalization Act, which is headed, "Rights of Aliens Naturalized," reads:

> An alien to whom a certificate of naturalization is granted shall, within Canada, be entitled to all political and other rights, powers and privileges, and be subject to all obligations, to which a natural-born British subject is entitled or subject within Canada, with this qualification that he shall not, when within the limits of the foreign state of which he was a subject previously to obtaining his certificate of naturalization, be deemed to be a British subject, unless he has ceased to be a subject of that state in pursuance of the laws thereof, or in pursuance of a treaty or convention to that effect.

The certificate is worded practically according to the section of the Act. When we passed that Act we guaranteed to these people that they should have

> "The rights, powers and privileges, and be subject to all obligations, to which a natural-born British subject is entitled or subject within Canada."

As far as I know, there is no reason why those persons should not be performing the obligations that are imposed upon them. If it is necessary under the Conscription Act, there is no reason why they should not be called upon to perform their duties just the same as any other citizens.

Further, these men in any event, even if they are not called upon to go and fight for this country, are subject to taxation. They must bear their just and fair share of taxation which is necessary in order to provide the Government with funds for carrying on the war.

These men, I understand, have also been prominent in raising money for the purposes of the Red Cross Fund, the Patriotic Fund, and such other funds as have been raised throughout the country since this war began. Therefore, as far as such duties are concerned, they have been prepared to do everything they were called upon to do, and they have, I think, done their fair share—in some cases possibly more than other classes of people.

In bringing forward this measure, the Government have dealt with certain classes, but I want to tell the honourable leader of the Government here that my experience in the province from which I come has been that there are other classes of people who have shown that they are not altogether in sympathy with this war. Not that they are opposed in any way to Great Britain, but they are opposed to the treatment which they have received in the past from some of our Allies. In their behaviour

those persons are, if I may say so, just as dangerous as anybody else in Canada. Yet, as I understand it, this Bill does not deal with that particular class of men; they will be entitled to vote just as they have always been. If there were any real, solid, sound reason for bringing forward this Bill to penalize certain classes of people in the manner proposed, it should have been made wider than it is in order to safeguard the country from the votes of all these people, if that is the purpose for which the Bill has been introduced.

In regard to another class of persons dealt with under this Bill—I refer to the women voters—I think that the Government is going to cause a great deal of trouble throughout the country. In the West there are now four provinces which have given votes to women, and in one of them there is already a lady member of the legislature. In all probability, had it been possible, there would before now have been ladies as representatives in one of the other provinces. I ask the members of the Government whether they think that women who have been granted the privilege of voting on provincial matters and have been agitating for the privilege of voting in Dominion elections will be well satisfied with the limited kind of franchise which is being granted to women under this Bill.

A large number of the women most prominent in the organizations which have been started in the various provinces to agitate for women suffrage are women who will not be entitled to vote if this Bill becomes law. These women have taken a very prominent part in Red Cross work, in work for the Patriotic Fund, and in the various societies which have been organized for the purpose of assisting in this war. They will naturally feel that they have done as much as the women who are to become entitled to the vote because some of their men have gone to the front or some of their sisters have gone overseas as Red Cross nurses. The women who are not granted the right to vote will naturally feel that a kind of stigma is being placed upon them, implying that they have not done as much as women who have gone to England and acted as nurses or taken up other work of that kind. I think that if the Government was prepared to give the vote to women it has been badly advised not to give it to all the women of the country.

In connection with this matter there is the further question whether, under the Dominion Elections Act, women who have the right to vote in the provinces are not entitled to vote at a Dominion election. Section 10 of the Franchise Act, which is headed "Qualifications," reads:

> The qualifications necessary to entitle any person to vote at a Dominion election in any province shall, except as herein otherwise provided, be those established by the laws of that province as necessary to entitle such person to vote in the same part of the province at a provincial election.

The Government proposes by this Bill to use the provincial lists. The women's names will be on those lists; therefore, as I understand it, the enumerators in making up the list for the Dominion election will strike off the names of all women whose sons or husbands were not in a position to go to the front, although these women may have done a great deal more work in Canada to assist in carrying on the war than some other women who have had sons or husbands to go to the front. I know it has been held that that clause of the Franchise Act does not qualify women to vote; but the question turns on the narrow interpretation of the word "person"—whether or not the word "person" includes a female person as well as a male person. The legal interpretation that women are not included is a matter which, I submit, would not appeal to the ordinary person in Canada, and when it is brought home to the women of Canada that that is the interpretation placed on the clause they will feel that the Government has done them a great injustice in not allowing them to vote in those provinces in which they already have the right to vote in provincial elections.

I have endeavoured to point out that the introduction of this Bill, has in my opinion, not been considered as carefully as it should be. The Government, in following up their action in bringing down a Bill to give the soldiers a vote, might consistently have carried out the principle that none but those persons immediately concerned in the prosecution of the war should have a vote, in which case they would have excluded every honourable gentleman in this Chamber, because we, on account of physical conditions are exempt from taking an active part in the war.

Hon. Mr. CLORAN: What about Colonel Fowler?

Hon. Mr. BOSTOCK: Had they followed out that principle, it might have been regarded as at least a reasonable excuse for them, and it would have accorded with the principle referred to by my honourable

friend (Hon. Sir James Lougheed) in his speech the other day, that military service had in the past been held as the best qualification for the vote. We have gone a great deal further in Canada than has been done in England in giving votes to our soldiers who have gone to the front. As far as I am aware, no question has ever been raised in England about giving the soldiers at the front a vote. The law in England to-day, I understand, is that a soldier has the privilege of exercising his franchise only as a civilian. He cannot in his capacity as a soldier go and vote at an election. I think that is due to the old tradition that the people of England were always very chary of allowing any such organization as an army must naturally be to cast their votes and possibly affect the opinion of other people in the country. I think it is well to point out to honourable gentlemen this fact, although I quite agree that, considering what the soldiers are doing for this country, the Government has done the right thing in giving them an opportunity to vote. However, the Government has not adopted the principle that only those who are engaged in military service shall have a vote. When we look at the clauses of the Bill, it appears that the Government have proceeded on an entirely different principle. They have done away with the provincial lists, and have provided for special enumerators to be appointed for the purpose of compiling the lists for the elections. These men will strike off such names as they think should be struck off, and will put on names which they think should be put on the list. It lies practically in the hands of these enumerators to make up any kind of list which they think is advisable. It is only natural to assume that these men will be appointed by the party that is in power, and therefore their sympathies will be with that party, and they will naturally try to do all they can to put on the list the names of those persons whom they know to be favourable to the party in power.

The practical effect of this Bill, as I see it at the present time, will be that we shall have lists which have been compiled beforehand for the purpose of returning to power the present Government. I am not saying that the present Government should not be returned to power, but I do say that the Government should be prepared to take the fair sense of the people in an election on a just and equitable basis. It does not look like fair play, or, as we say in England in games, it does not look like playing the game to start in and make up the lists first of all and say, "You must vote on those lists." I think the sense of justice and fair play in the minds of the people from one end of this country to the other will make them consider that the Government, in bringing down this measure, has not given them a fair and square opportunity of expressing their opinion of the way the affairs of this country have been conducted in the last six or seven years. They will, feel that it is not playing the game for men who naturally will be in favour of the party that is in power to start in and compile the lists.

I think one great danger of this Bill is that, instead of helping the Government, as they must have thought it would do when they brought it in, it will militate against them. A large number of people, who thought that the Government had tried to prosecute this war to a successful issue, will be led to consider that if the Government have to go to such a length in order to retain power there must be something wrong with their administration, and that they are not capable, as they should be, of sizing up the situation properly in the country and of realizing what the people of Canada to-day are thinking about. The Government do not seem to think that the people of Canada as a whole are in favour of winning this war, when they deem it necessary, in order to carry on the war, to adopt measures that we might have expected the Kaiser himself to adopt. The Government are not prepared to give the people a chance of expressing their opinion fairly and squarely; but they want to arrange that only those who they think are favourable to themselves should have a vote. I do not think we can turn to any phase in the history of the world when that kind of policy pursued by any government has been a success. The people naturally revolt against any such thing; they do not like to be told that they must do this thing or the other thing; they much prefer to be free to use their own judgment and opinion, and to vote as they think best in the interest of the country.

Therefore, I think the Government will find the great danger from this legislation is that it will not accomplish the object for which it has been introduced. I think honourable gentlemen will see, from two telegrams I have personally received from the women of British Columbia, that a very strong agitation will arise there when this Bill has become law. On the 8th September I received the following telegram

from the United Suffrage Societies of British Columbia, signed by the lady Secretary:

Have wired premier following: United Suffrage Societies protest against Election Act now before House re women suffrage, which disfranchises women of British Columbia. Object to any extension of franchise to women except on same terms as to men. Demand federal franchise to women who are qualified as men are qualified.

Then on the 8th September I received this further telegram:

Women's Liberal Association, Vancouver, desires to record extreme disapproval War-time Elections Act. While warmly approving of the proposal for according franchise to near women relatives of the soldiers, we regard the refusal of the vote to the rest of the women of Canada as a breach of faith on the part of the Government and an unpardonable affront to every elector.

(Sgd) Annie C. Wilkes.

Those two telegrams show the feeling of the women in British Columbia to-day in regard to this legislation which the Government has thought well to bring down. I do not think it a wise policy, in the Government's own interest, that they should set those associations of women throughout the country against them. So far we have not had enough experience of women's influence in elections, when they have a vote and taken a keen, active interest in it, to know exactly what that influence will amount to, or how far it will extend. But I think if the Government succeed, as they seem to be succeeding, in setting against them those women who take a prominent part in the discussion of these questions, they will find that they have stirred up a very powerful and effective force which will not assist them in attaining the object they have in view, but will be very much of a detriment to the Government.

With regard to the Bill itself, I propose to refer to certain portions. First of all, on the question of registration, I find that under this Act no notice is given when the enumerator starts to make up the list. The enumerator in the Yukon Territory has to give notice that he is about to compile the list, so that the public may know, first of all, who the enumerator is, and, secondly, where he is to be found at certain times, and that he has started to make up the list. But that provision only applies to the Yukon Territory. In the rest of the country the enumerator has not to give any notice to the public until ten days, I think it is, before the day of polling, when he has made up the lists, and is prepared to receive protests from people who claim that their names have been improperly left off the list. I think it would be very much better if the public knew at once, as soon as those enumerators were appointed, who they were, also where their office was, and when they were to start on the work of making up the lists.

Again, I think it would be very much fairer if it could be arranged that the enumerators should compile the lists finally on a certain date. As I read the Act, the enumerator is on hand on the polling day, and a voter who is left off the list can go to him on that day; but there is a confusion of terms in the Bill, as it appears to me, for I cannot see how the enumerator is to be simultaneously at every polling station in a riding. If there is to be an enumerator appointed for every polling station throughtout Canada, I do not know whether the Government will be able to get a sufficient number of enumerators to fill the positions; if they do, there will be very few except enumerators left to vote. The difficulty will be considerable, unless, of course, the Government are prepared to appoint ladies as well as men to act as enumerators. The list is really not final until the day of polling; and at that time a voter whose name has not been placed on the list can obtain a certificate and vote upon that. But the objection comes in that if an enumerator is not altogether satisfied with the statement made by the voter, he gives him a certificate in a certain form, which I understand is not counted at the time of the election, but becomes what is called a "tied ballot" in the western provinces, where this system of voting has been carried on in the past. That tied ballot is taken by the deputy returning officer and put on one side, to be used at a later stage if a recount of the votes is demanded. It simply means that the man whose vote is left off the original list, or is not added to the list before polling day, has to wait about for perhaps a fortnight, three weeks, or a longer time in order to come before the judge at the recount. I think that is a very objectionable method to pursue at the present time, because it either means that such voters will be kept away from their regular work for a considerable period, or that their votes will never be produced on any recount at all; because if the voters have to wait about in order to attend this court, they will not know for some time whether there is to be a recount or not, and that will very materially interfere with their work and business. I do not think we should adopt an arrangement of that kind

at the present time, when the Government should be doing everything they can to assist the voters in carrying on the necessary work of the country. Honourable gentlemen know that from one end of Canada to the other we are short of labour in every walk of life; we require more help to carry on the business of the country; and if men are to be taken away from their ordinary vocations, and in order to get their votes in, have to wait around to ascertain whether there is going to be a recount of the vote or not, a very great mistake will have been made.

I have tried to show that this is not the kind of measure that we should be putting through this Parliament. If the Government realize what has been going on in the rest of the Empire since the war began, and what it has meant for the British Empire to have a man like General Smuts going to England and taking part in the Imperial conferences that were held in the beginning of this year—a man who was fighting against Britain in the South African war, but is now fighting for the Empire and has been doing some of the finest work, that has been done by any General—I think they will realize that a policy of the kind embodied in this Bill is a big mistake. I think the greatness of the men of the British Empire was shown after the Boer war, when they turned around and gave the people of South Africa a federation, at a time when it might almost be said their rifles were still smoking; but those men have appreciated the freedom and privilege then given to them, as shown by the great work they have done for the British Empire in South Africa in consequence of having been treated with justice and consideration, and as honourable and straightforward men, and not as men who could not be trusted to do their best to develop the resources of the country which was given into their charge.

I therefore think that the Government has made a very great mistake in bringing down a measure of this kind at the present moment, and I desire to move:

That this Bill be not now read a second time, but that it be resolved:

That, in the opinion of the Senate, it is not desirable, as provided by the said Bill, to disfranchise large numbers of the people of Canada who have taken the oath of allegiance, have been guaranteed the rights of citizenship in the name of His Majesty the King, and have not failed to discharge all the obligations of citizenship;

And further, that it be resolved, that any measure granting the franchise only to a limited number of women as provided by the Bill is not in the public interest, and fails to recognize the splendid patriotic work that has been performed by the women of Canada generally during the present war.

Hon. L. G. POWER: The honourable leader of the House gave a somewhat interesting account of the reasons which had led to the introduction of this measure. Now honourable gentlemen, I purpose to give the causes which in my opinion, have led to the introduction of this measure. In order to form a correct opinion on that subject, I think we should go back to the election of the year 1911, and consider how that election was won. For one thing, it was held that the Conservative party were on the side of loyalty while the Liberal party were the disloyal party. At the same time that cry was raised in certain part of the country, particularly in the province of Ontario, there was, in the province of Quebec, supporting the Conservative party, a body of men known as Nationalists, whose leaders professed to be disloyal, and one of whom, who afterwards became a minister, proposed to shoot holes in the British flag. These two parties, who differed very much in alleged principles, had one bond of union: they were bound to down the Liberal Government and some of them, particularly those who came from the province of Quebec, were determined to oust Sir Wilfrid Laurier from office.

From the year 1866 this country had been most anxious for a renewal of the reciprocity treaty of 1854, or for some measure approximating to that treaty. Up to the year 1911 Liberals and Conservatives unanimously and strenuously advocated reciprocity with the United States. In that year the late Minister of Finance, Mr. Fielding, and his colleagues succeeded in coming to an agreement with the United States, which was practically a renewal of the old reciprocity treaty. I remember when the agreement was laid on the table of the two Houses, that, there was a feeling of surprise that Mr. Fielding had succeeded in making so advantageous an agreement. When the agreement was laid on the table of this House, a senator from New Brunswick, who is not now in his place, said to me: "That measure will add $50 to the value of every acre of cultivated land in New Brunswick." As I have said, there was surprise that so advantageous an agreement should have been arrived at. At first the Opposition of that day were apparently dumbfounded. There was a meeting held, I understand at Toronto, which was attended by a gentleman whose name has figured somewhat in the newspapers of late. I refer to the knight who has been writing letters to the papers,

contradicting statements made by independent gentlemen respecting what he has said. That gentleman, it is understood, was the great mover in preventing the people of Canada from accepting the reciprocity agreement. Honourable gentlemen who are old enough will remember that during that campaign the British flag was waved—that is, in the regions where it was safe to wave it—and an appeal was made to the loyalty of the people, not to deal with the Americans, or, as the expression was, "to have no truck or trade with the Yankees." These appeals were successful in a way—to a certain extent at any rate. Men who did not recall the prosperity which had accompanied the old reciprocity treaty did not realize how important the new agreement was; the appeal to their loyalty carried them away; and large numbers of people voted against the Government of the day on the question of loyalty as against reciprocity. That is one of the causes which led to the defeat of the late Government. While in the province of Quebec it was thought that the Government of the day was too pro-English—not sufficiently French—in the province of Ontario there was a good deal of work done by trotting out what was called the Ne Temere decree. The Ne Temere decree had nothing to do with politics, and was laid aside immediately after it had done its work in helping to win the election for the Conservative party. Another of the grounds on which the Conservatives asked the support of the electorate was the extravagance of the Laurier Administration. As a result, the Conservatives won, and I remember thinking that a victory gained by such means would probably not prove very lasting.

I have tried to put in a rather rough way the expressed policy of the Conservative party before the election. Now, what were the results? One of the first things that happened after the election was that these gentlemen, who were so keenly British and loyal, cut down the British preference to almost nothing. In addition to that, they increased the duties on British goods. Then, whereas we were to have nothing to do with the great republic to the south of us, this Government has had far more to do with the United States than any previous Government in Canada. They have been mixed up with the United States in an unprecedented way, financially and otherwise. The gentlemen who complained of our extravagance, have increased expenditures to an enormous extent in every way. Take, for instance, the cost of civil administration in the various departments. Within two years after the election, the cost of running some of the departments had increased 50 per cent. I am not given to talking about corruption and that sort of thing, but undoubtedly there was a great deal of graft and a great deal of improper dealing in connection with financial matters. In addition to that, honourable gentlemen, the Government showed a great want of capacity in dealing with everything, more particularly dealing with the war. That, of course, is the thing which hurts them most now. As a result of the conduct of this Government, unpopularity developed, and if, at any time after the year 1915, the Government had gone back to the electorate which elected them in 1911, they would have been defeated. For a while I think the Government were not aware of the fact that their popularity had disappeared; but by the beginning of the present year they had become perfectly satisfied, I think, that if they went to the country on their record —the same country that had elected them in 1911—they had no chance of success; and, honourable genlemen, it is unnecessary to say that they were not prepared to accept, if they could avoid it, an election in which they were sure to be defeated. There was a good many years ago a member representing an Ontario constituency who used in the House of Commons an expression which has occurred to me a great many times, and with which several honourable gentlemen here are no doubt familiar. It was Mr. Joe Ryman as he was generally called. He said, speaking of the Liberal-Conservative party, that a she-bear, robbed of her cubs, was mild when compared with a Liberal-Conservative out of office. I do not say they have perjured themselves, but they have violated their promises; they made promises which they never intended to keep, or at any rate did not keep; and then, when they found that the time had come when they must go back for re-election, they had to resort to various devices to bring themselves back into power and to stifle the voice of the people who elected them in 1911.

The first step was the Conscription Act. That Act was not necessary as I think we made clear a couple of months ago. The leader of the Government had declared, in the year 1916, that there was no intention of introducing any such measure. At the time that measure was introduced, the number of recruits, quite appreciably

exceeded the number of casualties, and there were 100,000 odd Canadians in reserve in England, so that there was no necessity for conscription; but it was supposed that the Conscription Act afforded an opportunity of damaging the Opposition of the day and of strengthening the Government.

The Military Voters' Bill, which followed conscription, is in some respects fair enough, but in other respects it is very unfair and very objectionable. Honourable gentlemen will see that that Bill allows a man to vote who has never been in Canada, who knows nothing about Canada, who cannot indicate a constituency in Canada in which he resides, or in which he wishes to vote. It enables the Government practically to handle all those votes, and to utilize them—for the purpose of retaining themselves in power. As I said the other day, I understood that there were at least 5,000 citizens of the United States in the Canadian military forces, and those men will all have votes which will be put just where they will do the Government the most good. Then there was the Canadian Northern Railway Bill. The conduct of the Government in forcing that measure through is inexplicable on any other supposition than that they expect to get a "quid" for the "quo" that they are giving the Canadian Northern Railway company. I think it is not to be supposed that business men like the present Government would press a measure of that kind through if they did not expect to be reimbursed in some way.

They have capped the climax with this Bill. I do not propose to go over the ground so well gone over by the honourable the leader of the Opposition. I shall not say very much about the measure; but I call attention to this fact, that the war is supposed to be a war to put down militarism, and to secure freedom, individually and collectively—freedom of speech and freedom of action. Is that the character of this Bill? On the contrary, this Bill is Prussian in its character. It disfranchises unjustly and enfranchises unreasonably.

I shall call attention to two or three features of this Bill which bear out what I have just said as to unreasonable enfranchisement. I do not propose to repeat what has been so well said by the honourable gentleman who preceded me (Hon. Mr. Bostock), but I call the attention of the leader of the Government to a couple of points wherein I think the Bill is at any rate susceptible of improvement. On the first page of the Bill, by clause 33A, every female person is given a vote who is the wife, widow, mother, sister or daughter of any person, male or female, living or dead, who is serving or has served without Canada in any of the military forces, or within or without Canada in any of the naval forces of Canada or of Great Britain in the present war. I think a good many honourable gentlemen are under the impression that this authorizes only one female relative to vote; if they will examine the Bill carefully, they will find that it means more than that. By passing the Military Voters' Bill, we did the best we could to give to the soldier who was actually in the field an opportunity to cast his vote. There has been no objection to that. There might be something to be said in favour of giving a vote to the nearest female relative of that soldier; but this clause that I am speaking of now gives the franchise not only to the nearest female relation, which I think is the proper expression, but to the wife, widow, sister, mother or daughter of any person, male or female, who is serving or who had served, without Canada in any of the military forces, or within or without Canada in any of the naval forces.

Hon. Mr. WATSON: What about the grandmother ?

Hon. Mr. CROSBY: It should have been their sisters, their cousins, and their aunts.

Hon. Mr. POWER: I am glad that the honourable gentleman has called up his Pinafore recollections. That is just what occurred to me. A man's wife may vote, his mother may vote, his sister may vote, his daughter may vote.

Hon. Mr. CLORAN: And his widow.

Hon. Mr. POWER: A friend to whom I was talking the other day said, "Under this Bill we shall have seven votes." He is a good Liberal, too. He had a son at the front, and as a result he and his wife and several daughters have the right to vote.

Hon. Mr. CLORAN: Would the honourable gentleman ask if a divorced wife can vote? There are so many divorces in the Senate I would like to know.

Hon. Mr. POWER: I think the honourable the leader of the Government must see that that is a most objectionable thing. You add half-a-dozen voters in the case of a man who has gone to the front, and you take away the vote from a deserving class of the population who do not happen to have gone to the front. I cannot understand why, for instance, the Mennonites and the Doukho-

bors and other people like those should be disfranchised, or why the conscientious objectors should be disfranchised.

Hon. Mr. McSWEENEY: What about Mormons?

Hon. Mr. POWER: They are not disfranchised. As I say, I cannot understand why those classes should be disfranchised. The conscientious objector has always been excused from serving in the militia or from going to war, and this election does not deal simply with the war. The Government have to appeal to the country on their record, and the war feature of their record is only one of the features; and to disfranchise a number of citizens who have conducted themselves properly and who have for years been exercising the right to vote, because they have a conscientious objection to taking an active part in war is something that I cannot understand. These same people, as I understand, have subscribed towards the Patriotic Fund and the Red Cross Fund and have done a great deal of valuable work in that way.

The honourable gentleman who preceded me quoted something from a speech of the right honourable leader of the Government telling how much he appreciated the foreign voters, persons of enemy nationality, and how satisfied he was with their conduct and all that. Well, that was very pleasant, I have no doubt; but that language of the right honourable leader of the Government, when taken in connection with this Bill, reminds me very much of a quotation that a former colleague of mine was rather fond of:

> 'Tis all very well to dissemble your love,
> But why do you kick me down stairs?

I do not propose to speak any longer, and I am not likely to take a very active part in the committee stage; but I think that in the first clause that the word "complete" before the word "demobilization" should be stricken out. We struck it out of the Military Voters' Bill. The clause should read:

> During the present war and until demobilization after the conclusion of peace.

That is quite enough. Leaving in the word "complete" might lead to difficulties, trouble, and misapprehension. It occurs again in the second clause. "Demobilization after the conclusion of peace" is sufficient without the word "complete".

I desire also to call the attention of the honourable leader of the Government to the character of the penalty provided in subsection 3 of section 2:

> Any person, who being disqualified from voting—

By any of these paragraphs, that is, any Mennonite or foreign-born voter who is not supposed to be qualified under this Bill when it becomes law, is:

> —guilty of an offence and liable upon indictment or summary conviction to a fine not exceeding five hundred dollars and costs, or to imprisonment for a term not exceeding two years; or to both such fine and such imprisonment.

Fancy a poor, ignorant man in a remote district, a foreigner who has been in the habit of voting and is not familiar with the contents of this Bill. He goes up to vote, and if he happens to get in his vote he is liable to two years imprisonment and a fine of $500. I think that is a most objectionable and outrageous provision.

I do not think, honourable gentlemen, that I shall trouble the House any more just now.

Hon. H. J. CLORAN: May I ask the honourable leader of the Government if any of the supporters of the Government are going to give their views on this measure? I would like a little inspiration.

Hon. Sir JAMES LOUGHEED: Inspiration, did my honourable friend say?

Hon. Mr. CLORAN: I am not quite finished. What I would like to know is this: whether or not the supporters of the Government have been counselled not to give or have been debarred from giving their views on this question?

Hon. Sir JAMES LOUGHEED: No, they have not been debarred.

Hon. Mr. CLORAN: Have they been counselled not to do so?

Hon. Sir JAMES LOUGHEED: They all so heartily agree with the Bill that they may not wish longer to defer it.

Hon. Mr. CLORAN: Does the honourable leader of the Government agree with it? He spoke for half-an-hour, but his heart was not in the exposition of the subject, as I listened to it last Saturday. I have just been reading it now. The honourable leader of the Government in disposing of government measures generally does so with earnestness, with force, and with fire. Take, for instance, the Conscription Bill. Never was a Government Bill put before this honourable House with more vim,

fire, force and earnestness than were shown by the honourable leader of the Government in introducing the Conscription Bill. In his exposition and explanation of the provisions of this Bill there were none of these elements whatever. He seemed to be at a loss, notwithstanding his ability, his capacity and his brightness, to say what ought to be said to convince an intelligent body of men of the necessity and propriety of this Bill. I do not blame him. I believe the honourable leader of the Government is too honest a man to have his heart in a measure of this kind, although he may put it before this House owing to his obligation as a minister.

This measure, to my mind, is both impolitic and unrighteous, and, if I may be allowed to use the word, it is a fantastic measure in every respect.

The measure is impolitic. Why? Because the provisions of this Bill make for the undoing of a united people in Canada. This Bill is impolitic, for it makes against the growth and development of Canada in the future. It is impolitic because it introduces into our legislation distinct elements of injustice, distinct elements of unfairness, distinct elements of betrayal by the Government of the day, against the citizens of this country. It is impolitic all along the line. It is impolitic because it makes for the disruption of the people of Canada, by disfranchising good citizens of ten, fifteen, twenty or thirty years standing, who have worked here day in and day out, year after year, developing our farms, cutting down our forests, delving in our mines, running our banking and other financial institutions, insurance companies and others, men who have attained high positions in all the professional walks of life—in medicine, in chemistry, and in law. At all such men—and there are thousands, probably hundreds of thousands, in this country—the finger of scorn is to be pointed by their fellow-citizens. They are to be told that the Government of Sir Robert Borden has suspicions of their fidelity to the Crown and their devotion to their country. They must be regarded as parasites, as men unworthy of public confidence, although they have enjoyed public confidence for the past twenty years in public positions, in provincial legislatures, in municipal councils, even on the floor of this Parliament. After all that service, this Government dares come before the country and tell such persons that they are no longer to be trusted, that they are to be treated as slaves were treated under the Roman Empire. What does the Government mean?

This measure will have the effect of stopping the growth of Canada. Sir George Foster, the Minister of Trade and Commerce, an able, far-seeing man, has often stated during the past three years, while he was roaming over the face of the earth in connection with trade matters, that after the war, in a year or two, Canada would have a population numbering from 15,000,000 to 20,000,000 or 25,000,000. He did not have this Bill. This Bill will be a great advertising poster in European countries. Sir George Foster did not have the provisions of this Bill placarded on his private car, or in his office, telling the people of Europe: "You can come to Canada, but your rights, power, privileges and liberties as citizens of Canada will not be guaranteed." That is what this Bill says. How many European men, who are fighting to-day to do away with the terrible curse of militarism and autocracy, will come to Canada, with this Bill in force, stating that their rights as free men, as independent citizens, cannot be guaranteed for 24 hours; that their naturalization papers in Canada are no more than was the treaty between Belgium and Germany—" a scrap of paper." Why, Germany was guilty of no other crime when this war started. Germany was guilty of only one crime, and that was the crime of having disregarded the treaty between the powers and Belgium, and of Bethmann-Hollweg saying to Sir Edward Grey: " That treaty is only a scrap of paper." That was the initial crime, the crime which has brought about all this disaster, this flood of blood and treasure.

What is this Bill going to do? Every certificate of naturalization is to be thrown into the waste-basket as a scrap of paper, because the Government of the day is afraid to trust those to whom naturalization was granted. I ask that Sir George Foster, the next time he goes on one of those roaming trips in favour of immigration, trade and commerce, will fully explain the provisions of this Bill, to be fair and frank. We want no false pretense or deceit to inveigle Europeans into this country. Defeat and false pretense are no foundation for statesmanship—none whatever; and this Government has given us examples, under very grave circumstances, of deceit and false pretenses. If there is a crisis to-day in one portion of this Dominion, it is not due, as Colonel John Currie said, to lack of patriotism or loyalty on the part of the right honourable the leader of His Majesty's loyal

Opposition (Sir Wilfrid Laurier). That was a contemptible remark to make and I fling it back in his face, and say: "No; if there is a crisis to-day in certain quarters of the province of Quebec, if there are outlaws, or violations of the law, they are due to the deceit and false pretenses of Borden's Conservative and Nationalist Government. The ministers and emissaries of the Government, seven months ago, went into the province of Quebec and told the public men of that province, and told the hierarchy of that province, that if the people of Quebec would sanction and abide by the National Service Act there would be no conscription. That is a statement of a fact. They deceived the hierarchy. Not that I claim for the hierarchy of the province of Quebec any more rights than I would claim for the moderator of the Methodist Conference or the Chairman of the Presbyterian Synod or any other synod. I do not claim for the hierarchy of Quebec any more right or privilege or power than I would claim for the Grand Master of the Orange Order. I do not claim that the hierarchy of Quebec have any more right to take part in public affairs than the heads of any other church in the Dominion of Canada. But what I do claim, what we will have—and what we have we hold—is that the hierarchy of Quebec have equal rights and equal privileges with the heads of all other church unions. Sir Robert Borden, through his ministers and emissaries, went into the province of Quebec and cultivated a feeling among the French Canadians of that province; but they found that when they were deceived and betrayed and lied to. The other day on the train, a prominent archbishop was approached by one of the Government officials on the floor of the House, who offered his hand, when the archbishop said: "No; I shake hands with no man who lies on public matters as you have lied to me."

There is the condition of things, brought about by the deceit, the treachery and the false pretense of the Borden Government, of which you are all mute defenders. Oh, honourable gentlemen, it is not pleasant for a man to address a deaf and dumb institute such as you constitute here to-day. You are both deaf and dumb. You have no opinions to offer on these important questions. You had none on the Military Voters' Bill. You had very little, if any, on the great public steal of the Canadian Northern Railway Bill. You had a little—well, some of you had some good opinions on the Conscription Bill. On all these Bills which have been staged on the parliamentary platform of this country you have been silent actors. What is it they are called on the stage? They have a name for a man who is a silent actor. You are all silent actors. Nobody knows what they think, what they feel. Now, is that not hard for a country to look at—a deaf and dumb party on the floor of this Parliament?

Hon. Mr. POIRIER: You are not one of them.

Hon. Mr. CLORAN: There is the position. This measure is politics in every sense of the word. But is it righteous? Well, I do not think you will find it very right that the first ladies of the land, the wives of the knights of the Empire, will have no right to vote. The wife of the right honourable the Prime Minister of Canada will have to remain at home, while her maids, her servants, go and vote. The wife of the right honourable Sir Wilfrid Laurier, leader of His Majesty's loyal opposition, will have no right to vote. The wife of the right honourable Sir George Foster, Minister of Trade and Commerce, will have no right to vote. The wife of the great Lord Bacon —no, Lord Flavelle, the baron—will have no right to vote. The wife of Lord Atholstan, the proprietor of the Montreal Star, will have no right to vote. And so on, and so on. Is that right? Why does not the deaf and dumb institute answer? Is that right? I could go on and enumerate many ladies of high degree, of distinction, and many notable women apart from being titled—noble young women and noble matrons, the cream of society, not only in Ottawa, but in every fairly large centre in the Dominion of Canada, who are working day and night for the welfare of our boys at the front, knitting socks, making shirts, cutting out this and that for the welfare of the boys, sending them literature, magazines, and so on, sending them a little chocolate once in a while, and a few cigarettes—these women and their daughters, spending their time, energies, talents, devotion, for the work of the army, and to help in the prosecution of the war—the deaf and dumb institute will not give them a vote under this Bill. Is that right? And this Conservative party will not give the right to vote to the hard-working wife of the farmer along the concession lines, working from four and five in the morning until late in the evening. She has no right to vote; and not only the wife, but the daughters and the sisters have no right to vote. The wives and daughters and sis-

ters of munition workers have no right to vote under this Bill. So I denounce this Bill before the country as a most unrighteous and unfair Act. The Citizen of Ottawa this morning tried to justify this Bill on the ground that the Government could not grant equal suffrage to all women at once. Then, why not give it to women who have earned the suffrage by their meritorious work, their intelligent and devoted work in the cause, instead of to girls and widows and women who never worked except to go and draw allowances and contributions from Patriotic and Red Cross funds? The Citizen argued that this was a war measure; but a war measure should have applied to those people who will be in a position to vote intelligently because they know the economic conditions of Canada, who keep posted in the political affairs of this country, who are in touch with its public men and know what is going on. If any one is able to vote, it is these intelligent, educated women, brought up in the turmoil of public life, we may say; yet they are refused a vote, while poor little things, sisters of soldiers, or widows, who have never gone outside of their own little homes, and probably never read a newspaper except "Confessions of a Wife" or some such small things, who know absolutely nothing of the economic conditions of this country, who do not know the difference between Liberal and Tory, if they know that there are two such parties—those are the females who are entitled to vote. I do not like that word "female", my wife objected to it yesterday when I was reading the Bill, saying she did not like to be called a female. However, that is what the Bill calls them; lady or no lady, it calls them females. The vote is to be given to the classes I have mentioned. I say it is not fair. The Bill is a fantastic one in every sense of the word.

Now, I have alluded to nearly all the speakers before me; I have referred to the disfranchisement of thousands and tens of thousands of good citizens of Canada—call them alien if you like; but once they have worked in the interest of the country they are no more aliens. What will happen? Those people during the last sixteen years have voted in four general elections. They voted in the federal general election in 1900 and in all by-elections in that period; they voted in the general election of 1904 and all the by-elections, following. They voted in the general election of 1908 and in all by-elections in that period; and they voted in the general election of 1911, with the result that by their votes the Conservative party was returned to power. Now, what a nice way to pay a debt of gratitude to those people! The Conservative party is now turning around and telling those very same people that they are not to be trusted in this general election. Is that not a nice way to treat them? It is certainly impolitic, and the Government will hear of it, for every one of those people must have friends amongst straight-born, British subjects, and there is no doubt that the balance of their influence will this time be cast, not in favour of the Conservative party, but against them.

And where is the danger in allowing, say, a straight alien to cast the vote? Please tell me. Casting a vote simply means that he votes for the Government or for the Opposition, or, if there happens to be in his constituency an independent candidate, a Laborite or whatever you want to call him. What is the danger of that man casting his vote on one side or the other? In the name of common sense will you tell me where any danger lurks in the casting of the votes of those men who have been voting for the past twenty years? Oh, it is not the danger. I can see the brain with which this Bill was concocted; I have seen it before, seven years ago, in shady transactions. This Bill is concocted to stifle the free voice of the people of Canada, to capture the polls if they can, and which they are in a good way of doing, as pointed out by the leader of the Opposition; they are pretty close on to victory with their enumerators fabricating lists at their own sweet will, where they want it, when they want it, how they want it; and all that the candidates are entitled to is that when those lists are supposed to be completed they shall be posted fifteen days before polling day. There are a good many of you gentlemen on the other side who have gone through elections, and from your own experience as electioneers you know that the first thing you secured was the electoral list, the voters' list, so as to check it. As soon as the House dissolved, and the election was proclaimed, the first thing that the candidate or his agent did was to apply for any number of voters' lists six or seven or eight weeks before the elections; but in this coming election these lists are not posted; but a copy is to be sent to each candidate, and a copy to the returning officer. Now, is that fair to the candidates? It is not fair either to the candidates or to the people. I ask in all fairness if candidates and the people should be treated in that way, being deprived of

the voters' lists by which they are able to control the vote in their constituencies? And remember, every constituency is not made up of a little town district or ward which can be covered in a few days, or sometimes even in a few hours; but we have constituencies in this Dominion of Canada which run anywhere from one hundred to five hundred miles in length and over. How are the people of that constituency to become acquainted with the list of that district, when a copy of it is only sent to the candidates fifteen days before polling? What does the Government mean? As was well said by the leader of the Opposition on the floor of this House, this is Prussian legislation; not the slightest doubt of it. What will be the view and the judgment of the people in this matter, of course remains to be seen, for the vast bulk of the people have no knowledge of the provisions of this Bill, and will have none for some time.

What will be the view and the judgment of the public press of this country in regard to this Bill? Well, the view will vary according to the political colour of the writers. But what will the press of Great Britain, France and the other Allied nations fighting for democracy, fighting for the independence of free parliaments, say when the vicious—oh, I should use a stronger word—the vicious provisions of this Bill are placarded in the camps and hospitals and trenches of our forces? The boys will have to know what is going on, and I for one will take good care that they do know. Those provisions will be published in the British, French and other newspapers of the Allied powers, and what will their judgment be? It will be one They will simply say: "What? we are fighting for the freedom of parliaments; we are fighting for the overthrow of autocracy; and here in Canada, while the blood of her sons is flowing on the fields of France and Flanders, is a defunct Government, a dead Government, a discredited Government, passing a most nefarious measure against the free privileges and powers of a free and independent people." And what will the Kaiser and his press say? The Kaiser will say: "Why, I would not dare, even with my Imperial Chancellor and council, to introduce a measure of that kind in the Reichstag. Why, they charge me with autocracy; they charge me with suppressing freedom of speech; they charge me with interfering with intelligent people and the voters of my country; but I never got so low as that Bill puts the Canadian Government." I move the adjournment of the debate.

The debate was adjourned until the next sitting.

The Senate adjourned at one o'clock.

Second Sitting.

The Senate met at Three o'clock, the Speaker in the Chair.

WAR-TIME ELECTIONS BILL.

SECOND READING—CONSIDERED IN COMMITTEE AND REPORTED.

The Senate resumed the adjourned debate on the motion of Hon. Sir James Lougheed for the second reading of Bill 133, the War-time Elections Act and Hon. Mr. Bostock's amendment thereto.

Hon. Mr. CLORAN: Honourable gentleman, when the Senate adjourned this morning, the debate on this Bill had arrived at the point where it involved the freedom and the guarantee thereof to the subject of an independent country under constitutional government. I think that is the link between what I was saying at the last moment before adjournment and what I am about to say now.

I have been devoting my time since this Bill was placed in my hands last Saturday, not to an attempt to digest it. If I had attempted that, there is not the slightest doubt that by this evening or this morning I would have been on a stretcher, dead from acute indigestion.

Hon. Sir JAMES LOUGHEED: It may be hard to swallow.

Hon. Mr. CLORAN: The Bill is so meatless of justice, fair play and honesty that I would not attempt and did not attempt, after reading the first page, to digest it. I said to myself: "I had better analyse and dissect it." That is a safer method of dealing with the subject. I did analyse it, and I have had some experience of analysis, not of dead bodies or things of that kind, but of laws, of their wording and framing, and of their intents and purposes. I defy any man to question that. I have been forty years in the business, and have been called upon to analyse and dissect laws passed by parliaments, provincial legislatures and municipal councils, when they were just as clear as mud, much to the disgust of the judges on the Bench. So, when I undertook the

analysis and dissection of this Bill, I was prepared for a fair feast along that line. Well, really, gentlemen, I am not going to give you this afternoon results of my analysis. I understand that some honourable gentlemen want to get away, or want to get to a committee meeting. I assure you that the result of this analysis of mine led me to the three conclusions that I offered to this House—not to this House, because the offer would not be heard and would not be considered. As honourable gentlemen on the other side of the House belong to a deaf and dumb institute, I offered it to this side of the House, and through them to the country. I said that this Bill was a fantastic one, that it was a very impolitic one, and that it was a very unrighteous one. Now, to make these three charges against the Bill is a serious matter. They can be borne out only by a complete exposition and consideration of the various provisions in the Bill. I do not want to frighten you unnecessarily. To do that would take not only this afternoon, but two or three other afternoons of this week, and of course the Government would not like that. I do not intend to enter into a complete disquisition on the subject at the present moment, but reserve my right to do so when the different provisions are brought to the attention of this honourable House.

The first thing that struck we when I took this Bill up was the heading, "A War-time Franchise Act." I said, "A War-time Franchise Act?—for what purpose and for what reason?" I asked myself, as a voter in Canada for the past forty years, if the old Franchise Act passed by this Parliament years ago was not good enough to-day, even during war-time. I wondered and I queried why it was that the good old Franchise Act of the Dominion was cast aside, ignored, disowned by its own parents. We have been told in the public press and by public men that once a law is passed no one has a right to criticise, oppose or denounce it; and yet here is the Government itself, for no earthly, visible reason, coming in and slaughtering its own child in the Franchise Act of past years. If the Franchise Act, which has governed all general elections for the past twenty-five or thirty years, had become a monster and had been unfair to the people of Canada, then I would say that the Government had a right to chloroform it and put it out of business; but who has proven that the old Franchise Act of Canada is a monster and opposed to the interests of the people of Canada? Who has said that it has given votes where they should not be given or that it has taken votes from where they should not be taken? Not a soul that I know of. Of course, I do not expect anything from the deaf and dumb institution on the other side; but in the House of Commons they attempted to prove that such was the case. The first question that struck me, and I have not solved it yet, was, why should this measure be called the War-time Franchise Act? I have solved it. Instead of being a War-time Franchise Act, according to truth, according to a fair construction of the provisions of the law, it should be entitled "The War-time Robbery of the Rights of the People." That would be a more appropriate title, and therein I have to differ with my honourable friend the leader of the Government, who, in his very remarkable speech in introducing this Bill, said that the term, "The War-time Franchise Act," was a most appropriate one. Now, the leader of the Government does not often make mistakes in declarations of public policy. I do not believe that he has ever been guilty of that. I do not believe the honourable leader of the Government has ever attempted to lead the country astray in regard to public and national legislation. Being a little exasperated at times, he may have said things in regard to certain measures which I think he regrets to-day; but I cannot forego my duty of calling his attention and the attention of the country to the following declaration of policy in regard to this measure. He may have forgotten the words. His words are to be found in Hansard, on the 3rd or 4th page of Saturday's debates. It is worth quoting, because if the opinions and sentiments expressed in this half-column are real opinions, then I am completely at sea, completely at a loss to know where we stand. I will summarize what the honourable leader of the Government said. I know it nearly by heart, though not word for word. The honourable leader of the Government told us, in a very deliberate way, that one of the reasons for the introduction of this Bill was that it followed ancient precedent, that is, in rewarding military service. He stated that under the ancient law, in the dark ages, soldiers were nothing but mercenaries going from one army to another, irrespective of their fatherland or the cause they were fighting for. That was the condition of armies, especially those of southern and central Europe—not so much the armies of northern Europe. The armies of those days were composed of mercenaries who went from the Florentine army to the French army for

pay of two or three pence more in the day. What was the result? The result was that the generals of those armies had to promise their soldiers that if they won the battle, they would be entitled to loot, that the old Roman maxim would be brought into play, "to the victors belong the spoils;" and that if they conquered the territory of the enemy the general would divide it up among them. The honourable leader of the Government asks this Parliament to sanction this Bill on that ground—that military service must be recognized as it was recognized in old barbarian days.

Why, honourable gentlemen, it is awful to think of it—to have such a doctrine laid down in a free, democratic Parliament, just as if this country were not sweating its brows off in working to produce food crops and munitions for the boys at the front. The men at home working are no slackers. The men at home working on the farms, in the mines, in the forests and in the munition shops are doing as much work as the boys at the front, and without their aid and support our boys would be starving; instead of being killed they would be starving; and why should the men who are left behind doing this war-work be ostracised, be left out in the cold, so as to give loot or territory to the soldiers who have been in camp or on the firing line? No, honourable gentlemen; this Government has undertaken a wrong policy, and is endeavouring to put it through by wrong methods. The Government is appealing to that glorious sentiment which should be pure and sincere in the heart of every man who loves his native land—appealing to that holy sentiment of patriotism, hiding itself in the folds of the flag, to perpetrate outrages against the nation, against the Allies, and against the boys at the front. That is an awful state of things to have to contemplate. It is a state of things that we on the Liberal side in this House cannot remedy; all we can do is put in an objection, and we are met by a deaf and dumb majority, who are trying to stifle and kill the aspirations of the Liberal party of Canada, and are in the same breath denouncing them as unworthy, of the confidence of the masses of the Canadian people, as being unwilling to defend the King and his flag, unwilling to defend the rights of Canada. That is told us every day from the other side of this House, in the other House, and in the Conservative press of the country. Have we not stood these opprobrious epithets and charges against our Liberal friends, fathers, sons and brothers, fighting overseas for this country and for the Empire? Have we not stood them long enough? By this Bill it is intended to capture a vote to which you are not entitled. By this Bill you intend to deprive good, honest citizens of votes which might come, probably would come, and certainly should come, to the cause of Liberalism, which stands for right and fair play under all circumstances, for all races and for all creeds in this Canada of ours. That is what this Bill is driving at.

Honourable gentlemen, it is a sad day for Canada to have these matters discussed in open Parliament, one charging the other with disloyalty, one charging the other with being a traitor, a rebel, and a slacker. It is a pitiful thing, and it goes to prove that there is no real national sentiment in Canada. If that Bill were presented on the floor of the Chamber of Deputies in Paris, against the electors of France, the man who would dare to present it, or the men who would dare to support it, would be riddled with bullets. Present a Bill of that kind on the floor of the mother of parliaments, the British House of Commons, and see what a reception it would get. Ask yourselves, you British subjects, you so-called British loyalists, who are waving the flag all the time, ask yourselves what would become of a Bill of that kind introduced by Mr. Lloyd George or any other stateman. He would be driven out of power before the moon would rise or the sun would rise. And this Government, defunct, decrepit, depleted, depreciated, discredited, comes to this Parliament and asks us to pass legislation which would create a revolution in England and would drive men in France to the wall, and all because there is public feeling and national sentiment in England and France and the other Allied nations against measures of autocracy, against measures of trickery against measures to purloin the public vote. They would not stand for it 24 hours. But poor Canada! through a majority that has nothing to say the Government is going to pass this Bill. Poor Canada! with the majority in the House of Commons muzzling the Opposition, forcing the Bill through Parliament in spite of the will of the people. And we here, who are supposed to be free men, independent, bright, intelligent—we swallow this, as against the policy of the war—democracy, independence, free parliaments and free speech.

What are the functions of a government? What are the functions of an opposition? The functions of a free government are based on three principles: right, privilege, and power. A government of a free people, when it takes hold of the reins of office for a definite and stated period, at once becomes the owner of the national treasury and the dispenser of the public funds. That is the first function of government. The second function of a government is to originate or initiate legislation public, national legislation for the benefit of the people they govern. That is their privilege. Then, the third function is to administer the affairs of state. The government becomes the master of the administration of public affairs. These are the three functions of the government of a free, independent people, constitutionally governed.

On the other hand, there is in parliament, besides the government and its supporters, what is usually called under British practice and British rule, a loyal opposition. The sun never sets on British territory, and the King has no parliament on the face of the globe in which the word "disloyal" is applied to the opposition. He calls it his loyal opposition. That is what the King does; that is what the statesmen around him do; but our petty, picayune politicians in Canada get up and charge the loyal Opposition with disloyalty, and even go so far, as I said this morning, that a member dares to charge the venerable leader of the Opposition in the other House, the grandest old man from a political point of view that Canada has ever produced, Sir Wilfrid Laurier —dares, at two o'clock in the morning, to rise in his seat and say: "You are responsible for the outrages committed recently in Montreal." What are we to think of that kind of a government? What are the people going to think of it? Will this Bill prove a boomerang?

Now, I have pointed out to this House the functions of a government. The functions of an opposition are, like those of the government, based on three principles: duty, right, and privilege. They are master of nothing. The opposition has to keep a constant watch on the national treasury. The opposition must see to it that all laws shall be wise. Therefore they are made, under the constitution, the critics and opponents of all undue and unwise legislation. The third function, based on the principle of right and privilege, is to be the advocate of upright, fair and impartial administration of the public affairs. Three functions: watchdogs of the treasury, critics of legislation, and advocates of fair and impartial administration. Who in a free country can object to that? We on the Opposition side do not oppose the Government because it has in its possession the national treasury. That is the right of the Government. And in a free, constitutional country, we admit that it has the privilege of initiating or originating what I call national or public legislation along constitutional lines. We do not dispute that. Then, we do not dispute the fact as long as they are in power, they are the masters of the general administration of the public affairs of the country. We accord to the Government all their privileges, rights, and powers.

What does the present Government do in regard to the sacred duties of the Opposition, or their powers and privileges? What has the Government done during the past two months? Is it necessary for me to recite, to depict, to relate the lamentable things which this free, independent country was witnessed on the floor of the House of Commons, and, unfortunately, much to our discredit and our shame, is witnessing today on the floor of this Senate? What has the Government done in regard to Bills considered to be unwise or undue? They have deliberately muzzled the representatives of the people in the House of Commons as if they were vulgar curs. They put the muzzle on every Opposition member of Parliament from the leader of the Opposition down to the humblest member, and in particular they have muzzled them on this Bill.

What will the Kaiser say? Oh, our own friends will be ashamed of the manner in which the thing will be done; but the Kaiser will gloat over the fact that Canada: which is supposed to be one of the freest and most independent nations on earth under the British flag, is doing worse than was ever done on German territory or in Central Africa. What did the Government do in the House of Commons in regard to this Bill and others? The critics of the Government were perfectly justified in criticising the measure, just as the honourable leader of the Opposition here did today, and the senior member for Halifax, and as I am trying to do, in order to remedy the defects of the measure and to put a little virtue in it where there is sin, to give fairness where there is unfairness, and to give equal rights to all instead of taking from some and giving to others; but what happened? The criticism was set at defiance and the mouths of the critics were stopped with the closure. And when the House of Commons wanted to demand a fair

administration, even of this malodorous Bill, this mischievous Bill, when they were advocating the rights of fair play in administration, they were put out of court by the present Government. Gentlemen, is that a fair condition of things? Is that the position in which this Government want to place the country in view of a general election? If it is, I have only to quote the words of the old Latin philosopher-poet: "Those whom the gods wish to destroy they first make mad." And the Government, in proposing this legislation and other Bills they have passed, are fulfilling the terms of the ancient Roman philosopher: they are mad; then the gods want them destroyed, and the gods will be the people of Canada before the first of April next. The mills of the gods grind slowly, but they grind as surely; and, as a Canadian loving my country, wishing its honour maintained at home and abroad, I cannot see where the Government of this day can expect support from a free and independent electorate. I cannot see how the editorial writers of the press, highly educated men, or historial writers, magazine writers, professors of the universities, can take up this Bill and read it without condemning it. I do not know one who will take up this Bill and analyse it as I did, and say: "The Borden Government has done an act of justice; the Borden Government has given a proof of its loyalty; the Borden Government has given a spectacle of patriotism to the Empire." Give me the name of one writer, outside of the party press—I am not talking of the party press of Canada; take the great newspapers of England and of France and of Italy; get one of them to pronounce faithfully on this Bill and say whether it is just, fair, or right. You cannot do it, nor can you find members of this House to do so. How can you expect the outside public to say it is fair and proper when the supporters of the Government itself dare not say so? How can you go abroad and ask men of intelligence, as you are, to endorse a thing that you will not endorse except by your vote—and that is no endorsation. We want the views of your constituents, not your own personal views, we want you to express the views of the people you represent. Individuals count for nothing. I would like to hear from my friend for Cape Breton, and many another able man on the other side of the House, quite capable of putting before Parliament and the country the views of the people they represent. But not one of them will arise, or has arisen, on all these important Bills. Well, if you do not dare to endorse the Bill openly in Parliament, how can you expect the people in the country to do so? How can you expect foreign opinion to admire Canada in enacting Bills of this kind? You cannot expect it. Therefore I am with the leader of the Opposition in saying that this Bill, instead of advancing the cause of this Government, will tend to overthrow it.

Honourable gentlemen, I really feel ashamed to-day. I did not feel so a few months ago, when our boys were dying on the battlefields; I felt proud of them. But when this Bill passes—oh, I hate to say the word, but my duty and my conscience force me to say it—I will be ashamed of being a Canadian. The fact of destroying the foundations of our freedom and of our independence, abolishing free speech in Parliament, and preventing its supporters from giving the views of the people they represent, creates an awful state of affairs; and all this for a paltry, mean, low-lived object—to hold on to the reins of office.

I have spoken on this Bill from a general standpoint, avoiding partisan issues; but I ask you in all sincerity, if the Liberal party were in power, would it not be of advantage to this country under present conditions? You have a Government that admits its own incompetence; you have a Prime Minister who says that his Cabinet is not fit to run the affairs of the country. That has been his admission for the past two months. He has been reaching out by telegram, by letter, by travel, personally and by his ministers and his emissaries, seeking for men to replace the ministers he has in his Cabinet. Is that not a confession of weakness? Is that not a confession before the nation that the present Government is not fit to administer the affairs of the country? Why, the very fact of his running after this one and that one to get him to join his Government is a most damnable proof against himself and his colleagues. If I were a colleague of his, and he were running around like that looking for a man to replace me, I would throw the portfolio in his face; if I were not considered good enough I would not stay. But that is what he has been doing for the last two or three months.

And now, gentlemen, we are being asked to endorse this measure because that kind of a Government has put it before Parliament. We should not do it; but it will be

done. I hope the House to-night will be largely attended when the vote is taken, and that many members who are opposing this measure for the sake of the honour of their country and its future development will protest against it in order to guarantee to the peoples of Europe that, if they come to our country to work our farms and our mines, and to become good law-abiding citizens, their new birthright in this country will not be taken from them, and they will not be driven on to the highways and byways of Canada almost as prisoners. They would be better off in a penitentiary than to be walking free over the highways and byways of this country dubbed and scorned as suspected traitors, rebels and otherwise enemies of the Empire. It is an awful state of things to create. I cannot remedy the situation at this hour, either by my word or my vote, but I hope that the people of Canada and the boys at the front will open their eyes and cast their ballots according to right and justice.

I would close with this. I have determined to send a war-message to boys of mine, to relatives and friends in the army. Those boys will be called upon to vote, many of them having been away for the past two or three years, and knowing little or nothing of the condition of things here in Canada, and I do not think I overstep the mark in cabling this war-message to the boys:

To soldiers of Canada at the front and overseas, all hail ! The defunct Conservative Government of Canada calls upon the soldiers of the Canadian army to cast their votes at the coming Federal election. This measure is in direct violation of the King's regulations and rules governing discipline and order in the British army and navy, and is also against the discipline and order of the Allied armies, with the exception of that of Russia, whose soldiers are given votes with the result that chaos reigns in the ranks of the army and in the country.

This is a warning to the boys at the front.

The game of war is none too healthy without enticing the soldiers into the unhealthy game of party and political warfare. When you cast your ballots, do not betray your fathers and brothers in Canada, who in fields and forests, in mines and workshops are working hard to produce food and make munitions for your upkeep at the front. By voting for the Government you approve of and even applaud all extravagance and unwise legislation, and all general maladministration so detrimental to the interests of the boys at the front, their dependents, and to working classes in Canada. A change is needed for a united Canada.

Hon. Mr. CLORAN.

Hon. WM. ROCHE: My excuse for troubling the House this afternoon is that I think that everybody who disapproves of this Bill ought to express his opinions on this subject with the utmost candour and with as great emphasis as he can apply. I am perhaps physically unfitted for speaking this afternoon. Probably I may have to follow the remarks of some of those gentlemen, my elders, who have preceded me; but I think the importance of the occasion justifies everybody who at this time expresses his disapprobation of the measure.

I believe we are agreed upon this one point, that important revolutionary legislation of this kind should not have been introduced at the last hour of the session. We had abundant leisure in the early part of it thoroughly to discuss the question, and to have matured views upon its propriety or impropriety. Now we have had the speech of the learned leader of the Government in bringing in the measure, and to some extent in discussing and developing it; but we have not had the benefit of the intelligence and eloquence of the gentlemen opposite in further illustration of the Bill. This confines us in our remarks to concentrating our observations upon the speech of the learned leader of the Government.

In looking through this Bill I could discover very little principle in it. I thought the leader of the Government saw very little principle in it, and I think with great appropriateness we can style it an unprincipled Bill. The leader of the Government, in his prologue,—an ingenious and skilful prologue, I quite admit—went back to the dark ages and to the methods by which military leaders, conquerors and others rewarded their soldiers by the device of the division of the spoils and by other methods. Did any sovereign or any conqueror in history reward his soldiers by purely civil rights, by the electoral franchise, or anything resembling the measure which is before us? We remember in history that Marlborough was rewarded by the British nation with Blenheim palace—erected by a Dutchman, by the way; and how the British Parliament and nation rewarded the great Irishman, the Duke of Wellington, with Strofelstaye; and we remember how he was rewarded out of cannon and other military spoil. The soldiers were rewarded also in proportion to their ranks. There was no thought of giving them the electoral franchise. What do the soldiers want? Do you think you have satisfied a soldier by telling him when

he comes back from the war: "Your sister, or all your sisters, or your mother, were given votes at the elections." What do they want? They want something substantial. They want to rise, they want a grant of land, they want money or they want something that is substantial recognition for the sacrifices they have made, for the battles they have gone through, for the blood they have shed, and for the dislocation of their business, and, it may be, the frustration of all their prospects in life. My honourable friend hands out a vote for each sister, a vote for the mother, and the soldier has a vote for himself. Is that all you are going to give him? You are going to reward him with a civil franchise for the sacrifices he has made, and for which he will demand substantial recognition. I think, honourable gentlemen, that a great injustice has been done to the ordinary voters, the ordinary members of society and subjects of the nation. Look at the position. Although a military man may be a mere boy, he has a vote, and the right to vote may be given to six or seven in the family in consequence of his services. Then, the vote is given to naval men who have come into this country, who have served in the naval forces of Great Britain, here or abroad, it is true, but who are not Canadian citizens. These men will bring out their families. Some of them have families here already, and it may be that six or seven votes may be cast by the families of those people who have not been citizens of the country of twelve months' residence and thirty days' residence in the place where they vote. I ask all fair-minded men, and many Conservatives are fair-minded men, if it is fair and just to disparage the citizens of this country and put this stigma upon them? They have each only one vote in this community, while the man who came in twelve months ago has six or seven votes or more. Is that a tribute to the men who have assisted in building up this country, who have toiled in various professions and occupations? You stigmatize and disparage the farmer, the merchant, the professional man and the labouring man, and you elevate and reward the citizen of another country and give him a preponderance of voting power; and in this way the vote and influence of the man who is identified with the country is totally nullified and overborne. Is this fair and just to the citizens of this country whom we are supposed to represent? Is it just that we should take that civic privilege and give it to others, while our own sons, our own associates, our own neighbours, and our friends who are associated with us in upholding and upbuilding this country, are put down to the lowest level and stigmatized?

I shall not go over what has already been dealt with. I shall not try to expand what has been too justly said. I have regard for the feelings of those around me, and shall not at this late hour expand the subject at all; but in its simplicity as a naked proposition I put it before men with fair minds, intellectual men well calculated to judge, whether it is just under these circumstances to elevate the stranger and put down our own citizens.

This Bill contains the principle of spoliation. I know the Galicians as well as anyone in this House. I have seen them when they have come in the ships; I have seen them when they landed from the ships; I have been among them when they have been in the immigration sheds; I have seen them bring out their utensils and farm implements, and have seen them prepare for active citizenship in Canada. They were promised citizenships by the British Government. They were induced to come to Canada by the promises and stipulations made to them under authority, that they should have the rights and privileges of British subjects. These men belong to the old kingdom of Poland. Galicia is a portion of Poland which fell to Austria under the partition of Poland. Every Polander feels to this day that his country was dismembered, that he was conquered by the superior forces of Austria, and he is not friendly to the authority of that country. These people left their own country in order that they should not be conscripted into the army of Austria. They came to Canada in good faith under promises and stipulations that they might become citizens of Canada and that they would not be compelled to go and fight on behalf of the overpowering Government to which they were unfriendly. They rejoiced in the opportunity to escape from that rule.

A gentleman in this House—and I think I can trace his fine Italian hand in some writings in the press elsewhere—has attempted to say that my views and sentiments on this and other occasions were warped by the fact that I was an agent for the Hamburg-American line. The Hamburg-American line brought out the majority of these Galicians and Bukowinians and landed them at Halifax. I was the agent for that line for forty years. Two years before the war, the Hamburg-American line amalgamated with the Netherlands-American line, which took control of the immigration of the three com-

bined lines. They managed the whole of the immigration into Canada, and, two years before the war, they dismissed me from the position of their agent. Under such circumstances as that, an agent or an employee has umbrage against his employers, and is not supposed to be very friendly to their interests or their sentiments. I could not have any subordination to them in any way. I could not be influenced by them in my opinions or actions. I did not sympathize with the German Government. I did not sympathize with those who were supposed to be my employers and who were supposed to have influenced my opinions. I say this: I am as loyal as any man in Canada; I am as loyal as any man opposite; I am as loyal as any man here, and I have rendered as important services to the British Government as any man in Canada. I do not want to brag about what I have done. I do not want to proclaim my loyalty from the housetops; but I and my father and my grandfather risked their lives for the British Government on many occasions. We have been loyal for three generations and I do not know for how many generations before that. I do not yield to any one in that regard. I do not want to say that I am superior, but I put myself on a parity with any man in Canada from Cape North to Vancouver Island. So, without placing myself on any other level than that of a citizen of Canada, I say that I am as loyal to the British Government as a British subject should be; but I hold my individual opinion and I am not afraid to express it. I do not coincide with all the silly and detrimental movements that have been made, and have not taken part in many of them. I know that some action has been taken and some deeds performed that are injurious to the interests of the British Crown. I have not approved of them; I have not taken part in them. I have held my own opinion. My country was at war, and I thought it was my duty to hold my tongue and keep quiet, even when I saw actions and measures taken that were injurious to the British Empire, to the reputation of the British Crown, and to the sentimental regard which the citizens of Canada ought to pay to the Motherland and the sovereign at the head of the nation.

I do not know how these men who have come into the country have voted. I do not know whether they voted Grit or Tory. I am told that they voted Grit in some places and Tory in others. I think it is very probable, judging from their sentiments and habits, that they voted for individuals, for men they knew, and in whom they had confidence. It may be true that they know very little about the history of Canada. I know this: they are averse to war.

My honourable friend uttered the sentiment that a man who did not wish to go and fight should have no vote. That is not rewarding peaceable citizens for their actions or services. Our men went over to fight against militarism. That was the motto inscribed upon their banner. But what is my honourable friend doing? He is depressing civil life, civil services, honourable citizenship, brotherhood, neighbourhood, peace, order and good government; he is building up a military caste in giving additional rewards to the soldiers, and placing the laurels on the brow of the militarists. I do not object to military men receiving a due reward for their services. Mark these words: I do not object to any rewards that a grateful country will give to them; but I say that the first duty of Parliament, under our civil institutions, is to honour and reward the peaceable citizen who performs his duty in the community, who regards his neighbour as himself, who is industrious and God-fearing, and who discharges his duty, both in voting and in acting, in his own interest and in the interests of his neighbours around him. I regret that these poor men who have voted, who have expressed by their actions and by their words their desire to be good citizens of Canada, should have this stigma, this insult, this opprobrium, put upon them; that, because they do not wish to go to war, because they do not wish to shed blood, they should have this mark of obloquy and contempt cast upon them, that they are not fit to vote, not fit to be citizens, not fit to take part with the other citizens of the British Empire.

Hon. L. O. DAVID: Honourable gentlemen, I have not spoken on many of the Bills which have been brought before us this session. I wish to say only a few words about this legislation. The Military Voters' Bill which has been passed this session gives the right to vote to thousands of people who are foreigners, who have no residence, no property, no interest in our country—only because they have fought for the Empire. The Bill before us disfranchises a great number of our people who are good citizens, who have always fulfilled their duties of citizenship, paid their taxes, and done everything to prove that they were good citizens, because they are suspected of not being loyal, although there

may be amongst them a great many people who could not be accused of any such thing. This Bill gives the right to vote to the wives, widows, sisters and daughters of men who have never lived in the country. The Government should have added mothers-in-law, nieces, and cousins. The Bill is not complete: it should be amended in that respect.

Hon. Mr. WATSON: And grandmothers.

Hon. Mr. DAVID: And the grandmothers should be added, no doubt. These two Bills have the same object, simply to increase the number of voters who it is supposed will vote for the Government. They are contrary to all principles of justice and fair play, and are contrary to our constitution. The right to vote belongs to those who live in a country, who are citizens of that country, who pay taxes, who have property, who are interested in the destiny of the country. The right to vote is an attribute of citizenship. If it is true to say that there is no taxation without representation, it is not less true to say that there must be no representation without citizenship. Is there a country in the world that has given the right to vote to foreigners, to people who were not citizens of that country, simply because they have served the country? During all the great wars in which England has participated since the establishment of constitutional government, did the statesmen of England ever think of giving the right to vote to the soldiers who engaged in those wars? When I read the great speeches made in the House of Commons and in the House of Lords by great parliamentarians like Pitt, Fox, Brougham, and Gladstone, when they protested against any violation of what they thought was an essential element of the British constitution, I say to myself, if they were here in this Parliament, with what fervid eloquence they would denounce such legislation as this.

This legislation strikes at the very foundation, the root, of constitutional government.

I, like the majority of my countrymen, have always been a great admirer of the British constitution; but when I see, and when our people see, that under the cover of that constitution such legislation may be passed, the effect naturally will be to make us believe that that constitution is not as nearly perfect as we thought. So in the interest of our connection with Great Britain, in the interest of our country, in the interest of the respect which we owe to our constitution, I regret such legislation, which cannot be defended in any way.

Hon. P. A. CHOQUETTE: Honourable gentlemen, I had expected that after the castigation given to the honourable gentlemen on the other side, after their being referred to as members of a deaf and dumb institute, they would resent the imputation, and some of them at least, by a political miracle, would have recovered their voice, and would have stood up and said: "We will answer, if not for the Government, at least for ourselves." But I am sorry to say they have not dared to do so. The word, or rather the order, given to them, must have been very peremptory, for I see on the benches opposite gentlemen who are always on their feet calling us to order, very often for nothing, and who are always ready to speak. On this occasion, when a most stupid Bill is before the House, they do not dare to say a word.

I remember a parallel case which occurred some thirty years ago in Quebec, when a Bill was being forced through the Legislature by Mr. Chapleau, who was then head of the Government. It was, if I remember well, a Bill for the sale of the North Shore railway to the Government, somewhat like the Canadian Northern Bill. Many friends of the Government, a Tory one, were against the Bill, and there was great opposition to it. In the slashing indictment of it which was made by the Liberals at that time in the House, the members of the Government were asked: "Why do you not defend the measure? who gave you orders not to speak?" and they asked the honourable leader of the Government, Mr. Chapleau, to let his followers speak and defend the measure. I remember, as if it were to-day, that at last Mr. Chapleau stood up in a rage and said, "We will answer you by the vote." That was the only answer he could give. To-day my honourable friend who leads this House does not get into a rage, does not become angry, keeps smiling all the time, but turns around to his friends and says: "Do not speak; do not lose your heads; we will answer by the vote." I am sure that is the only answer that can be given; and, in spite of all the strong arguments which have been advanced against this Bill, and in spite of the good amendment which my honourable friend the leader of the Opposition (Hon. Mr. Bostock) has put before this House, the amendment will be defeated and the Bill will be carried. So it is practically of no use to discuss this measure; it is just as well to say that we

will not waste our time with it, because it is already decided that the answer shall be given by the vote. You have the majority, and you will carry the Bill, and we may just as well let it go. But, honourable gentlemen, the people throughout the country would not be satisfied with that. They would not feel that we had done our duty if we failed to express our views and enter our protest against this legislation.

As far as I am concerned, I am not so much afraid of the effect of this Bill in the elections as of the idea which is behind the Bill. I would be satisfied with the result of the Bill if the law were properly carried out, because I am sure, from information which we have, that not only those who resent the measure, but the great majority of all who are given the right to vote—the wives, mothers and sisters of the soldiers—will vote against the Government. That is according to letters we receive in this country from persons on the other side. So I am not afraid of the Bill in itself. What I do fear is the idea behind the Bill, like the idea behind the Conscription Bill—the stealing of votes. This Bill is not a franchise measure introduced in order to give all those mentioned the right to vote and thus express their views. It is rather an attempt by the war-time Tory machine to get votes. That is their idea; that is their intention. But, as I say, if the law is honestly carried out, I shall not be much afraid of that, for I am sure that the Government and their Tory friends will be greatly disappointed.

In any event, we have to take the Bill as it is and discuss it for the moment, particularly to show the absurdity of some of its provisions. I may say at once, as I have stated on a previous occasion, that far from objecting, even to soldiers who are not citizens of this country having a vote, I think its effect may be after all not so bad, though it is a bad principle, as my honourable friend from Mille Isles (Hon. Mr. David) has just stated, because before the right to vote is granted the right of citizenship should first be accorded—the voter should be a citizen. After all, I would not find so much fault with the granting of a vote because of the fact of a man being at the front; but what I object to is giving the vote not only to the soldier, but also to all his family—to his wife, his mother, his daughters and his sisters. Let me give an illustration to show how ridiculous it is and how far it may go. I may point out that the right to vote will be given also to a soldier's wife who is a nurse. How will they stand in reference to this Bill? First, the soldier will have his vote; his father will have a vote; his wife will have her vote as a nurse; he may have three sisters—it is very common in Quebec for a man to have three sisters, or even more; he may have three daughters—it is also common in Quebec for a man to have three or more daughters. My honourable friend here (Hon. Mr. David) has nine daughters. But let us suppose there are three daughters. The vote of the soldier and the votes of his wife, his mother, his father, his three sisters, and his three daughters will total nine. His wife may have her mother; she may have four sisters; her daughters I have already mentioned as having the vote; but she will have her own vote and the votes of her mother and her four sisters; that will make six votes for the wife and the nine votes for the husband, which will make fifteen votes in the one family. Is that not sufficient to bring ridicule upon the Government? I appeal to my honourable friend (Hon. Sir James Lougheed), who is a serious man, if that is not enough to ridicule and discredit his Government? I know of a case in Quebec of a soldier whose wife is leaving shortly as a nurse, and in whose family there will be fifteen persons having the right to vote, whereas a naturalized citizen who has lived fourteen years in this country will not be able to vote, nor will his children have a vote. It seems to me, honourable gentlemen, that it is sufficient to bring that instance before the House and the country to prove the absurdity of the Bill. These facts are absolutely correct, and may be corroborated and proved any day, if honourable gentlemen will only look around.

Let us take another instance, which is still more striking. The Bill states that the vote shall be given not only to the relatives of men who are on service, but to the relatives of a man who has come back from service, though he may have gone no farther than London. There are many, officers especially, who have gone overseas, have remained in England, and have come back without having been on the firing line. There are in the other House twenty members of Parliament who have gone overseas, and none of whom, except perhaps Mr. Carroll, a good Liberal, have got into the fight. It has been shown by the public accounts that such men have drawn $5,000, $6,000 or $7,000. They have gone on a picnic to Lon-

don, have come back here and been "honourably discharged," as it is said. They have pocketed so much money, and they did not see the fight; at least, if you ask them what battles they were in, they go away and are too much ashamed to answer. Under the Bill, these men who have been picnicing in London for months and have been pocketing thousands of dollars and have come back to this country and been discharged, are given the right to vote, and the vote is given to their wives, daughters and sisters—and, as an honourable gentleman on the other side said, they ought to have added their cousins and aunts, as in the well-known comic opera Is it not ridiculous? Is it the reward of bravery? I say in this case that it is the reward of cowardice; and, as the Quebec Chronicle said the other day, these gallant officers who have so returned from overseas without having gone to the front ought to be deprived of the right to vote, and I hope that an amendment for this purpose will be introduced in the Bill, and I will vote for it. The Quebec Chronicle, I may say, is a good Tory paper, the organ of General Watson, who has been at the front for three years and has so distinguished himself there that he has been rewarded in many ways. But the fact is that officers who have been overseas without being at the firing line, and who after having had a good time have returned with money in their pockets, are rewarded under this Bill with the same number of votes as those who have been at the front fighting, who have been wounded and probably disabled for life. Is it just? Is it fair? Is it a measure of which the Government ought to be proud? As my honourable friend (Hon. Mr. David) says, eight votes which these men will have will cancel the votes of eight citizens of this country who have perhaps done more in their own way than all these men together.

Honourable gentlemen, I do not intend to discuss this Bill at any length, because it is of no use; but I desire simply to enter my strongest protest, and show the ridiculous aspect of it. There is, however, another feature of the Bill which is more serious than the rest: it is what will happen at the polls. Take the case of an election held under this Bill. What will happen on polling day? for we must consider this Bill in connection with the Election Act. All soldiers, especially those who are not citizens and whose names are not entered on the voters' lists, will have the right to go to the returning officer or to the enumerator, and ask for a certificate of their right to vote. Long proceedings will have to be taken for that purpose. A man will have to write down a great deal of information, as required by the schedule. After having done all that, the soldier will be required to state what he has done in the war. He will get a certificate entitling him to vote, though his name does not appear on the list. This man will go to the poll with that certificate? What will happen there? The same procedure will have to be gone through again. The two representatives of the candidates will have the right to discuss that, and perhaps it will take half-an-hour to settle the case. The Government will have the power to appoint its own friends as returning officers. That is what is ordinarily done. I do not say that all Tory returning officers are dishonest; but we know from past experience that a great many of them are. Suppose this officer, though not dishonest, is very partisan and he is appointed for a poll where there is a great majority of Liberals, say ten to one in 200 voters. I know polls, in the city of Quebec particularly, where the Tories will not get ten votes. The Tory officer, realizing that his party will get very few votes in that poll, will advise that many names on the voters' list be disputed; or if a man says, "My name is not on the list, but this is my certificate," the other party will say, "Well, I challenge your vote." That is done. The returning officers must take notice and provide a special ballot, put it in an envelope and keep it there. What would be the result? In country places the poll is open from 9 o'clock until 5, generally. If there are 200 votes to be polled, the returning officer, with all the different things that have to be done or may be done under cover of the law, may prevent many votes from being cast at that poll. He may, under this law, spend 15 or 20 minutes on each name on the list; because the enumerators have the right to add what names they want, and if a name has not been added any man may come to the poll during the election and claim the right to vote; and, if several are not friends of the Government then they will be prevented from voting because of all the objections and specially if they arrive late at the poll, the returning officer taking up a quarter of an hour or twenty minutes to dispose of the objections, etc., in order to prevent them from voting. These things can be done under this Bill and they will be done. Discussions will be raised—not by friends of the Liberal party, because in Quebec particularly the voters will be all Liberals, and

there will be no Tory party, though there may be some Nationalists who may perhaps be provided by many allies with money and with subscriptions to Le Devoir to try to defeat the Liberals; Nationalist candidates may be put up by the Tory party, but the voters will be all Liberals and the Tory party's friends will have no show. There may be candidates under false colours, as there were in the elections of 1911, and the inducements will be for these candidates to make trouble at the polls, and prevent men from voting. So I say that even this feature of the Bill is bad, as an inducement to illegality and fraud. That is why I have stated that the purpose of the Bill is not an honest one; but that the Bill is an attempt on the part of the war-time Tory machine to get votes and nothing else.

Now, honourable gentlemen, it is and has been claimed all along, and especially during this war, that we fight for democracy, that democracy is the watchword of the twentieth century, that democracy must rule. But, as a French writer once said, "O liberty, how many crimes have been committed in thy name!" I may say, perhaps with still more force, "O democracy, how many crimes have been committed by the Tory Government and these war profiteers in thy name!" Democracy is what we hear of to-day, but it is democracy only in the mouth; because autocracy in the hand, in the mind, is everywhere seen in the action of the Government. This word "democracy" is used for the purpose of casting aspersions on the Liberals. Democracy is used now as often as the word "loyalty." But, honourable gentlemen, real democracy is set aside, and autocracy is carried to its extreme limit. Not only does autocracy reign at the present time, but it has reigned since the extension of the term of the present Parliament, since members of the Government have retained their seats by their own vote. It would seem that because these honourable gentlemen have elected themselves and have been sitting back in their seats for one year, they have got the idea that they are there forever, and while they make use of the word "democracy," democracy is superseded in their actions by autocracy.

This word "democracy" is like the word "flag": it is used for the purpose of covering a multitude of sins. Speaking about flags, and in order to show what is very often covered up by the British flag, I cannot but refer to what happened last week in the loyal and puritan city of Toronto. A merchant—he must have been a Tory; I do not know, but only a Tory could invent such a thing—had many thousands of old diaries of 1913. He could not use them; so last December he got an artist to make little British flags about four inches square and stuck them on the old diaries, covering the figures 1913 with the figures 1917, and sold them to the good men of Toronto as diaries of 1917; and when the good, loyal purchaser went to use the diary, he found to his disgust that the flag had covered the 1913 when it was sold for 1917, and that the diary was of no use. That shows what use men who are not loyal, who are not sincere and honest in their hearts, will make of the British flag. Men like myself may be open to criticism, but we have the courage and sincerity to give our opinions, though we may sometimes be wrong; but we do not want to hide always behind the flag. We have a right to be suspicious of the man who is always boasting of his loyalty, of his honesty, and of his religious ideas; for honesty, loyalty and religion are in the heart, not on the lips, and those who are always using those expressions are the worst thieves, the least pious and the least honest. It is a good thing to be for the flag; I believe in upholding the British flag as well as I can in this country; but I do not believe in using the flag to cover thieving or bribing or scandalous measures. I may have my opinion about the way the flag must be maintained in this country; but I do not want to wrap myself up in the flag and say, "See me, how loyal I am!" There are too many men doing that; they have the flag in one hand, and they have their other hand in the pocket of their neighbours. Evidently it makes some people blush to support such a measure as this, and it makes us suspicious when there is not a word said by honourable gentlemen on the other side of the House in support of this Bill. In regard to other bad Bills, some members have stood up in their places in this House and at least have said: "This Bill is distasteful to me, but I must support it." But with this Bill they are not going so far as to say even that much. Though distasteful to them, they have to support the Bill all the same, and say nothing, because it is the Tory machine Bill.

Coming now to the amendment of my honourable friend (Hon. Mr. Bostock), it seems to me that it ought to appeal to everybody in this House. It says:

> That in the opinion of this Senate it is not desirable, as provided by the said Bill, to disfranchise large numbers of the people of Canada who have taken the oath of allegiance,

have been guaranteed the rights of citizenship in the name of His Majesty the King, and have not failed to discharge all the obligations of citizenship.

Well, the Government says that the people of Canada are fighting to maintain their honour, and so on—are fighting the Germans because they said that a treaty was only a scrap of paper. But is it not a most serious thing to disregard the treaty made by the Government of Canada with its citizens from abroad, which was put upon the statute book and on official notices, stating that in this country they would not be subject to conscription as they were in the old country; that if they came to this country we would establish them on the land; that they would be naturalized and put on the same footing as our own people and have equal rights with citizens of this country? On the faith of this contract or treaty with the Government of Canada, which gave them the promise that they would get all the privileges of Canadian citizenship, those men came to this country; and what do we see? After they have been here for fifteen years, and have done their best to increase the value of this country, and develop the great Northwest, we say to those citizens: "It is true we have said all those things; it is true we promised you that once you settled here, you would not be subject to conscription; it is true that we granted you all those privileges of citizenship of the Canadian people; but now that is only a scrap of paper. We destroy these solemn promises. You have been here, it is true, for fifteen years as a citizen; we have nothing against you; but you will not have the right to vote, though you are paying taxes and paying for this war, paying to the Patriotic Fund, paying for all the work that has been done in this country." Is it surprising that some men in this country will say: "Why, you are no better than the Germans; this Government is no better than the Kaiser; the Kaiser may have some public reason to say that treaties are only scraps of papers, and he pretends that when he passed through Belgium he was told that Belgium had agreed to let the French and English pass through that country." The Kaiser may have that reason, and, though I do not think it, it was at least a public reason. But what reasons have we in this country to say to those people that they have no right to the vote? And why should we trample on the rights we gave them? The Government is doing this in order to keep themselves in power, when they say that without this Bill the aliens would be fighting for their own fatherland. I say the contrary is the case, if I read correctly the speech made in another place by the German member from Waterloo county, who said there are thousands of Germans now fighting over there with the British against their own people, because since they came to this country they wish to uphold the British flag, as they have sworn to do. I repeat that the Government has treated this contract with these foreign immigrants as a scrap of paper, and I say that to-day, politically speaking, the Government is no better, but is worse, than the Kaiser, because he pleaded at least a public reason for putting away a treaty, while this Government has nothing but political reasons and selfish reasons for doing that.

Another point of my honourable friend's amendment is this:

That any measure granting the franchise only to a limited number of women, as proposed by the said Bill, is contrary to the public interest, and fails to recognize the splendid patriotic work which has been performed by the women of Canada generally during the present war.

This is true to the letter. The Government states that they give the franchise to women because they are relatives of soldiers; yet they withhold the vote from women, either married or single, who have done perhaps ten times more in the work of helping the soldiers at the front, furnishing them with delicacies, sending money to have soldiers properly nursed over there. Why are those women not allowed votes? They are not recognized in the good work they have done, and this refusal will be resented by them. As the honourable gentleman from Victoria said this morning, Lady Borden and Lady Laurier will have no right to vote because they are not the wives of soldiers who are or have been at the front, or who have been discharged. Do you mean to say that their husbands have not done as much as soldiers at the front? Do you mean to say that Sir Robert Borden and Sir Wilfrid Laurier, the two leaders of the parties, have not done as much work as any officer at the front, or as much work as officers who have returned from London, not having been at the front? These facts show once more the absurdity of this Bill in not giving the right to vote to the first ladies of the land, who have spent their days and their nights in the hospitals and in every kind of work for soldiers and the Patriotic Fund, as also the Daughters of the Empire and others who have done everything to help the soldiers. But these have no right to vote, because their husbands or brothers have not been at the front and come back

here, while the wife, mother, sister and daughter of those who have not seen any war, who never saw a trench, who never saw a fight except behind a barn or a tank will have votes. Well, that is one-sided, and such treatment will bring this Bill into discredit, and I do not see how a serious-minded business man can support it.

This amendment ought to commend itself in every word to the intelligence of this House. I am told that it was offered in the other House, and I am sorry that it was not accepted there, because that was the place where it should have been received. Franchise Bills should be considered in the House of Commons rather than in the Senate, for it is proper that such Bills should be studied and debated by those who are going to be elected or defeated under them. I would not have been inclined to fight this Bill at all if it had been an ordinary franchise Bill declaring that the voters would be those inscribed on the provincial lists, with the addition in a general way of the names of the soldiers. But, although the other House has not seen proper to accept this amendment, it would seem to me to appeal to every sincere man, and we in this House ought to accept the amendment, recommend it to the other House, and ask them to reconsider their decision and accept it. Thus not only would the country feel better, but there would be an improved franchise Bill, and foreign countries would have a better opinion of our legislation, as the honourable member for Victoria has said.

In looking over this Bill and this amendment, we cannot refrain from being somewhat disgusted that a Bill like that should be carried in this House without having a word of defence from the other side. It seems to me that this is a sort of insult to the country, and even to this side of this House, when we take the trouble and the pains to call attention to some parts of the Bill that may not appeal to the other side. If honourable gentlemen on that side do not wish to pronounce against the Bill, for which they have to vote because their friends want them to do so, they might say, as the honourable member for Cape Breton did the other day, that there were some things in it that he did not like. By saying nothing, they occupy the position of members of a deaf and dumb institute, as the honourable member for Victoria has said; and it seems to me that that is not what honourable gentlemen on the other side ought to be. But that is their own business. We have done our duty; we have raised our protest; and if honourable gentlemen will only answer by a vote, as has been done in the past elsewhere, I just appeal to the electorate of this country to answer them with the vote, and I hope that vote will be the strongest condemnation, not only of this measure, but of some other very bad measures which we have been called upon to pass this session.

Hon. F. L. BEIQUE: Honourable gentlemen, I will detain you but a very few moments. If this Bill dealt with the franchise in an ordinary manner, I would deem it my duty to vote on it silently, to pass on it very quickly, because I consider that it is a subject which belongs to the House of Commons rather than to this honourable House. But this measure is of such an extraordinary character that I would feel that I was not discharging my duty if I did not raise my voice against it for one moment at least. The honourable leader of the Government has stated in presenting this measure that it was a very extraordinary measure, and he almost sought to justify it by going back centuries, when wars were not carried out by free men but by mercenaries, and when, as he very properly stated, as a recompense for carrying on the wars they were given the privilege of looting the country which had been conquered. I do not think that we should go back so many centuries in order to find such examples, and to adopt, not the practice followed in those days of looting the territory conquered, but that of plundering the people at large in this country of the privilege which they possess. This measure is nothing short of that. As was very properly stated by the honourable gentleman from Mille Iles (Hon. Mr. David), heretofore, not only in this country, but in every civilized country in the world, the privilege of voting has appertained to and has been the exclusive privilege of citizenship or of property-owners in the country. It is given exclusively to people who have an interest—not merely for a moment, not in the Empire at large, but a permanent interest in the country in which they are called upon to exercise the privilege of casting their vote. They have this privilege because they are supposed to have the proper information to cast a vote, because they are supposed to have followed or to have been able to follow the course of events and to be able to pass judgment upon the Government which has carried on the administration of the country. Honourable gentlemen, I ask you, in all sincerity, whether a large number of

the persons to whom votes will be given by this Bill will have had such an opportunity. They have enlisted, a large number of them, two or three years ago. They have been out of the country; they have discontinued following politics in this country. This applies to a great many. But a large number of them have never had any interest in this country. They are strangers, they were never citizens of this country; and they do not know the first word of our politics and yet they are given, as was very properly stated, not one vote, but half-a-dozen or a dozen votes. Honourable gentlemen, have you ever heard of a franchise of that character anywhere? Does it not violate all the principles which appertain to a law of that kind? In the South Africa war there were hundreds of thousands of soldiers engaged. They went into that war voluntarily. They were as deserving as those who have enlisted in Canada; but when there was a general election in England during the war, it did not occur to any statesman in Great Britain to grant a franchise of that kind to any of the soldiers engaged in that war. I have no hesitation in saying that this measure is without precedent, and, in the words of the honourable Minister of Trade and Commerce, it is intended to perpetuate the present Government in power by all means possible. He did not use those words, but what he said amounts to that. In other words, it is intended to deprive a large portion of the citizens of this country of the legitimate enjoyment of the right to vote, and that right has been transferred to people who have not the qualifications to exercise that privilege.

Honourable gentlemen, we in this House are the natural guardians of the respectability at least of all laws that are passed by this Parliament. We are the natural guardians also of the good faith of the Crown to every inhabitant of this country, and this is what you will be called upon to vote for in a few minutes. The good faith of the Crown is very seriously compromised, because, after having imported a large number of citizens into Canada, after having given them the promise that they would be given the rights of citizenship when they were naturalized, the Government now takes those rights away from them, unless they have been naturalized for over fifteen years. Those whose mother tongue is either Austrian or German are affected, although they may have no affiliation whatever with those countries, and although their ancestors may have been in this country for half a century or even a century. For my part, I repeat that I cannot vote on a measure of this kind without entering my protest against it.

Hon. ROBERT WATSON: Honourable gentlemen, I do not feel disposed to give a silent vote on a matter of this kind that affects so many of the settlers in Western Canada as this Bill does. This Franchise Bill might be termed a domestic affair for the House of Commons, as was stated by the honourable gentleman who has just taken his seat (Hon. Mr. Beique); but it is to this body that some people look for the guarding of their rights and interests in Canada. In my opinion, this is the most vicious legislation ever brought before Parliament. I have been coming to Ottawa for the past thirty-five years, and I venture to say that no more far-reaching or more vicious legislation was ever introduced.

This legislation undertakes to disfranchise British subjects, immigrants who have come to Canada trusting in the good faith of the Government, people who have come here to become citizens of the country, and as such are entitled to the rights of citizenship. No reason has been given us why those people should be disfranchised. So far as we know, they have been law-abiding people. I know a number of these people personally, and they have been good citizens. A number of them would willingly go back and fight for Great Britain and for Canada; but I have never met a man of them who would fight for Austria or Germany. They left those countries and came to Canada because they wanted to get away from the militarism of Germany and Austria. They came here, and now forsooth they are disfranchised and their privileges are taken away. What are we at war for to-day? We have heard a great deal about "a scrap of paper." These foreigners have heard about it, and they became British subjects as soon as their three years time was up. I know of one constituency in particular in the Northwest, where 30,000, or 40 per cent, of the electors will be disfranchised, and their representative was one of the strongest supporters of compulsory enlistment in the House of Commons. I refer to the constituency of Humboldt. We have to look to things after the war. This sugar-coating of "win-the-war" is used too much. We must look ahead. We in the great Northwest, in order to meet our obligations after the war, have to have more people, and it will be a poor advertisement to say that these people who have come to this country have been disfran-

chised, and for the purpose as was very well stated by the honourable gentleman from De Salaberry (Hon. Mr. Beique) and the Minister of Trade and Commerce, of getting a bigger push behind the Government in Canada. The portion of the Dominion that is most affected by this disfranchisement is the Canadian West, because immigrants have come there, more particularly within the last fifteen years, and the representatives of those people in the House of Commons voted for conscription. Why should the Parliament of Canada come to the conclusion that those people are in favour of such legislation as this, when the only representation they had voted for conscription? Their representatives also stated in the House of Commons, as you will see if you have read the debates, that some of these foreigners were the largest contributors to the Red Cross Fund, and still you disfranchise them. If a referendum were to be taken on conscription, I could understand the Government wanting to disfranchise some of these people; but conscription is the law of the land. By the passing of this Bill, which disfranchises the foreigner, you are placing upon every Liberal in the country the stamp of disloyalty.

By this Act you are disfranchising, I should say, in the neighbourhood of 1,000,000 women who are entitled to the franchise to-day. The franchise was extended to the women of Ontario, Manitoba, Saskatchewan, Alberta and British Columbia, and the Government is placing these loyal women, who have been working so gloriously for the relief of the boys at the front, in the same class as the so-called alien enemy. The question arose some time ago as to whether women had a right to vote in a Federal election. There is no question in my mind that they would have been allowed to vote if it had not been for this Administration, notwithstanding that the Minister of Justice, in placing an interpretation upon the word "person," said that a woman was not a person. I find that the Secretary of State in this Bill says, "a male person," and "a female person." Consequently a woman must be a person, and would be entitled to vote under the Dominion Franchise Act.

Another bad feature of this Bill, coupled with the Military Voters' Bill which we passed the other day, is the disfranchisement of quite a number of constituencies throughout the Dominion, because, by introducing non-residents into those constituencies, you poll a vote which should not be polled there, and in that way you disqualify electors now entitled to vote. It is not fair, it is not just. Take the case of a close constituency. It will be possible to import into that constituency one hundred or two hundred votes which will be at the disposal of the Government, and thus defeat the wishes of the electors. I understand that about 15,000 votes properly distributed would carry about 100 seats. Is it fair? This Bill was prepared by the Solicitor General and his followers in the House of Commons simply for the purpose of returning the Conservative party to power.

There are other questions which will interest the people during the coming contest. They want to win the war. The win-the-war Liberals are just as desirous of that as the win-the-war Conservatives; but there are other issues. It seems to me that the cry of "win-the-war" is intended to deceive the people of Canada for the time being into thinking that the Conservative party are the only people who are going to win the war. They are trying by means of the win-the-war cry to cause the electors of Canada to forget all the scandals which have been brought to light in connection with the war: the shoddy shoes made of split leather by the Ames-Holden Company, which they claimed were better because they were made of split leather, glued together with rubber cement and waterproof; the old horses; the Ross rifles; the bad ammunition. It is expected all these matters will be covered up. I can inform honourable gentlemen that such will not be the case. The people in Canada are not stupid, and will remember these things when they come to mark their ballots.

We have heard a great deal about Prussianism; but Prussian militarism is being introduced into Canada at the present time in this very contest. Good, loyal citizens, men and women, are being disfranchised. I do not intend taking up any further time of the House in dealing with this matter. I should like to have heard some of the reasons given on the other side of the House why this legislation should pass; but, as my honourable friend (Hon. Mr. Cloran) has stated, the members opposite have acted as if they were in a dumb institute, and we have heard nothing from them except what has been stated by the honourable leader of the House. As a representative of the West, I say that this is one of the most objectionable pieces of legislation ever submitted to Parliament. There are in the West a large number of people who have come from foreign countries. We were

pledged to give them full citizenship when they came to this country. I know many of them occupying positions in municipal councils, members of the Grain Growers' Association, first-class farmers, and they are being disfranchised. I think it can be imagined how a neighbour who has the franchise will feel when he comes in contact with a man with whom he has been doing business for a number of years, and who is disfranchised as being an alien enemy. I say it is a mistake. Everything that is possible should be done for the foreign element, to make them feel at home in Canada and show them that we have the fullest confidence in them and make them loyal citizens. If we disfranchise them it will have a very bad effect upon them, which it will take years to overcome.

In the House of Commons the suggestion was made that demobilization of the army might last three or four years. If this is a war measure its effects should cease when peace is declared, and if a war Parliament is in existence at the time of the declaration of peace it ought to cease when the war ends, so that we may have a fair voters' list and a full franchise in sending representatives to Parliament to do the business of the people of Canada. In the interest of the Canadian people these things should be done, and we should amend this Bill at least to provide that it shall cease to be effective when peace is declared.

Hon. Mr. POWER: I think it does.

Hon. Mr. WATSON: I do not think so. I have read the remarks of the Secretary of State and cannot find any statement to that effect.

Hon. A. BOYER: The Government having dropped the old cry of "win the war" for the more modern cry of "win the elections at any cost," we are to-day confronted with a Bill which in the House of Commons was declared to be incomprehensible even to a Philadelphia lawyer. When it is presented to the lay mind, how are we to be expected to understand any clause of it?

I can well remember the old Franchise Act of 1890, which was fought out in the House of Commons for almost an entire summer. When it was put into force it was declared to be almost incomprehensible, and the trouble it gave throughout the country is within the memory of every one of us. I can well remember the old officer of 1890, a gentleman who was chosen on account of his political acuteness, on account of what he would do for his party and what he would do against the other party. I can well remember the revising officer in the county in which I was interested, with a smile on his face, doing everything he possibly could for the boys who would ask him if so-and-so and so-and-so, who were Liberals, were put on the list. We had his word; it was the only thing we had to depend on; but when the lists were printed and the time had expired, the names were not on the list. The gentleman had forgotten them.

In this Bill we are confronted with the same gentleman, only under a different name—an "enumerator." What is he doing to enumerate? The number of Liberal votes that can be thrown aside and the enormous number of Tory voters he can falsely put on the list? Is that the true meaning of the word "enumerator"? I take it to be that. He is to be a revival under a new name of the troublesome individual of 1890 called the revising officer.

In this Bill we give the right to vote to everybody—to our cousins and our aunts. As a witty Irishman remarked to me in Montreal on Saturday last, the only thing that has been forgotten is to give the right of voting to the war-babies. When I asked him how it was to be done, he said: "Surely every one of them has a nurse; the war-babies have been forgotten."

The Government have thought of everything except one matter: they have forgotten those ladies who have worked night and day in the cause of our boys abroad, but who have no relatives at the front. These ladies are deprived of the right to vote, while one whose husband or son or nephew has enlisted may have fifteen, sixteen, seventeen or twenty votes. You are robbing Peter to pay Paul. You are taking the vote from people who are entitled to it—thousands of people who have emigrated from Europe to Canada. I can well remember the cry which was raised by some friends of mine, Hungarians, that we in Canada were actually depopulating the country around certain towns of Hungary because we promised the people there that conscription would never exist in Canada. Conscription has come. These men, before conscription became law, complied with all the demands of the Canadian nation of which they are now citizens. Suddenly a reason is found, which cannot be explained, why these men should be disfranchised.

Let me read to you what a minister of the Crown had to say no later than February 10, 1916. The Hon. Mr. Hazen, Minister of Marine and Fisheries, said in the House of Commons on that date:

Mr. Speaker, as a matter of privilege, I desire to refer to a subject that, I think, is of sufficient importance to justify me in asking the indulgence of the House for a few minutes. My attention has been called to an article appearing in the Ottawa Evening Journal of February 9, headed: "Germans have access to Confidential Papers in Ottawa," and reprinting an article contained in the Toronto Star of the same date which, among other things, says this:

"Probably the most conspicuous case on record is that of Gustav Heidmann, secretary of the Minister of Marine, and Naval Service, Hon. J. D. Hazen. Mr. Heidmann was born in Germany, and no doubt has relatives fighting here. He has been a long time in Canada, and is reputed as an able and efficient secretary. His name appears on the most recent list issued from the Secretary of State's Department as having received full naturalization. But Mr. Heidmann has access to all correspondence connected with Canadian coast defence, wireless, harbour patrols, and marine matters which come to the office of the Minister of Marine and Naval Defence. It is not conceivable that Admiral Von Tirpitz would be so trustful, in connection with the administration of his department."

I think it is desirable that I should state the facts to the House. My secretary, Mr. Heidmann, who has been my secretary since November, 1911, was born in Germany, and, when an infant in arms only a few weeks old, came to Canada with his parents who were dissatisfied with conditions in Germany and sought Canada with a view to making their home here and becoming citizens of this country. The father settled in Toronto, and, soon after taking up his residence there, applied to an alderman of that city for naturalization as a British subject, and received a certificate which he believed conferred upon him the rights of a British subject, but about which there may be some question as the preliminary steps were not entirely complied with. However, for over thirty-two years Mr. Heidmann's father has engaged in manufacturing business in Toronto, has voted at elections from time to time, and has taken such part in the affairs of the city as a good citizen ought to take.

Mark the words: "as a good citizen ought to take."

Mr. Heidmann, my secretary, was brought up in Toronto, educated in the common schools there, and, after having received his education, was appointed as private secretary to Mr. H. S. Strathy, General Manager of the Traders Bank of Canada, which bank, I believe, has since been amalgamated with the Royal Bank of Canada. In 1904 Mr. Heidmann came to Ottawa as a member of the Civil Service of Canada, and he continued in the Service until 1911, being at that time assistant to the secretary of the National Transcontinental Railway Commission. In 1911, I selected Mr. Heidmann as my secretary out of a number of applicants, because I thought him eminently fit for the position. Before making that selection, I made inquiries regarding Mr. Heidmann's character and standing, from persons in the city of Toronto, who knew him and his family well; in whom I had every confidence, and in whom the members of this House would have every confidence if I were to mention their names, as they are among the leading citizens of that city. The reports I received from them were of the most favourable character, with regard to Mr. Heidmann's character and abilities, and also with regard to the standing and reputation of his family who had been living in Toronto, as I have said, for thirty-two years. Since then Mr. Heidmann has acted as my secretary and has done so with great acceptability to myself, because of the industry and ability with which he has discharged his duties. I may say for the information of the House that one of his brothers, soon after the outbreak of the war, enlisted and is now a trooper in the third troop, "C" squadron, Second Brigade, Fourth Canadian Mounted Rifles, which has since been reorganized into an infantry brigade under the command of General Victor Williams.

He goes on to give the very best recommendation to this gentleman:

My secretary, until a short time ago, believed that he was a British subject. Believing that his father had been naturalized, and he himself, having lived in Toronto since he was an infant, he considered that he was a British subject. But there being some legal question about it, he applied for, and obtained full naturalization at the time of the outbreak of the war. I think it is only right and fair that I should make this statement to the House in view of the article I have read from the Toronto Star, and which was copied last evening into the Ottawa Evening Journal. I would like to say further, that after the war broke out, when rumours became current in Ottawa in regard to Mr. Heidmann, and on different occasions since, he has come to me and told me that if, in the slightest degree, I felt embarrassed in consequence of his connection with me as private secretary, he would at once, and without any feeling, tender his resignation and seek to make a living in some other way.

He ends his statement by saying:

I feel that a very cruel injustice is being done to my secretary by the publication of such articles as appeared last night in the Ottawa Journal, and an injustice which must bring sorrow and tribulation not only to himself, but to his wife and members of his family. Therefore, I deem it my duty as his chief, and as one whom he has served with the greatest possible loyalty and fidelity during the time I have been Minister of Marine and Fisheries, to say these few words to the House, not only as a matter of justice to my private secretary, but in order that there may be to some extent removed from the public mind the unfortunate conclusions that have been drawn from evidence and facts that are entirely insufficient to justify even the slightest suspicion being attached to Mr. Heidmann's loyalty and fidelity.

Notwithstanding this strong recommendation, Mr. Heidmann is to-day disfranchised because, thinking himself a British subject, he got his naturalization papers only in 1914, and the law states that any man naturalized after 1904, though he remains a British subject, having lived in Canada and having voted at all municipal, parliamentary and other elections, yet that man is disfranchised. Why? Because the Government is bound to win the elections.

A suspicion has gone abroad that men who came from the different countries of Europe might vote against the Tory Government—that they might have suspicions as to how this war has been conducted and might be suspicious of what would happen in the future. These men, when they were asked to come to Canada, were told: "There is no conscription in Canada; there is no income tax in Canada; Canada is a free country; we want men of your stamp; we want men to come to Canada to help us build up a great nation; we want the very best." God knows we took every precaution that no man who was an undesirable should enter Canada. But to-day we tell all such men, who were picked out as amongst the best, that we have no confidence in their loyalty, and as a recompense for having come to settle amongst us we intend to take away from them what I consider to be one of the greatest gifts of manhood—the right to have a vote in the election of the Parliament of one's country, the right to vote on what the country's policy shall be by selecting the men who will frame that policy. These men are deprived of all such rights—why? Because the great cry has been raised, "Let us win the elections." We have during this discussion heard nothing of the old cry that it would be shameful to have elections in war-time. If it was shameful two years ago, it is just the same to-day.

In reply to this argument, you may say that an extension of the present Parliament was refused. It was refused for just cause; it was refused because those who held power abused it. Those who had the conduct of the war mismanaged affairs, as has been proven time and time again. When these gentlemen got into power in 1911 what wonderful things they were going to do. They were helped into power by an element in Quebec which to-day the Prime Minister of Canada has repudiated. The first thing that element was going to do if they got into power was to repeal the Naval Act of the Laurier Government. The only repeal they made was to buy two submarines in British Columbia that would neither dive nor float.

Hon. Mr. PLANTA: That is false.

Hon. Mr. BOYER: They have dived. Did they come up?

Hon. Mr. PLANTA: Yes, they did.

Hon. Mr. BOYER: That was at one trial. Were trials made twice?

Hon. Mr. PLANTA: The honourable gentleman has made the statement that the submarines would neither dive nor float. I simply say that is not correct. It is absolutely false.

Hon. Mr. BOYER: One of them dived, but it had to be brought up by hydraulic jacks. Of course, it came up again. But that was the kind of naval repeal they had —buying two submarines; and the transaction was so openly, so publicly done that a royal commissioner had to go to British Columbia to investigate the transaction. Then these men, who had complained about the tinpot navy of the Laurier government, were very glad to use the Niobe.

Hon. Mr. CROSBY: She was tried; but she came back; and they could not take her out any more; and she is down there at the wharf in Halifax.

Hon. Mr. BOYER: She was used for a purpose for a year.

Hon. Mr. CROSBY: No, she is tied up; the crew refused to go in to her.

Hon. Mr. BOYER: The Niobe went out to sea, because I know for a fact that some friends of mine coming up from Bermuda, when about seventeen or twenty miles outside of New York, were stopped by a British warship, and they said: "Fancy our astonishment; it was our good old Niobe, so much decried as a tin pot."

Hon. Mr. CROSBY: That is what she is. She is tied up at the wharf. The honourable gentleman sitting right in front of my honourable friend (Hon. Mr. Power) knows that what I say is true. The crew would not go out in her, and she is tied up at the wharf. She was in commission for probably two months.

Hon. Mr. POWER: The Niobe is now used as a sort of receiving ship, but she did navigate, as the honourable gentleman from Rigaud (Hon. Mr. Boyer) says. For some time she served a useful purpose.

Hon. Mr. CROSBY: She navigated as long as the crew would go with her. The

ship is now used as a boarding-house, and a very poor boarding-house.

Hon. Mr. BOYER: Anyhow, she did go out, but the Tory party was so anxious to show that she was not useful that they tied her up at Halifax and used her as a receiving ship.

Hon. Mr. CROSBY: Receiving what?

Hon. Mr. BOYER: Receiving Tom, Dick and Harry of the Tory party all round Halifax. That is the way it was done. Then, we had another ship out in British Columbia, the Rainbow, another tin pot, which has given a very good account of herself, while my friends have only to their credit two submarines that have given an endless lot of trouble to the party.

Hon. Mr. CROSBY: We would have three good ships only for you killing the Bill here in the Senate.

Hon. Mr. POWER: Order, order.

Hon. Mr. CROSBY: My honourable friend is always shouting order.

Hon. Mr. BOYER: Another trouble was that the Laurier Government was doing a great injury to the country in subsidizing graving docks; but the Tory party, as soon as they got into power in 1911, simply let the matter hang in the balance and would not let the great graving dock that was built in Quebec and towed to Montreal be rented to an American concern. It was only by the intervention of Providence that that graving dock remained in Montreal, but ever since the war has broken out it has been a continued success, and the means of refitting and helping British war vessels that could find no other graving dock, for before the United States joined us in the war they were not allowed to go into any American ports to be refitted, or into any dry dock. They had, therefore, to come to Montreal, and I cannot remember a single month in which there had not been one, two, or three warships waiting either in Quebec or Montreal to use this dock, which, according to our friends opposite, was to be perfectly useless.

Hon. Mr. CROSBY: The ships could have gone to Halifax; we have a good graving dock there.

Hon. Mr. BOYER: It is too small for the purpose.

Hon. Mr. CROSBY: No, it is as big as the one in Montreal—over 700 feet long.

Hon. Mr. BOYER: Let it go at seven hundred; but I know one thing, that we are getting the business in Montreal.

Hon. Mr. ROCHE: The dock in Halifax is 575 feet long.

Hon. Mr. CROSBY: I say it is 675 feet.

Hon. Mr. ROCHE: I say it is not.

Hon. Mr. CROSBY: I say you do not know what you are talking about.

Hon. Mr. BOYER: Now we have the ball rolling.

Hon. Mr. CROSBY: Yes, it has been rolling a long time.

The Hon. the SPEAKER: The honourable gentleman who has the floor should not be interrupted unless by a member who wishes to ask him a question.

Hon. Mr. BOYER: It is immaterial to me. Now, on this famous Bill that is before us, let us read some criticisms—what the friends of the present Administration think of it:

> The Franchise Bill is one of the worst pieces of aggregation ever brought to the attention of the Canadian Parliament. It is bad in principle and scandalous in detail. It has no principle underlying it except that of giving an advantage to the party in power. It disregards sacred obligations made by the nation to loyal Canadians.

Hon. Mr. CROSBY: What paper is that?

Hon. Mr. BOYER: That is the Morning Albertan, of Calgary. Then, there is another paper, the Morning Leader, of Regina, which says:

> British subjects in Canada have cause today to hang their heads in shame because of the utterly un-British action of the Borden Government.
>
> In the sacred name of Patriotism the Borden Government has proposed to a British Parliament that it deliberately violate a pledge given in the name of the King to the men who were invited to come to Canada, make their homes here, this not a matter of party politics, it is a matter of principle.

Then, there is the Edmonton Bulletin, of September 7:

> The Act appears to be a statutory declaration on behalf of the ministers that they have lost the confidence of the existing electorate and also of the women. Wherefor they propose to disfranchise part of the present electorate and refuse to enfranchise the women.
>
> What further measures they may have in mind for stifling the expression of public opinion and re-establishing themselves for another term it remains to be seen. Whether the public apprehend the justice of the measures is not a matter seemingly, of any great concern, nor whether these accord with the ele-

mentary human rights for which our men are fighting in France and our people are being mortgaged for generations to come.

Then comes the great Calgary Herald:

The Solicitor-General does well when he affirms that the first consideration of the Government in framing a war-time election franchise bill to provide as nearly as may be possible for the overseas soldiers the fullest exercise of their franchise.

With that we agree.

Very many of the overseas soldiers will not be able to vote at all, the new franchise act gives them a certain vote by proxy and to this proposal surely there can be no objection. As to the disfranchised citizens of enemy birth or near extraction, the easy way out of the difficulty is the way the Government has taken.

That is to say, we have no confidence in them, although we support them for the hour, giving our secretary of German extraction the very best qualifications, that of a great patriot; still we had no confidence in his vote. Then, the Saskatoon Star:

In regard to the disfranchisement of the aliens, the Saskatoon Star, while admitting the quality of justice in the proposal, declares that though the men will keenly regret the necessity for it on two grounds, first, that a great many at least of the Austrians and Germans took the oath of allegiance and accepted the rights and responsibilities of citizenship in good faith and are to-day loyal Canadians, who would be willing to fight for their country; second, that it will make the task of melting the polyglot races in Canada into a united, loyal English-speaking nation after the war more difficult.

We invited to this country these men of European nations to help us build a great country. They have given the very best of their talents. From them we have picked up many a point. We have found them men devoted to their new country, good citizens, willing to live in Canada, notwithstanding all the hardships of immigration. Yet to-day we tell them, without a blush on our faces, "You may be as good as you please, you may be as honest as you like, but we have no confidence in your vote, because there is a suspicion that you will vote against the Tory party." I say this, that the effect will be that those men, disgusted with the treatment they are receiving, will, as soon as the occasion offers, go south of us. They will say, "Here is a nation to which we came, here is a country that invited us to settle in Canada, offering us all the liberty that we could possibly enjoy, and on account of a vague idea that we might oppose the Government on certain measures and on certain questions, we are disfranchised; every promise made us has been forgotten, has been blotted out; there has been one road left to us it is to go back to the United States." Let us wait a while and see if the United States will act as Canada is going to do, and disfranchise over ten millions of German who are in that country. In the United States they have taken the right way: they have seized and confined in concentration camps all those who were subject to suspicion. What have we done in Canada? We have allowed these men to roam abroad. We have built concentration camps. I know of one in the province of Quebec, at Spirit Lake, where at one time there were over 1,200 men, mostly Austrians, but also a few Prussians. They have all been scattered; they have all been rented to different industries in Canada; some have been sent to the coal mines and some to large public works that were being built in the province of Quebec. Those men were once under suspicion. They have since then proven their loyalty by earning fair wages, and no trouble has arisen; yet to-day, by a measure of this kind, we are telling those men that they are not fit to be trusted. If they are not to be trusted, and the vote is therefore taken, from them, I say that the Government has not done its duty in allowing those men to roam abroad; that the Government has been remiss in putting into force the laws that we passed in the short session of 1914, when the most drastic powers were given to the Government to confine and punish suspects. We have dozens of cases of men having actually established stations by which German and Austrian persons who lived in Canada before the war but who could not get away before the war broke out, secured means to go to the United States, that country at the time not being at war with Germany. One man was arrested in Montreal, and it was proven that he had established posts in different parts of the country as far as the boundary line. When the case was brought before the judge, he dismissed it because it was wrongly entered. A new charge was made against the man. This time he was brought before the criminal court—the last court for a trial of that kind, where the feelings of the jurors are so much played upon—and the jury threw out the case. That man to-day is practising the same trade in Montreal. And have you any idea how much it cost the country for that tremendous success of arresting an alien, a man who was caught red-handed, helping his fellow countrymen to

leave the country so as to join either the army of Germany or the army of Austria? It cost the country over $6,000 for the tremendous success they had in having two lawsuits thrown out.

Honourable gentlemen, this Bill has been criticised in the House of Commons. Of course, it does not concern the Senate; but we are allowed in the Senate to express an opinion, and I say that it will pass down to posterity as being the most iniquitous Act ever enacted by the Parliament of Canada.

Hon. Mr. THOMPSON: I have been requested over the telephone by the honourable senator from DeLorimier èHon. Mr. Dandurand), who is unavoidably detained, and who will be here this evening, to move the adjournment of the debate on his behalf.

The debate was adjourned.

At six o'clock, the Senate took recess.

The Senate resumed at eight o'clock.

Hon. GEORGE McHUGH: Honourable gentlemen, it was not my intention to say anything on this Bill; but, as the speaker who was to have continued the debate has not turned up, I will for the moment say a few words. I feel a keen interest in the Bill. I feel that it is a Bill that contains perhaps as much with regard to the business of the country as any Bill that has come before Parliament in many years. I am not going to deal with more than one or two clauses of the Bill, as they have been fully dealt with already. The first clause of which I will speak is that which disfranchises quite a number of British subjects who are now residents of Canada, and who have been in enjoyment of the rights of the franchise for some years under the terms of an agreement made with them by the Government of Canada. We all know that the reason Great Britain is engaged in this war at the present time is because of Germany's breaking a contract with the Belgian nation. If the breaking of that contract was sufficient to drive Britain into war, what must you think of the Government of Canada breaking a solemn contract with a lot of our own people? These people were invited to this country, and when they took the oath of allegiance and became British subjects, they were promised that they would be granted all the rights of citizens of Canada; but the Government comes down, and with one stroke of the pen says, "We will break that solemn contract." I should think that the Government would hesitate before perpetrating such a crime as that on people who have not shown any disloyalty, people who have not in any way broken the law, but who have lived up to their agreement to the fullest extent. Is the Government of Canada not strong enough to say that so long as these people keep their part of the contract, the Government will keep its part? If these people are to be disfranchised, then this Bill should go one step further and relieve them of taxation; because without representation taxation is a very dangerous thing. We know that the American revolution was brought about by taxation without representation.

Hon. Mr. GILLMOR: It was brought about by a German too.

Hon. Mr. CLORAN: So much the better.

Hon. Mr. GILLMOR: He could not talk English.

Hon. Mr. McHUGH: Some members of the Government to-day are acting very much like Germans, or we would not have any legislation like this. By the vote in this House on the Canadian Northern Railway Bill, these people are subjected to untold millions of taxation, and the Government says to them: "We have done that, but we are not going to let you have a say as to our conduct or in condemnation of that act.

I say that they should be relieved of taxation so long as you deny them the right of the franchise. The Government could very well employ their time in a way which would be much more commendable to the soldiers in the trenches and the people of this country, if they were to take up and deal with the problem, which they will have to face before very long, of devising some means of taking care of the returning soldiers. I am sure that would go much farther towards winning the war than this Bill would. This is called the win-the-war Bill; but I think it has been brought in from some ulterior motive, and not to win the war. Causing disunion amongst the people of this country is not the way to win the war. If the Government have money, instead of voting away untold millions, as they did the other day, they could make provision for the better care of the soldiers when they return.

As I said, I did not intend to speak on this question at all; but these things have just occurred to my mind. This Bill, I think, could well be laid aside, and the soldiers, who have been given the vote, can safely depend upon the Canadian people, the British subjects in Canada, to pass judg-

ment upon the other acts of the Government during the last six or seven years. The Government are afraid of the condemnation of the people of the country on their past acts, and they therefore raise the cries of "loyalty" and "win the war." Who on that side of the House will say he is more loyal than the members on this side? No man on this side would dare charge any honourable gentleman opposite with disloyality; and yet we have just as good reason for doing so as honourable gentlemen opposite. The honourable gentlemen opposite have no patent claim on the loyalty of this country, and they never had, though they make a loud cry of that kind. I say we are all willing to do all we can to win the war, and I claim that to disfranchise any British subjects in this country in the way which is proposed will do harm, more harm perhaps than honourable gentlemen conceive. These people have been good contributors to the Red Cross, the Patriotic Fund, and all that.

Hon. Mr. CLORAN: And to taxation.

Hon. Mr. McHUGH: And they have had to pay their taxation. I suppose they continue paying taxes, but who can blame them if they resent legislation of this kind by withholding the voluntary contributions they are called upon to make to funds such as the Red Cross, the Patriotic Fund, and such like? By the proposed legislation you are doing more harm to the soldiers in the trenches than you are conferring benefits. I would like to see the honourable leader of the Government take into consideration the request that the Government forego the many vexatious clauses in this Bill, and try to keep the people united. The people would all cheerfully do in the future as they have done in the past: they would put their hands into their pockets when any call is made upon them for any contribution to help in winning this war.

Hon. Mr. CLORAN: What has the Opposition to say to that? Are they still deaf and dumb?

Hon. RAOUL DANDURAND: It will be recognized by all that the franchise is the essential foundation of democratic institutions. What distinguishes democratic institutions from autocracy if not rule of the majority of the people? If a Government claiming to be the expression of the popular will can tamper as it likes with the franchise, then to my mind, and to the mind of every right-thinking man, democracy is gone. If absolute equality among the people of a particular country is disturbed through arbitrariness, by the manipulation of the franchise, then what results if not autocracy? Surely the majority rules no more; and if the people of a country come to realize that the majority will not rule any longer, will not the Government authority fall into disrepute and contempt? If the Government can, by enfranchising or disfranchising at its will certain groups of the population secure re-election, can it not continue that process indefinitely? And if it can do so, then will it be claimed that we are living under democratic institutions? What difference would there be between that system and kaiserism, which we are now denouncing and fighting against?

The new Franchise Act, as we have it, secures the soldier a vote, but allows at the same time the male civilian his vote. So far so good. But it proceeds to give the soldier's mother, wife, sister, or other relative a vote, while it refuses a vote to the rest of the female population. Since on the feminine side only the relatives of the soldiers will be allowed to vote, why not be logical and on the masculine side stop at the soldiers? If on the masculine side you not only give the vote to the soldiers, but go beyond that, why should you not, in dealing with the feminine side, go beyond the soldier's family? What difference is there between those two parts of the electorate—the feminine and the masculine? On the masculine side all may vote, soldiers and civilians; on the feminine side the soldiers relatives may vote, but not the rest of the female population. I ask, why not do the thing entirely? Why not carry the principle to its logical conclusion, and prevent the male civilian from voting and allow only the soldiers and their relatives to vote? That would be in accordance with the procedure in the time of the decadence of Rome and of the Roman cohorts, which imposed their nominee upon the nation. The Canadian cohort then would select its ruler.

We are told that this Act has for its aim simply to give a preponderance to the soldier and his family. Is this not a very arbitrary rule, and is it not somewhat tyrannical towards the rest of the population? I said that we would have an extraordinary franchise. There is still a worse element: it is that while men in Canada must all vote in their own ridings, strangers to Canada may vote where they please. Is this not the worst form of electoral practice? We have devised all kinds of penalties to

prevent ballot-plugging and ballot-switching. Are we not now, by allowing the non-resident elector to switch his vote to where he pleases, making an attempt to organize the non-resident soldiers into a ballot-plugging and ballot-switching brigade? I am convinced that if the non-resident voters are made aware of the role which this Act intends to have them play, they will refuse to play it. The non-resident electors cannot vote intelligently without being coached, or else they will not know where to poll their votes. I would ask any member of this honourable House, if he were called upon to poll a vote from his place in Halifax in one of the ridings in British Columbia, not knowing anybody there, and not knowing the constituency, how would he be directed except by a friend who would coach him? If I were asked to poll a vote in Nova Scotia, I would know about Halifax, but I would not know the candidates nor the conditions. Yet by the franchise which we are now creating we legalize the worst practice. 10,000 non-residents, duly coached, may contribute 500 votes to each of 20 doubtful ridings and tip the scale, which it seems to me is loading the dice with a vengeance.

I cannot help stating that I believe these two measures, the one which was passed last week and this one, to be bad in principle and bad in aim. "But," we are told, "you must not judge this measure in the light of ordinary commonsense or ordinary practice; it is a war-time measure."

An Hon. SENATOR: Hear, hear.

Hon. Mr. DANDURAND: An honourable gentleman says, "Hear, hear." I desire to draw the attention of my honourable friend to the fact that in war-time, when the Government of a country asks its people to make the supreme sacrifice, the Government should then, if ever, have the respect of the people. It will have that respect only if it plays the game fairly and does not manufacture for itself and according to its fancy a special electorate. What strength would the Government have to order men to cross the Atlantic and risk their lives that democratic principles may survive, if the Government holds power through the violation of those very principles?

In another place a cabinet minister expressed the hope that through this measure the win-the-war party would succeed—he meant his own party. This verily lacks modesty. The record of the present Administration for the past three years hardly justified such bumptiousness.

Have we not the official statement that a coalition was offered to the leader of the Opposition, Sir Wilfrid Laurier, and is there not in that an admission that the Opposition and its leader can help to win the war? It is only too true that a commoner may be tempted into presenting amendments to the Franchise Act in order to make his return easier; but why has the Senate of Canada been created or constituted, if not to try to hold the scales even between the diverse sections of the population? If we fail in that essential duty of ours, will not the people ask what is the extent of our usefulness? I know that when men go back upon their past history and examine into their conscience they recall actions of which they would not boast after 25 or 30 years; and I am convinced that no one who took part in the gerrymander of 1882 to hive their opponents and so distribute the vote as to have a minority maintain the Government would to-day admit that this was a proper action; and, although I am not ready to sit in judgment upon them as Commoners fighting the battle of their party in the other Chamber, I feel that the Senate did fail in its duty in 1882 in passing such an Act, which had the effect of giving a minority of the electorate control of the Government of this country for the following parliamentary term.

In the present instance, on the eve of an election, we on this side of the Chamber are lookers-on, and we behold the manufacture of a franchise for the ostensible purpose, as stated by the framers of the Bill, of making the way clear for the Government of the day. Well, as has been stated by my honourable friend (Hon. Mr. McHugh) who has just preceded me, the only one I have had the pleasure of hearing, to govern is to foresee, and one who wishes to play the part of a statesman must think of the morrow. Have we thought well and seriously of the effect of this legislation upon the country in general and upon a number of people who have come into this country within the last 20 years, in order to settle here and make this country their home, and who are disqualified by this Act? I would draw the attention of my honourable friends to paragraph h of the proposed section 136, which says:

> Every naturalized British subject who was born in any European country (whether or not the sovereign or government thereof is in alliance with His Majesty in the present war) whose natural language, otherwise described as "mother tongue," is a language of an enemy country, and who was naturalized subsequent to the 31st day of March, 1902,

is disqualified from participating in the election. This, on the face of it, states that British naturalized electors who belong to countries that are fighting on our side are disqualified, if they happen to speak the German language. That includes Russians who are fighting our battles, the Russian Poles, and a number of Poles from Austria and Prussia who have been in open rebellion against their own country.

Hon. Mr. CLORAN: Greeks; the Balkan states.

Hon. Mr. DANDURAND: It takes in the Serbians and the Roumanians, a great many of whom speak the German language.

Hon. Mr. CLORAN: Italy.

Hon. Mr. DANDURAND: And at the same time it disqualifies people of a nation which has been given privileges in this country since the war began, whose citizens have not been interned, but have been treated as Allies, the brave little Czech nation, hemmed in between Austria and Germany, and with its leading parliamentary representatives in jail, condemned to death, some of them executed, and many of them refugees in Paris, New York and Chicago, editing newspapers defending the Allies and pleading for the independence of Bohemia. It includes the Italians of the Trentino and Dalmatia, in and around Triest. I wonder if, instead of working towards the unification of this country, we are not rather sowing seeds of discontent and division which may unfortunately be of lasting effect.

For these reasons I intend to support the amendment of my honourable friend (Hon. Mr. Bostock), and I ask the majority in this chamber which supports the Government in this House, to ponder over their own responsibility, which has been transferred from this side of the House to their shoulders. They have come here, a number of them, under the ægis of the truce which allowed to this Parliament another year of life. They have had during that year the good-will of the leader of the Opposition and the Opposition itself in the House of Commons. This should show them that there has been a sentiment of union permeating this country, and should remind them of the danger of tampering with the franchise, and doing so in a way to create rancour in the minds of a portion of the electors. I know that they are sufficiently fair-minded, if not too much tied down by party feeling and party affiliations, to look with favour upon any amendment which would improve this Bill.

The amendment of Hon. Mr. Bostock was negatived on the following division:

CONTENT.

Honourable Messieurs:

Béique,	King,
Beith,	Landry,
Belcourt,	Lavergne,
Bostock,	McHugh,
Boyer,	McSweeney,
Cloran,	Montplaisir,
Dandurand,	Power,
David,	Roche,
Domville (Lt.-Col.),	Thibaudeau,
Douglas,	Thompson,
Forget,	Watson,
Gillmor,	Yeo.—25.
Godbout,	

NON-CONTENT.

Honourable Messieurs:

Blain,	McLennan,
Bolduc (Speaker),	Milne,
Bourque,	Nicholls,
Bowell (Sir Mackenzie),	Planta,
Crosby,	Poirier,
Daniel,	Robertson,
Dennis,	Ross (Middleton),
Donnelly,	Sharpe,
Fisher,	Shatford,
Fowler,	Smith,
Gordon,	Sproule,
Lougheed (Sir James),	Tanner,
Macdonell,	Taylor,
Mason (Brig.-Gen'l.)	Thorne,
McLaren,	White.—30.

The main motion was agreed to on the same division reversed, and the Bill was read the second time.

On motion of Hon. Sir James Lougheed, the Senate went into Committee on the Bill. Hon. Mr. Daniel in the Chair.

On section 1—Part I of the Dominion Elections Act suspended, and Part II to operate as amended:

Hon. Mr. POWER: When the Military Voters' Bill was before us we struck out the word "complete" before "demobilization," and I trust that the leader of the Government will not object to striking it out in the present case. The word is the less necessary now, because if left out the clause would read:

During the present war and until demobilization after the conclusion of peace.

I would move that the word "complete" in the fourth line be stricken out.

Hon. Sir JAMES LOUGHEED: We accept that.

The amendment was agreed to.

The section as amended was agreed to, from line 4 to line 15.

On subsection 2 of section 32 of paragraph c:

Hon. Sir JAMES LOUGHEED: The word "Canada" in the twenty-eighth line should read "the province."

Hon. Mr. CLORAN: I have been very serious about this Bill all day. I want to poke a little fun at it now. Does the Government contend that thirty days residence is sufficient to qualify a voter? In years past every member who has gone to the House of Commons has known that it has taken a year's residence to qualify. Is the Government now going to provide in a Bill that any stranger, any straggler, can settle down in a shack or a boarding house for thirty days before the issue of the writ, and in that way become entitled to a vote? Let us poke fun at that. Of course, the Bill is going to pass.

Hon. Sir JAMES LOUGHEED: If my honourable friend is going to indulge in an exercise of that kind, I direct his attention to the fact that we are serious.

Hon. Mr. CLORAN: But the Bill is not serious in giving the right to any man to vote after thirty days' residence. A man may be there for that purpose and put in thirty days at a boarding house. I have seen it done in the city of Montreal, in municipal elections. An alderman would go to a hotel and engage thirty or forty rooms, and get every clerk he could get hold of to register there for thirty days. This is the same thing. It is ridiculous.

Hon. Sir JAMES LOUGHEED: I beg to move that the following words follow after the word "election" in line 30:

Provided that the requirements of this section as to domicile shall apply only to such provinces as by their law applicable to provincial elections require domicile as one of the qualifications of an elector.

Hon. Mr. WATSON: What is the qualification of the different provinces now with regard to residence?

Hon. Sir JAMES LOUGHEED: Each province will have its own qualification. Some of the provinces require domicile and others require residence.

Hon. Mr. BOSTOCK: In the province of British Columbia it is only six months. How would this provision work out? Would it make it necessary to be there a year?

Hon. Sir JAMES LOUGHEED: It is only in the event of the provincial law not making any provision.

Hon. Mr. BEIQUE: I should like to know why the province of Quebec is excepted in this.

Hon. Sir JAMES LOUGHEED: I am informed that the reason is that the province of Quebec has its own law respecting domicile and not residence.

Hon. Mr. BEIQUE: That is no reason for excepting it.

Hon. Sir JAMES LOUGHEED: As I understand, there is no provision as to residence under the Quebec law.

Hon. Mr. BELCOURT: You have both residence and domicile in the section. Quebec has its provision with respect to domicile or residence.

Hon. Sir JAMES LOUGHEED: We except the province because it has not the two qualifications.

Hon. Mr. BELCOURT: I cannot follow my honourable friend at all.

Hon. Sir JAMES LOUGHEED: Does my honourable friend say that the provincial qualification in Quebec is that of residence, or that of domicile?

Hon. Mr. BELCOURT: There are dispositions with regard to both.

Hon. Mr. POWER: Subsection 1 and subsection 2 seem to be all right.

Hon. Sir JAMES LOUGHEED: All I can say is that we are advised by the law officers of the Crown that it is necessary, and I am going to ask that it be put in the Bill.

Hon. Mr. LANDRY: Cannot the honourable gentleman let that clause stand until we have further information?

Hon. Sir JAMES LOUGHEED: I do not mind letting it stand.

Hon. W. B. ROSS: Subsection 1 is a general section, and under that section Quebec is taken care of. Subsection 2 does not relate to Quebec at all. It relates to the other provinces.

Hon. Mr. BOSTOCK: Why does it not relate to Quebec?

Hon. W. B. ROSS: Quebec does not need this exception at all.

Hon. Mr. CLORAN: Why not?

Hon. Mr. POWER: The section only applies to a province where there is no relevant or applicable provision to the contrary. Where there is no provision with

respect to residence—of course, it does not apply to Quebec.

Hon. W. B. ROSS: Quebec is fully provided for.

Hon. Mr. POWER: Where there is no provincial rule about it, it shall be residence for one year in the province, and residence and domicile in the electoral district for thirty days. I think that is perfectly clear.

Hon. Mr. CLORAN: Why make fish of one and flesh of the other? If it is going to take a whole year's residence in Quebec to have the right to vote, why would it not be the same in the other provinces?

Hon. Mr. POWER: So it is.

Hon. Mr. CLORAN: "Thirty days."

Hon. Mr. THOMPSON: That is in the riding.

Hon. Mr. CLORAN: It takes a whole year in the province of Quebec in the riding. A man has to be on the municipal list. He has to be in the municipality a year before he gets on the municipal list. In the province of Quebec it will take a whole year and in the other provinces a man will be able to go and sit down for thirty days, probably go to a fishing club or a hunting club, and he will have the right to vote. It is not fair play to the people of Canada. I think the leader of the Government should find out where he is.

Hon. Mr. DAVID: Subsection 3 of section 32 says:

In the province of Quebec, notlithstanding anything in this Act contained, the qualifications as to domicile of female voters shall be domicile on the date of the said writ of election.

If the lists were made about eighteen months ago, would that disqualify all those who were domiciled in a certain place and who since that time have changed their domicile?

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at the amendment he will see, if he is correct, that this will not alter it in any way. It simply makes it doubly certain that the requirements of the law shall guide us.

Hon. Mr. POWER: The point raised by the honourable gentleman from Mille Iles (Hon. Mr. David) deals with the question of female voters, of whom there are only a very few in the province.

The amendment was agreed to, and subsection 2 of section 32 as amended was agreed to.

On paragraph d of section 1, (subsection 1 of section 33A)—qualifications of female voters:

Hon. Sir JAMES LOUGHEED: I am going to ask that an amendment be made to this paragraph. It is made at the suggestion of Mr. Bureau, who, in the House of Commons, asked the Government to have it made clearer. It is proposed to strike out all the words after the word "war" in the 13th line of page 2, and to substitute the following:

Provided that this section shall not apply to the wife, widow, mother, sister or daughter of a person no longer serving as aforesaid, unless such person has died in or has been honourably discharged from such service, or, in the case of an officer, has died in or has been permitted to resign from such service, or has been dispensed by competent authority from further service, or, in any case, has died after honourable discharge, resignation by permission or dispensation from further service, as aforesaid.

Mr. Bureau seem to think that the language used there is somewhat complicated and has suggested this section, which we have accepted.

Hon. Mr. BELCOURT: It is the same idea. I cannot see any difference.

Hon. Sir JAMES LOUGHEED: He seemed to think that the language was somewhat complicated, and would lead to difficulty, and suggested that the clause be redrafted.

Hon. Mr. BEIQUE: I move that the same clause be further amended by adding the following:

And provided, further, that one vote only shall be allowed for any one person who is thus serving or has served as aforesaid, and that such vote shall be restricted to the person first above enumerated who happens to be qualified as aforesaid.

Hon. Sir JAMES LOUGHEED: I am sorry I cannot accept my honourable friend's amendment.

Hon. Mr. BEIQUE: The object is to give one vote instead of giving half-a-dozen or a dozen votes. For my part, I think it is objectionable to give so many votes. A large number of persons who have enlisted in this country have done so because the pay was higher than they would obtain in the United States or in Great Britain. In the United States the pay is only $15 a month, as compared with $1.25 a day here. In Great Britain the pay is still less, or about the same—one shilling a day, I think. So we are dealing with a number of persons who have enlisted here because the pay is higher, and

we are giving to these persons a large number of votes.

Hon. Mr. POWER: I quite agree with the honourable gentleman from De Salaberry (Hon. Mr. Béique) that this change should be made. I had an amendment to suggest, which perhaps the honourable gentleman would be willing to accept, and which I think is more easily followed. My impression is that the intention of the draftsman of the Bill was that only one female person should vote; but the wording of the clause is such that it would let in the wife, the mother, the sister, the daughter, perhaps half-a-dozen sisters and daughters. What I think was the intention was that the nearest female relation should vote. If the honourable gentleman from De Salaberry does not mind, I would suggest that we strike out from the eighth and ninth lines the words, "wife, widow, mother, sister or daughter," and insert instead the words, "nearest female relation." That would give a vote to the nearest relative, whether she is a wife or mother or whatnot. I trust that that was the intention of the draftsman of the Bill.

Hon. Sir JAMES LOUGHEED: He does not seem to have expressed himself so.

Hon. Mr. POWER: Because I hardly think it could be the intention to allow half-a-dozen women to come in and vote besides the man himself.

Hon. Mr. GILLMOR: Is only one sister to vote, or can three or four sisters vote?

Hon. Mr. CLORAN: The whole dozen.

Hon. Mr. GILLMOR: All the sisters?

Hon. Mr. CLORAN: Yes.

Hon. Sir JAMES LOUGHEED: It is just as expressed in this Bill.

Hon. Mr. GILLMOR: It says, "sister"; it does not say "sisters."

Hon. Mr. BEIQUE: The amendment proposed by the honourable gentleman (Hon. Mr. Power) would not be acceptable, and I will tell the honourable gentleman why. He does not say one vote to the nearest relation, and it would be possible for several sisters to have votes. I think my amendment is quite correct.

Hon. Sir JAMES LOUGHEED: I think the only way to decide is to accept neither.

Hon. Mr. CLORAN: If the committee would take this clause into grammatical consideration, they would find that the draftsman of the Bill, whoever he may be, meant that only one female vote should be allowed in the case of each soldier. What is the construction of that phrase?

> Every female person shall be capable of voting and qualified to vote who.... as the case may be, is the wife, widow, mother, sister or daughter.

She cannot be all at the same time; she cannot be a widow and a wife at the same time. Therefore the clause does not say the vote is for both the wife and the widow, but the wife or the widow; wife, widow, mother, sister—and now we find the essential disjunctive conjunction "or." From the grammatical point of view, any educated man on the Bench will seize the point that only one of five females would have the right to vote. If the clause said, "wife, widow, mother, sister and daughter," then, according to the grammatical construction of the phrase, the whole five would have the right to vote; but, according to the grammatical construction of this phrase, owing to this disjunctive conjunction, only one of the five has the right to vote. That is my view. This question will have to be submitted to the courts, and it will depend upon what kind of man there is on the Bench—whether he knows his grammar or not. If he does not know his grammar, he will allow the votes of all five; if he is an educated man, knowing his grammar, he will say only one, because the wording is, "wife, mother, sister or daughter." Any honourable gentleman in this House who knows his grammar will agree with me with regard to that. While I am on my feet, may I make another remark. I think the honourable leader of the Government, who is an educated man, will admit that there is a piece of bad grammar in this:

> Every female person shall be capable of voting and qualified to vote at a Dominion election in any province or in the Yukon Territory who, being a British subject... is the wife, widow, mother, sister or daughter of any person, male or female.

Now, how can a female be the wife or the widow of a female? That word "female" ought to be struck out. There is no sense in it. I would ask the honourable leader of the Government to have that word struck out. We do not want it supposed that the Senate of Canada is composed of men who do not know their A, B, C's. I think some of you gentlemen ought to go to the bilingual schools and learn them.

Hon. Mr. POWER: The honourable gentleman from Victoria (Hon. Mr. Cloran)

said a while ago that he proposed to have a little fun with this Bill.

Hon. Mr. CLORAN: So I am.

Hon. Mr. POWER: And, as he says, he is having it now.

Every female person shall be capable of voting... who is the wife, widow, mother, sister or daughter of any person, male or female,

Hon. Mr. CLORAN: How can she be her own wife?

Hon. Mr. POWER: She may be either sister or daughter. Of course, there is an objectionable point, that all of these persons, the wife, widow, mother, sister and daughter, may vote. The qualification is that the voter must be the wife, mother, sister or daughter; but if there are half-a-dozen different daughters, they will all vote, because each one of them can say that she is the daughter of a male voter.

The amendment of Hon. Mr. Béique was negatived, and subsection 1 of section 33A was agreed to.

On subsection 2 of section 33A—part of naval forces excepted:

Hon. Mr. BOSTOCK: What is the object of the reconstruction of this clause? Why is there any more objection to giving them the vote if they become members after the passing of the Act than there is to giving them the vote if they become members before?

Hon. Sir JAMES LOUGHEED: To stop the manufacturing of votes, that is all.

Hon. Mr. BOSTOCK: I thought the purpose of the Act was to get as many votes as possible?

Hon. Sir JAMES LOUGHEED: Oh, no.

Hon. Mr. BEIQUE: There is a limit.

Subsection 2 of section 33A was agreed to.

On paragraph e of section 1—provincial disqualifications not adopted:

Hon. Sir JAMES LOUGHEED: These are in the present law.

Hon. Mr. BOSTOCK: What effect would that have with regard to the law in the province of British Columbia?

Hon. Sir JAMES LOUGHEED: The law is to be as the Chairman has just read.

Hon. Mr. BOSTOCK: But the difference, as I see it, is that in the ordinary way we take the provincial voters' lists, while under the proposed Act these lists are to be made up by an enumerator, if I understand the situation rightly.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: Then, if the enumerator thought it was of advantage to put Chinamen and Indians on the list, he could do so.

Hon. Sir JAMES LOUGHEED: My honourable friend ought not to have any apprehension in that respect, because the questions of age, race and residence are all decided by the provincial law.

Hon. Mr. BEIQUE: But you exclude that, under paragraph iv.

Hon. Mr. BOSTOCK: Under the law of the province of British Columbia:

Every male of the full age of twenty-one years, not being disqualified by this Act or by any other law in force in this province, and—

(a) Being entitled within this province to the privileges of a natural-born British subject; and

(b) Being able to read this Act, or any portion thereof, to the satisfaction of the Registrar, if required by such Registrar so to do; and

(c) Having resided in this province for six months, and in the electoral district in which he claims to vote for one month of that period immediately previous to sending in his claim to vote as hereinafter mentioned; and

(d) Being duly registered as an elector under the provisions of this Act,—

shall be entitled to vote at any election.

There is a clause further on specially excepting Chinamen, Japanese, Hindus and Indians.

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at line 3 on page 2, he will see that:

Every female person shall be capable of voting and qualified to vote at a Dominion election in any province or in the Yukon Territory, who, being a British subject and qualified as to age, race, and residence as required in the case of a male person in such province.

Clause 32 of section 1 makes provision as to the qualifications.

Hon. Mr. BOSTOCK (reading):

No Chinaman, Japanese, Hindu, or Indian shall have his name placed on the register of voters for any electoral district, or be entitled to vote at any election.

But a number of these Chinamen come from Hong Kong and are practically British subjects, and a number of them can read. If the test of the Act were applied to them, it would be found that they could read, that they have been in the district six months and in the province a year; so that their names could be put on the list, and

they would be entitled unless they were specially excluded.

Hon. Sir JAMES LOUGHEED: It all depends upon the law of the province. If the law excludes them they cannot be put on.

Hon. Mr. BEIQUE: The law of the province clearly excludes them as a class, but under paragraph iv of 33B the exclusion is not to obtain.

Hon. Mr. BOSTOCK: That is how I read it.

Hon. Mr. BEIQUE: Let me read 33B:

> No person possessed of the qualifications generally required by the provincial law to entitle him to vote at a provincial election shall be disqualified from voting at a Dominion election merely by reason of any provision of the provincial law disqualifying from having his name on the list or from voting.

So that if it were not for this paragraph iv they ould be disqualified from voting; but I understand this paragraph removes that disqualification.

Hon. Sir JAMES LOUGHEED: No, if it were not for 33 B there might be some probability of their being entitled to vote. The whole policy of the Act is to maintain the qualifications enacted by the provincial legislation.

Hon. Mr. BOSTOCK: Then, if my honourable friend's contention is right, the other clause of the provincial Act, which includes:

> No sailor, marine or soldier on full pay in the imperial service whose name is placed on the register of voters for any electoral district, save and except those who live in houses or rented apartments and not within barracks or navy yards—

would work disqualification in that way.

Hon. Sir JAMES LOUGHEED: If the provincial statute enacts a non-qualification, then we cannot qualify them. The first duty of the enumerator will be to ascertain what the qualifications of provincial voters are, and to embody them as the basis of his list.

Hon. Mr. BOSTOCK: Then those sailors or soldiers who happen to be in Esquimalt at the time of voting will not be qualified to vote?

Hon. Sir JAMES LOUGHEED: I think they would be.

Hon. Mr. BELCOURT: Section 33 B of the present law is in exactly the same terms as the amendment proposed. Why, then, is this section, with i, ii, iii, iv, included in the present law?

Hon. Sir JAMES LOUGHEED: Because this comes from Part I of the Dominion Elections Act, which is suspended under section 1 of this Bill; consequently we take this from Part I, and put it into Part II.

Hon. Mr. BELCOURT: It is word for word the same.

Hon. Sir JAMES LOUGHEED: It is meant to be. The whole of Part I of the Dominion Elections Act is suspended; consequently we carry the clauses that are necessary to a proper enactment of this law to Part II.

Hon. Mr. POWER: The honourable leader of the Opposition suggests that under iv a Chinaman or Indian might vote, and I think he is right.

Hon. W. B. ROSS: He could not vote if he were not qualified under the provincial Act. These paragraphs, i, ii, iii, iv, are simply repetitions of what is in the Act now. They were passed simply to get clear of the provincial legislation that was passed in Nova Scotia, when the anti-Confederation party was in power, which referred to any person under pay or working for the Intercolonial railway, and all that. That is what this provides for. If you have the qualification of the Provincial Act, then you are not to be struck off for any of these reasons.

Hon. Mr. THOMPSON: If a person is qualified as stated in 33B, but disqualified under the provincial Act, then he is qualified under this section.

Hon. W. B. ROSS: Yes.

Hon. Mr. THOMPSON: No matter what disqualification there is under the provincial Act, whether he is a Chinaman or anything else, he can vote under this Act if he is possessed of the qualification required to make him a provincial voter.

Hon. Sir JAMES LOUGHEED: If he is possessed of the required qualification he cannot be disqualified. If he is non-qualified by the provincial Act it is quite plain that he cannot be qualified by this Act.

Hon. W. B. ROSS: Does that man you speak of vote at a Dominion election?

Hon. Mr. THOMPSON: He does not, because he is disqualified under the provincial law, for some reason and for certain purposes, but he has the necessary residential qualification.

Hon. W. B. ROSS: Assume that he is qualified to vote at the provincial election, if the provincial law says that a man working on the Government railway or holding an office in the Marine and Fisheries Department, and so on, shall not vote, he will get in under this law.

Hon. Mr. WATSON: What about the Chinaman?

Hon. Mr. ROSS: This does not let in a Chinaman.

Hon. Sir JAMES LOUGHEED: My honourable friend fails to draw the distinction between non-qualification and disqualification. Now, a Chinaman is non-qualified. A voter may be disqualified, for instance, because the provincial statute may say that a Dominion employee in British Columbia shall be disqualified from voting, but that enactment would not disqualify him from voting in a Dominion election; that is the distinction.

Hon. Mr. POWER: It is just as well to let the Chinaman vote, anyway.

Section 33B was agreed to, to end of paragraph iv.

Hon. Sir JAMES LOUGHEED: I wish to move an amendment to section 33B, which will be known as subsection 2 and come in after line 39, page 2, as follows:

(2) No person whose son or grandson is serving or has served as in section 33a provided shall, by reason of the lack of any income or property qualification required by the provincial law, be deemed non-qualified to vote at a Dominion election, but all such persons, being otherwise qualified as required by this Act, shall be entitled to vote at any Dominion election.

I understand that in the province of Nova Scotia, for instance—I am not sure as to the other provinces—there is an income qualification and a property qualification. Now, we are making provision that the persons mentioned here shall not, by reason of not having the income required by the provincial franchise, be disqualified to vote at the Dominion election.

Hon. Mr. BELCOURT: That is confined to soldiers?

Hon. Sir JAMES LOUGHEED: Yes.

The amendment was agreed to.

On paragraph f—posting proclamation:

Hon. Mr. POWER: What is the effect of that?

Hon. Sir JAMES LOUGHEED: It is to lengthen the time allowed for the posting of the proclamation from eight days to ten days, before the day fixed in the writ for nomination of candidates.

Paragraph f was agreed to.

On paragraph g—subdivision of electoral district into polling divisions:

Hon. W. B. ROSS: I wish to move an amendment to this paragraph g. At present all the provinces, with the exception of Nova Scotia and New Brunswick, have a judicial revision of the list, either before or after the election.

Hon. Mr. BELCOURT: Is my honourable friend speaking of revision, or registration?

Hon. W. B. ROSS: I am speaking of the preparation of the lists. They have such a revision in Ontario and Quebec, the lists being closed at a time before that. In the western provinces and in Prince Edward Island the lists will be made by the enumerator, taking the provincial lists as the basis to start from; but in New Brunswick and Nova Scotia there are certain revisers to prepare the lists; and there is an appeal from these revisers to the sheriff, and then the list is closed. Once on a time the sheriffs in Nova Scotia were appointed by the judges, and were non-political appointments, and good men remained in office permanently; but some twenty-five years ago the provincial legislature took the appointment of the sheriffs out of the hands of the judges, and since that time they have all been political appointments. Now, the only remedy we have against that in Nova Scotia is that where the sheriff leaves you off the list—one need not say wrongfully—he is liable to a fine of $200 if it is done wilfully; but there has never been a conviction.

Hon. Mr. BELCOURT: There could not be.

Hon. W. B. ROSS: All that I ask for Nova Scotia and New Brunswick is that they be given a judicial revision—a chance to go before a judge. In asking that, I do not ask for anything for one political party that the other political party does not get. Both parties would be on a basis of perfect equality, and I cannot see why there should be any objection to that. Prince Edward Island has had it, and I think New Brunswick and Nova Scotia should have the same. By striking out the words "Nova Scotia and New Brunswick" we will get this result, that every province in the Dominion, so long as this Act lasts, will have a judicial revision of the list, either

before or after the Dominion election. I therefore move that the words "Nova Scotia and New Brunswick" be stricken out.

Hon. Mr. BELCOURT: Subsection g does not in any way deal with any kind of revision; it merely has regard to polling divisions.

Hon. W. B. ROSS: It all comes to the same thing.

Hon. Mr. BELCOURT: If the honourable gentleman moves the amendment to subsection g of section 33, he may compel us to vote against it; but if he moves it later on we may support it. Section 65A deals with the lists of voters. That is the only place where my honourable friend can propose the amendment which he now suggests.

Hon. W. B. ROSS: I am satisfied that the three sections should be taken together. I want this amendment made on page 2, again at the foot of page 7, and again on page 9. The sections are all interlocked.

Hon. Mr. BOSTOCK: I understand that the honourable gentleman wants to put the provinces of Nova Scotia and New Brunswick in the same position as the province of Prince Edward Island and the four western provinces.

Hon. Mr. BEIQUE: If I can understand this Bill—

Hon. Sir JAMES LOUGHEED: I should have thought it would have been a Bill after my honourable friend's own heart, it is so complicated.

Hon. Mr. BEIQUE: I have no objection to this, but let it apply to all the provinces. If you leave the enumerator in one province to strike out names or add names to the list, without any judicial control—

Hon. W. B. ROSS: They would all be on the same footing—Nova Scotia, New Brunswick, Prince Edward Island and the western provinces.

Hon. Mr. POWER: I trust that the committee will not accept that amendment, because there has been no complaint as to the operation of the existing law in Nova Scotia. Under this Act, we have the provincial lists to go by. As I understand the amendment, it would be a sort of a go-as-you-please for the enumerator.

Hon. W. B. ROSS: I do not agree with the honourable gentleman that there are no complaints in the province of Nova Scotia. To my certain personal knowledge, there have been complaints for over twenty years.

A great deal of dirty work has been done by partisan sheriffs, and there has been no way of getting at them. I would not make any proposal that was not fair to both parties. The proposition which I am making, if anything wrong is done, gives the Liberal party the same right and the same position as it gives to the Conservative party. There is not a jot or tittle of difference between the two. There is elaborate provision made for enveloping votes and for allowing candidates and their agents to make objections. It would give uniformity and would be a much more satisfactory and judicial way of dealing with the vote.

Hon. Mr. BELCOURT: I cannot agree with my honourable friend at all. He is not going to accomplish the purpose he has in mind, if he does what he proposes. Subsection g deals with polling divisions, not with voters, and includes Quebec and Ontario.

Hon. W. B. ROSS: What I want is to have Nova Scotia and New Brunswick on the same footing as Prince Edward Island, and as Alberta and the other western provinces.

Hon. Mr. BELCOURT: With regard to what?

Hon. W. B. ROSS: The polling division, the vote, and the judicial review.

Hon. Mr. BELCOURT: What have the sheriffs in Nova Scotia to do with establishing polling divisions? My honourable friend tells us that in Nova Scotia the sheriffs are partisan, and are tinkering with the lists. What has that to do with polling divisions?

Hon. Mr. DANDURAND: May I draw the attention of the honourable gentleman to the fact that he jumps with both feet into a clause, and on the pretext of uniformity asks us to strike Nova Scotia and New Brunswick from the clause which was passed by the House of Commons when members from those provinces seem to have taken no objection. He asks us to go it blindly, without understanding the first word about it.

Hon. Mr. BOSTOCK: I do not exactly understand this. The honourable gentleman from Middleton (Hon. Mr. Ross) talks about a judicial revision. If I understand this Act at all, there is no provision for a judicial revision. The enumerator makes up the list and posts it at the post office or some other place under this Act, and, if your name is not on the list, the only thing you can do is to protest five days before polling day.

Hon. W. B. ROSS: That is what I say. There is no judicial revision. In the province of Prince Edward Island and the western provinces the judicial revision takes place after the election. If a man is struck off and claims that he should be on the list, he makes a certain affidavit and his vote is taken and put into the box. If there is a man on the list who the candidate thinks should be struck off, the judicial revision takes place on the recount. In Ontario and Quebec they have what is called a closed list. There is a day fixed, the review takes place on that list, and that is closed and forms the list for the election. The question of the polling booths is mixed up with the question of the lists that are now in existence, and under subsection g the returning officer will make the polling stations accord with the new lists as made up by the enumerator. The enumerator can take the provincial list and take any information he can get, and when he gets his list made up and posted, the returning officer can provide his polling stations to suit. If this amendment is not made in this section as well as elsewhere in the Bill, what I am asking for cannot be accomplished. What I want is a judicial review.

Paragraph g of section 33B, as amended, was agreed to.

On paragraph i—lists of voters by enumerators:

Hon. Sir JAMES LOUGHEED: The last word in line 21 should be "division," not "district."

Paragraph h, as amended, was agreed to.

On paragraph i—lists of voters by enumerators:

Hon. Sir JAMES LOUGHEED: I am going to ask that another subsection be inserted at the end of this section, which will be subsection 3:

> Whether or not resident within the polling division, the enumerator, if qualified as an elector of the electoral district, shall add his own name to the list of voters, and he shall vote within such polling division, if at all, and at no other place.

This is to permit of this officer voting in the polling division where he spends the day.

Hon. Mr. BOSTOCK: Mr. Chairman, I want to draw the attention of the honourable leader of the Government to this. Section 45 of the Act reads:

> In the Yukon Territory, the enumerator, forthwith after taking the said oath, shall post up in six of the most public places within each polling division.

That is a provision making it necessary for the enumerator to give notice to the public that he is commencing his work; but it seems to be confined entirely to the Yukon. I was going to suggest to the honourable leader of the Government that he should adopt an amendment striking out the words, "In the Yukon Territory," and make the section applicable to all districts. It seems to me it is a desirable thing that the public should know that the enumerator has commenced his work.

Hon. Sir JAMES LOUGHEED: Have we come to that point yet?

Hon. Mr. BOSTOCK: We are dealing with section 46 of the Act, but this is section 45.

Hon. Mr. BELCOURT: That is dealt with in section 48, is it not?

Hon. Mr. BOSTOCK: No.

Hon. Sir JAMES LOUGHEED: That proposed amendment is entirely unnecessary, because what is analogous to this is done in the other districts. I understand that the enumerator in other districts does the same thing in the last 15 days as the enumerator in the Yukon does in the 30 days. That is provided for in the Act.

Hon. Mr. BOSTOCK: No; excuse me, There is no provision in the Act with regard to the other parts of the country.

Hon. Sir JAMES LOUGHEED: Will my honourable friend look at paragraph j of section 1 of the Bill, amending section 48 of the Act.

Hon. Mr. BOSTOCK: But 48 deals only with the enumerator after he has compiled his list and signed his name at the bottom, and sticks up a copy of the list in the post office. Then there are 15 days during which any person who finds that his name has not been placed on the list may apply to the enumerator and bring to his attention the fact that the name has been left off. But that is a different thing from what is provided for in section 45 with regard to the Yukon Territory.

Hon. Sir JAMES LOUGHEED: Where is the difference?

Hon. Mr. BOSTOCK: The difference is that under 48 the enumerator takes his provincial list and proceeds, at his residence or somewhere else, to revise that list, but nobody knows what he is doing, or who he

is or anything about him; whereas in the Yukon the enumerator puts up a notice first of all, when he commences his work, to say he has been appointed as the enumerator for that polling division. I think it is very desirable the public should have such notice in the other provinces as well.

Hon. Sir JAMES LOUGHEED: In the Yukon the enumerator does that as a preliminary, in an out-of-the-way place; but in the other provinces the enumerator prepares his list and signs the copies of the list 15 days before the polling day; two of the said copies he posts up in the most public places within the polling division, and another copy he retains for revision. The Act then provides the machinery for revising the list. It seems to me the provisions are most elaborate.

Hon. Mr. BELCOURT: As the honourable leader of the Opposition (Hon. Mr. Bostock) has pointed out, section 45 provides for one thing and section 48 provides for an entirely different thing. Section 45 provides that, so far as the Yukon is concerned, the enumerator must not only give notice of his list when it is completed, but must also give notice of the fact that he has been appointed an enumerator and notice to the voters to come to him and have their names entered on the list. That is an entirely different thing from the notice the enumerator has to post up according to section 48.

Hon. Sir JAMES LOUGHEED: Of course, the conditions are somewhat different in the Yukon.

Hon. Mr. BELCOURT: But, as pointed out by the honourable leader of the Opposition, if the provision is necessary in the Yukon, it must be necessary also in many other parts of Canada, where conditions are similar to those of the Yukon.

Hon. Sir JAMES LOUGHEED: But my honourable friend will see that greater precautions, if such are regarded as necessary, are taken in the other provinces, on account of the difference of conditions. In the other provinces the enumerator posts up the actual list. He does not do so in the Yukon; he simply posts up a notice that he is going to prepare the list and that a revision of that list will take place at a particular time. In the various provinces the enumerator, 15 days before the polling day, posts up two copies of the list within the polling division, and he keeps a copy of the list and gives notice of a revision; so every precaution is thus taken. It seems to me that the precautions are much more elaborate in the provinces than in the Yukon.

Hon. Mr. BOSTOCK: I have had no experience in this matter of posting up lists, but I have known of such things as notices being posted up in a school house or a post office and being taken down again. In case the list posted up happens to be destroyed the public has no notice.

Hon Sir JAMES LOUGHEED: But the candidates also are furnished with copies of the lists.

Hon. Mr. BOSTOCK: In a large riding like Yale-Cariboo, the candidate would have a lot of trouble to notify all the people.

Hon. Sir JAMES LOUGHEED: I would ask my honourable friend if he would prefer to have the machinery which we have provided for the Yukon applied to the provinces, instead of what is provided for in section 48. Would he exchange?

Hon. Mr. BELCOURT: He wants both.

Hon. Mr. BOSTOCK: Why should the provinces not have the additional precautions?

Hon. Sir JAMES LOUGHEED: If the honourable gentleman is satisfied with the Yukon provisions, we will take them.

Hon. Mr. BEIQUE: I understand there is a difference as regards the provinces. In certain provinces there is a provincial list, as in Ontario and Quebec; but in the case of the western provinces, where there are no lists, I think the provisions should be similar to that for the Yukon, because the list has to be made up in toto, and therefore the officer who is called upon to prepare the list should give notice similar to that required in the Yukon.

Hon. Mr. BOSTOCK: What is the objection to giving the notice? Would it do any harm to anybody?

Hon. Sir JAMES LOUGHEED: It simply adds to the time. In the Yukon the election is a deferred election, and consequently additional time is given, but it is not so in the provinces.

Hon. W. B. ROSS: No complaint has arisen in the West.

Hon. Sir JAMES LOUGHEED: This is the machinery under which we have carried on our elections in the Northwest in the

days when they were the Northwest Territories. To-day they are Saskatchewan and Alberta.

Hon. W. B. ROSS: I understand both parties in the West are thoroughly satisfied with the present arrangement?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. W. B. ROSS: The thing is done out there as it was done under the late Government.

The amendment of Hon. Sir James Lougheed was agreed to, and paragraph i, as amended, was agreed to.

On subsection 1 of paragraph j—list to be posted up at post office or other conspicuous place:

Hon. Mr. BOSTOCK: When are polling stations established? If there is no post office, the list has to be posted up in a conspicuous place "outside and adjoining the main entrance to such polling station." As I understand, it has to be done 15 days before the polling?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: But the polling stations are not established 15 days before?

Hon. Mr. LOUGHEED: Yes. They are ready before nomination day.

Hon. Mr. BEIQUE: "Polling stations" are not defined in the Bill. Should they not be defined?

Hon. Sir JAMES LOUGHEED: The meaning is very well known.

Hon. Mr. BEIQUE: We have "polling division" defined as including "any polling subdivision, polling district or sub-district or territorial area for which there is a separate voters' list or in which a poll may be held." Now we import "polling station," and there is no definition of it.

Hon. Mr. CROSBY: The polling station is where you vote.

Hon. W. B. ROSS: I presume the honourable gentleman is reading paragraph f of section 2 of the Dominion Elections Act?

Hon. Mr. BEIQUE: Yes, but should there not be a definition of polling station?

Hon. W. B. ROSS: No, because the term "polling division" is defined by parapraph f of the Act. In section 5 of the Bill the term "polling division" is used. If there are separate lists for two portions of the division, then each of them is to be treated as a polling district.

Hon. Mr. SPROULE: Another provision in the Elections Act makes it necessary to announce these at the nomination. They are all read out at the nomination, and an announcement is made as to the building in which the voting shall take place. That is done in Ontario at least.

Subsection 1 of paragraph j was agreed to.

On subsection 3 of paragraph j—notice of place where enumerators may be found:

Hon. Mr. BEIQUE: Will the honourable leader of the Government allow me to call his attention to section 46 of the Act? In this copy of the Act, containing the amendments which have been adopted to section 46, are to be found in italics the words "at least," in line 29, but these words are not found in Bill 133. They have been left out of the Bill, and should be there, because more than three lists may be required. There may be several candidates, and two copies of the list must be posted up, and there may be four or five copies required.

Hon. Mr. ROSS: Where does that come in?

Hon. Mr. BOSTOCK: It would come in at paragraph i, which we have passed.

Hon. Sir JAMES LOUGHEED: If my honourable friend will look at the bottom of page 11, in paragraph t, he will find that the amendment has been made:

by inserting between the words "make" and "three" in the fifth line of section 46 the words "at least."

It is in pursuance of that amendment which my honourable friend has just read.

Hon. Mr. BEIQUE: How is it that it does not come in after section 42?

Hon. Sir JAMES LOUGHEED: It was done in the House of Commons. The amendment was inserted after the Bill was drafted, and it relates back to that particular section.

Hon. Mr. WATSON: Could the honourable leader of the Government give us any further information touching clause 3, regarding notice of place where enumerators may be found? An enumerator may be off in the woods or at some place where nobody could find him.

Hon. Mr. CROSBY: He gives notice of where he can be found.

Hon. Mr. WATSON: That would not help matters if he were off in a swamp.

Hon. Sir JAMES LOUGHEED: We must asume that when an officer is appointed to an important position of that kind he will not trifle with the public interest.

Hon. Mr. WATSON: It has been done.

Hon. Sir JAMES LOUGHEED: The enumerator will have to designate the place where he may be found. It seems to me that we have to place reliance upon an enumerator to perform his duty. An officer who is manifestly derelict in his duty may be punished.

Hon. Mr. WATSON: I have known of enumerators to go out of the way, so that they could not be reached.

Hon. W. B. ROSS: The Bill says the enumerator must designate "a place within the polling division and a time where and when electors may conveniently find him."

Hon. Mr. WATSON: How is he to be found if he is off in a swamp?

Hon. W. B. ROSS: That would hardly be "a convenient place."

Subsection 3 of paragraph j was agreed to.

On paragraph k—correction of voters' lists:

Hon. Mr. BOSTOCK: I understand from this paragraph that within five days of the election it cannot be done?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BOSTOCK: So it must be done five days before the polling day, or it cannot be done at all.

Hon. Sir JAMES LOUGHEED: That will be the tenth day of the fifteen days prior to the election; that will be the fifth day before the election. He posts up the list 15 days before, and the change must be made within 10 days.

Hon. Mr. BOSTOCK: Then, if he does not make the change within the 10 days, the only thing the elector can do—

Hon. Sir JAMES LOUGHEED: He swears in his vote.

Hon. Mr. BOSTOCK: On the polling day.

Hon. Sir JAMES LOUGHEED: Yes. So he is not deprived of his vote.

Hon. Mr. BEIQUE: Is it open to the enumerator to make a change within four days of the election?

Hon. Sir JAMES LOUGHEED: No, I think not.

Paragraph k of section 1 was agreed to.

Hon. Mr. WATSON.

On paragraph l, section 1—attestation of lists and delivery to deputy returning officers:

Hon. Mr. BOSTOCK: We would like to know what that means?

Hon. Sir JAMES LOUGHEED: If my honourable friend has a copy of the Act before him, he will see the application of this amendment to sections 50 and 51. It simply extends the provisions that hitherto applied to the other provinces and places them in the same category.

Paragraph l, section 1, was agreed to.

Paragraph n, section 1—returning officer may act as deputy:

Hon. Mr. BOSTOCK: What does that mean?

Hon. Mr. CROSBY: The returning officer may act as deputy, that is all.

Hon. Sir JAMES LOUGHEED: He exercises that right in the western provinces, but it is now to be extended to the Dominion in cases where the returning officer sees fit.

Paragraph n, section 1, was agreed to.

On paragraph o, subsection 2—issue of certificate, entry in poll-book, and name added to voters' list:

Hon. Mr. BOSTOCK: The words in lines 43 and 44, "such person shall be permitted to vote in the ordinary manner," mean that he simply receives an ordinary ballot and puts it in the box in the ordinary way; it is not put in an envelope?

Hon. Sir JAMES LOUGHEED: Not this.

Subsection 2 of paragraph o was agreed to.

Hon. Mr. BOSTOCK: Does my honourable friend intend to go on through this Bill to-night?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BELCOURT: If my honourable friend from Middleton (Mr. W. B. Ross) is going to insist on the amendment which he proposed to paragraph g, I propose to discuss the matter at length. I am told that that amendment is in breach of an agreement that was made in the other House.

Hon. W. B. ROSS: Certainly I intend to insist on the amendment.

Hon. Mr. DANDURAND: I understand that the Nova Scotia Conservatives are very much excited over the undue advantage that they would get by these amendments.

I have seen sufficient of the game as it is played around the lobby just now to be convinced that there is an attempt at an undue advantage to be obtained in the closing hour of the session on this Bill, that has been rushed through the House of Commons by the closure.

Hon. W. B. ROSS: Perhaps the honourable gentleman will be able to show me where one party gets the advantage of the other.

Hon. Mr. DANDURAND: I will answer my honourable friend by telling him that he has spoken of section 65A, which he wants to amend by striking out the words, "Nova Scotia and New Brunswick." Those are the provisions wherein the lists of Nova Scotia, Quebec, Ontario and New Brunswick are accepted as a basis, and the lists to which the enumerators may add. Now, the Hon. Mr. Meighen said in the other House:

We, however, extend that safeguard much further. Not only may a man vote to whom the enumerator has refused a vote— his vote to go in an envelope and he afterwards judicially reviewed, but the vote of any man who is put on by an enumerator and who the agent of any candidate claims should not be put on may be challenged by that agent by affidavit asserting his belief that the voter has not the right to vote and giving the reasons. If the agent does so that vote also goes in an envelope and is subject to the very same review. Consequently it will be seen that, while we adopt the provisions of the provinces of Saskatchewan and Alberta which have been in effect by Dominion legislation since 1905, we adopt safeguards against any work of the enumerator that might be objected to, with the ultimate result that the whole of the enumerator's work may, if desired, be subjected to judicial revision. It will, I think, appear to all that the objections that have heretofore been levelled, with some force, against the list-making provisions enacted in this House and applicable to Alberta and Saskatchewan, are eliminated in this Bill, and that such safeguards are provided as will render the making and operation of those lists absolutely fair.

I have covered the method so far as it applies to the four western provinces and Prince Edward Island. There are left the provinces of Ontario and Quebec, New Brunswick and Nova Scotia. In those provinces the women are not on the list last made up. In the province of Ontario the list last made up was prepared last fall and completed, I believe, in December. It is only a male list. That list has also been judicially reviewed according to the Ontario law, and there is no reason for throwing that list away and making a new list by enumerators. This year's list will, of course, include some names of women. My words in that regard apply only to the counties of Ontario and to towns up to 9,000 population. In towns over 9,000 and in cities, there are no completed lists. Consequently, as to towns and cities in Ontario, another method of making the list has to be devised. First let me deal with the counties of Ontario. In the counties of Ontario there is a list covering all places except towns and cities over 9,000 population. That list has been made up and was revised judicially last December.

In Quebec, in the cities of Montreal and Quebec, there are also completed lists, and in all the rest of Quebec there are lists now approaching completion, and to be completed this month. Those lists should be kept in mind in conjunction with the Ontario lists in counties, because all are treated the same. Similarly in New Brunswick and Nova Scotia there are lists now complete.

The lists so made up of male voters all judicially revised in Ontario and Quebec and revised by the provincial methods in Nova Scotia and New Brunswick, are by this Bill adopted, so far as they go. The only requirement as to them is to add such of the women as by this Bill are to be entitled to vote and to substract such of the men, if any, as, by reason of alienage, should not be entitled to vote. This is done by means of a system of enumeration similar to that adopted in the other provinces. The names of women are enumerated along the lines of the present Ontario Act. I am not speaking now of the cities of Ontario. I shall ask hon. members to keep the cities of Ontario until I get through with the counties of Ontario and with the provinces of Quebec, New Brunswick and Nova Scotia. As regards these latter the lists are adopted and the enumeration only goes to the adding of the names of the additional women now entitled to vote and to the striking off of those who by reason of alienage, and nothing else, are disentitled to vote. That is the province and duty of the registrars or enumerators, whatever you call them, and that alone. They cannot in other respects affect those lists. The work of the enumerators to that extent, namely the adding of the women and the taking off of the men by reason of alienage, is subject to the same safeguards on election day as obtain in the four western provinces and in Prince Edward Island. That is to say, any one who is taken off by the enumerator and claims the right to vote, may, by taking the necessary oath on election day, vote, and his vote goes in an envelope.

This is a clear statement of the honourable the Secretary of State. Now, my honourable friend wants to strike out Nova Scotia and New Brunswick, in which lists are made, and wipe out the lists that are already made in order to give the enumerators the whole field over new lists to come.

Hon. W. B. ROSS: Exactly what I said. t the honourable gentleman is stated in the extract he has just read. In Quebec and Ontario the lists are closed; there is a judicial revision. The method referred to by the Secretary of State is that the lists are made in Nova Scotia, starting about the 20th January, and are closed somewhere about the 15th of March. I do not know whether the honourable gentleman was in the House when I explained that there were revisers who do this work. Then there is

an appeal from the revisers to the sheriff. I explained who the sheriffs were. At one time they were appointed by the judges and were fair-minded men. Nearly twenty-five years ago the provincial legislature took the appointment of the sheriffs out of the hands of the judges, and they are now political appointees, and the appeals on the lists in New Brunswick and Nova Scotia are from the revisers to the sheriff, and there is no judicial review at all. I have nothing to say against the statements of the Secretary of State, but I want that Nova Scotia and New Brunswick shall have the judicial review of the lists, just as Prince Edward Island, Alberta, Saskatchewan and those other provinces have.

Hon. Mr. DANDURAND: But the lists are made.

Hon. W. B. ROSS: Certainly, the lists were closed last March, and they will begin to make lists again some time in January next year. I say again that I cannot see, and it has not been suggested to me, how one party gets the slightest advantage over the other; that is to say, once you admit that you want fair play. But if there are persons who think that they have got the dice loaded, I do not think it is worth while considering them.

Hon. Mr. DANDURAND: No.

Hon. W. B. ROSS: If I were trying to load the dice in any way I could see the objection, but I am not asking for a single thing that does not operate as much for one side as for the other.

Hon. Mr. DANDURAND: How does my honourable friend explain the fact that this legislation, which was made and brought into the House of Commons under the supervision, and certainly with the solicitude, of the members sitting on the right of the Speaker, has not attracted the attention of the members of that House from Nova Scotia and New Brunswick as constituting a grievance for them? And when the Bill has been thus passed in the other House, and the lists as made and closed are accepted, why should we, when we are not au fait with the situation down there, spring any such important amendment? I could understand my honourable friend if there were a federal list, wanting to see to Nova Scotia and New Brunswick lists being on a line with those of the other provinces. But what I complain of now is that at this late hour, when the honourable leader of the Government is asking that we should go on with this Bill to-night because the Governor-General may be here in a day or two to sanction it, my honourable friend should bring in an amendment which may be of vast consequence, without this side of the House being informed at all as to the effect it may have.

Hon. W. B. ROSS: I have no objection at all to the honourable gentleman discussing it as much as he likes, but what I want is that some person should point out what inequity there is in what I am proposing. It is a perfectly fair thing, and puts New Brunswick and Nova Scotia on the same footing as the other provinces.

Hon. Mr. BELCOURT: My honourable friend's challenge is one that he knows we cannot accept. What does my honourable friend from De Lorimier (Hon. Mr. Dandurand) or myself know of the conditions in Nova Scotia? What do we know about partisanship? What do we know about what he calls loaded dice?

Hon. Mr. W. B. ROSS: I did not say loaded dice; I said if a man had loaded dice.

Hon. Mr. BELCOURT: If he did not mean that somebody had loaded dice in Nova Scotia I do not know what he meant. The whole of the franchise under this Bill is predicated on the ground that we are to adopt the provincial franchise, but now my honourable friend comes at this hour and wants us to review the whole of the conditions in Nova Scotia, and to say that the mode of making the provincial franchise in Nova Scotia is not the correct one. He wants us to change that. He wants an exception made in regard to Nova Scotia, when it is admitted in regard to all the other provinces that the provincial franchise shall prevail; and he comes and insist that all that shall be done over again at this last moment, and done over contrary to what was done in the House of Commons, contrary to the distinct statement made by the honourable Secretary of State, which my honourable friend from De Lorimier read, and which I find in three or four other places in Hansard. It is in breach of what was done in the other House, of what appeared to be a distinct understanding with the members from the province of Nova Scotia.

Hon. W. B. ROSS: I do not know of any understanding.

Hon. Mr. BELCOURT: I object as strenuously as I can to the proposed amend-

ment. My honourable friend wanted to start in early in the game, and was so anxious to get this thing through that, as I pointed out to the committee, he proposed this amendment to paragraph g, which has nothing to do with the selection of voters, makes no reference to voters, and deals exclusively with polling divisions. I say it is most unfair at this stage to propose such an amendment, and I hope that my argument will commend itself to the leader of the Government, and that he will not change the basis of this whole Act in order to accept the amendment of my honourable friend from Middleton, the effect of which will be to change completely the order of things in the province of Nova Scotia. I appeal to honourable gentlemen in this House, how many are there who know anything about the making of lists in the province of Nova Scotia except my honourable friend and other gentlemen from that province? He knows all about it, and we do not. Does my honourable friend think it is a fair game to propose something which only he himself knows anything about—to change the whole basis, the whole principle, of this legislation? I submit to the committee that it is most unfair.

Hon. W. B. ROSS: There might be something in the charge the honourable gentleman is making against me of hurrying if I had gone away from section 65A; but if he reads those sections where these words occur he will see they are all interlocked. As I explained, the key to the change I want is in 65A, but those polling divisions have also to be regulated under the Act in order to work out the change that I would ask for in 65A, which we have not got yet at all.

Hon. Mr. DANDURAND: Does not the honourable gentleman admit that he alters the whole economy of the Bill as concerns New Brunswick and Nova Scotia?

Hon. W. B. ROSS: No, I do not. All I do with regard to those provinces is to provide that there shall be a judicial review there, as there is in Prince Edward Island and the western provinces. The amendment does not change the qualifications; but it gives us equality in the two provinces in the whole Dominion that have not got it.

Hon. Mr. DANDURAND: Does the honourable gentleman claim that he accepts those lists as of the 22nd of January?

Hon. W. B. ROSS: It may affect those lists. The enumerator might subtract from those lists, or he might add to them. What I say about that is that a Liberal can add to or subtract from that list just as freely as a Conservative; therefore he has nothing to complain of.

Hon. Mr. DANDURAND: Except that the enumerators to revise those lists will be appointed by the federal government, will they not?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. DANDURAND: Under the Act as proposed, all that the enumerators can do in New Brunswick and Nova Scotia is to add the female voters to the list as already made; is that not so?

Hon. W. B. ROSS: That would be the change if you talk of fixed and closed lists.

Hon. Mr. DANDURAND: The purpose of my honourable friend is not to accept the lists, but to make lists anew.

Hon. W. B. ROSS: Yes, to add to and subtract from them. If they are loaded, nobody ought to complain.

Hon. Sir JAMES LOUGHEED: I can understand the objections of my honourable friend if it were possible to exclude voters from the list; but under no possibility can a voter be excluded from the list, according to the methods laid down here. In the first place, he has the right to appeal from the list. The list can be added to or subtracted from. Then, in the next place, if a voter does not appear on the list, he can swear in his vote. He can go to the polling booth and tender his vote, and his vote is placed in an envelope there.

Hon. Mr. WATSON: And tied up.

Hon. Sir JAMES LOUGHEED: No, not tied up. Machinery is furnished for the opening of those envelopes.

Hon. Mr. WATSON: When?

Hon. Sir JAMES LOUGHEED: Immediately after the election.

Hon. Mr. BELCOURT: My honourable friend says that the lists in Nova Scotia are revised by sheriffs, and he objects to that. He says they are partisans.

Hon. Sir JAMES LOUGHEED: He puts those two provinces in the same category as the other provinces.

Hon. Mr. BELCOURT: He says the sheriffs are partisans, and he wants new people to make the lists.

Hon. W. B. ROSS: With the right of appeal from the enumerator to a judge.

Hon. Mr. BELCOURT: That is a departure from what we are doing in the other provinces.

Hon. W. B. ROSS: In Ontario and Quebec they have judicial revision.

Hon. Mr. BELCOURT: My statement is that with regard to this Bill we accept the procedure adopted in each province as binding.

Hon. W. B. ROSS: Are you doing that in Prince Edward Island?

Hon. Mr. BELCOURT: My honourable friend says that is not satisfactory with regard to Nova Scotia, and he wants to set aside the provincial machinery and substitute machinery of his own—enumerators appointed under this Act. We do not do that with regard to Quebec, Ontario, or any of the other provinces. Why should we do it with regard to Nova Scotia? We do not know anything of the conditions which my honourable friend describes. They may be as he says; the sheriffs may be partisans; but we cannot go into that here.

Hon. Mr. CROSBY: You can depend on a judge.

Hon. Sir JAMES LOUGHEED: If my honourable friend desires to be consistent, why does he not take exception to doing this in British Columbia?

Hon. Mr. BELCOURT: I do not know anything about Nova Scotia sheriffs or voters' lists.

Hon. Sir JAMES LOUGHEED: We are doing the same thing with regard to British Columbia, Prince Edward Island and Manitoba. This machinery is absolutely new in those three provinces.

Hon. Mr. BEIQUE: It was new before.

Hon. Sir JAMES LOUGHEED: Why could it not extend to Nova Scotia and New Brunswick? We are not changing the qualification.

Hon. Mr. BELCOURT: That is not my complaint. My complaint is that you are discarding the provincial system.

Hon. Sir JAMES LOUGHEED: We are discarding it in other provinces too.

Hon. Mr. DANDURAND: No, there is no provincial list; but there is in Nova Scotia and New Brunswick. The lists are made by special machinery, emanating from the municipal councils, and when those lists are made by the municipal councils—and no one knows better how they are made than the honourable gentleman from Middleton—then there is an appeal to the sheriff. Those lists emanate from the municipal authorities. They are the basis of the lists. My honourable friend complains of the appeal to the sheriffs, because he thinks the sheriffs on certain occasions have been or may be partisan. He says: "I ask to wipe out those municipal lists which are the basis of the lists which will be used at the next election, and start anew with special enumerators." I draw the attention of the honourable gentleman to the fact that this Chamber is facing a most complicated Bill which was passed under closure in the other Chamber. It revolutionizes our whole electorate and franchise. My honourable friend comes here with a majority supporting the Government, and appetite grows as one eats. Surely my honourable friend will draw the line somewhere, and remember that in the dictionary there is such a word as decency.

Hon. Sir JAMES LOUGHEED: My honourable friend works himself up into a state of righteous indignation over something that seems to me to be absolutely inconsistent. He sat silent while we dealt with this same question in regard to other provinces.

Hon. Mr. BEIQUE: What provinces?

Hon. Sir JAMES LOUGHEED: British Columbia, Manitoba and Prince Edward Island. We are absolutely ignoring their lists. We are introducing the machinery on the statute book in Saskatchewan and Alberta, and are making it applicable to the other provinces. My honourable friend must see that new lists have to be made because we have introduced a class of voters, namely, the female relatives of these men, and so on, and these names have to be added to the lists. It is like putting new wine in old bottles. Why not apply the same machinery to Nova Scotia and New Brunswick that is applied in the other provinces? Has any reason been pointed out why the same machinery should not be applied? Is not uniformity desirable? Is not uniformity desirable, particularly in Dominion elections? Is there any good reason why this Parliament should not say that uniformity shall prevail throughout the whole Dominion in reference to the preparation of its lists, particularly when we have introduced elements into the franchise such as have been introduced in this particular Bill? It seems to me that to charge either the Government or my honourable friend with an absence

of decency in this matter is not only exaggerating the situation, but aggravating it to a degree that is entirely indefensible.

Hon. Mr. DANDURAND: My honourable friend may try to save his face and that of his friends by holding seriously to the position that this is a fair treatment of the question and of the electorate. I still hold that it is not. My honourable friend, representing the Government which presented this Bill in the other Chamber, now takes the stand at this late hour that anything to ditch their opponents would be a fair thing—

Hon. Sir JAMES LOUGHEED: No, I do not say that.

Hon. Mr. DANDURAND: And, since things have been going easy, why not go the full length? My answer to my honourable friend is that of the Secretary of State, which I have read. So we have in the House of Commons a Bill presented by a representative of the Government who declares that the economy of this Bill is to accept the lists where they are made and closed. He says we shall disorganise the system as little as possible, simply adding the names of the women, and striking off those that he mentions. Now, this Bill had its three readings and went to the Committee under the twenty-minute-speech rule, and the gong sounded twice at two o'clock in the morning. This Bill has been pushed through, and it is very difficult of understanding. After this has been done my honourable friend says that it is fair to disarrange the economy of the Bill and that some advantage may be obtained by wiping out the old lists in Nova Scotia and New Brunswick and reverting to the enumerating system for making new lists.

Hon. Mr. TANNER: I should like to know if the honourable gentleman knows anything about the franchise law in Nova Scotia.

Hon. Mr. DANDURAND: I wish I knew more about it.

Hon. Mr. TANNER: Judging from the honourable gentleman's remarks, I should say he does not know anything about it.

Hon. Mr. DANDURAND: I saw such a large smile coming over the face of my honourable friend, and the faces of his friends from Nova Scotia, that I realised right away that there must have been some political advantage in the proposal.

Hon. Mr. TANNER: The honourable gentleman has been consulting people outside of this House. The information he is getting is entirely inaccurate and unreliable. It comes from an unreliable source, as I could prove to my honourable friend in a few minutes, by documentary evidence. I advise him not to depend too much upon the statements made to him in regard to voters' lists. Take the case of the income voter who qualifies on residence and income. If you persist in excluding the operation of this law, you cut out every person—and there are thousands in the province—who qualifies on income and residence from the first day of January, 1917—practically a whole year's crop of voters.

Hon. Mr. DANDURAND: My honourable friend simply establishes the fact that there is a desire to alter the municipal lists as made and completed in Nova Scotia, if not in New Brunswick. My honourable friend is from Nova Scotia. The Secretary of State says that we accept those lists as the basis of the lists to be made; we will simply add the women's vote and take off the names of certain persons under this Act. We accept those lists, and I object very much to a revolution being brought about in those two provinces at this late hour by wiping out all those lists which have the municipal lists as their basis. When these lists are completed, there is an appeal to the sheriff.

Hon. Mr TANNER: Does my honourable friend call that an appeal? An appeal from three laymen to one layman—a partisan layman at that?

Hon. Mr. DANDURAND: Under the Conscription Act I think there is an appeal from two judges on the exemption tribunals to one judge. Such a provision does not surprise me in a municipal matter such as the fixing of lists. That is what is ordinarily done throughout the country. The sheriff is a person who is out of politics.

Hon. Mr. TANNER: An absolute partisan.

Hon. Mr. DANDURAND: Or who should be out of politics. The judge to whom my honourable friend would prefer to appeal is out of politics, or should be out of politics. I have sometimes heard that judges are not absolutely devoid of political feeling.

Hon. Sir MACKENZIE BOWELL: Senators are, are they not?

Hon. Mr. DANDURAND: They should be. Now, I appeal to my honourable friend, who should be divested of partisan spirit. This Bill was prepared by the Government, surrounded by the best advisers they could get from each province, and the Government decided that the lists in Nova Scotia and New Brunswick should be the basis, and that under this Act there should be additions thereto and subtractions therefrom. Now we are asked, at this hour, to abandon the whole economy of the Bill, to strike out the lists of Nova Scotia and New Brunswick and allow the enumerators to make new lists. I say it is going rather far at this moment, when the Government has adopted and declared its policy and under that policy has carried the Bill through the Commons. The members from Nova Scotia and New Brunswick were there; Nova Scotia and New Brunswick are represented by Conservatives as well as Liberals, and they accepted that machinery. Why should the Senate now proceed to wipe out the lists in Nova Scotia and New Brunswick if not expressly to give a further party advantage? It seems that when you hear Conservative members in the other House saying, "Well, this is a peach of a Franchise Act," the line should be drawn at this point.

Hon. Mr. BEIQUE: I was going to suggest that this clause be reserved until tomorrow, so that we may see whether we cannot make some suggestion which would be acceptable to both sides. I think it is rather unfair at this hour that, without proper information, we should be obliged to deal with this part of the Bill.

Hon. Sir JAMES LOUGHEED: What I would be willing to do would be to go on with the Bill and reserve the amendment which my honourable friend has moved.

Hon. Mr. BEIQUE: That would be satisfactory.

The Hon. the CHAIRMAN: There has been no amendment moved to the clause under discussion.

Hon. Sir JAMES LOUGHEED: No; we wandered away from it.

Hon. Mr. BEIQUE: The honourable gentleman from Middleton might state the amendment which he proposed.

Hon. W. B. ROSS: To strike out on page 2, lines 47 and 48, the words, "Nova Scotia and New Brunswick." Then the last word on page 7, and the first words on page 8, "Nova Scotia and New Brunswick." Again, on page 9, in 65A, subsection 1, the first line, to strike out the words, "Nova Scotia and New Brunswick."

Hon. Mr. BELCOURT: And the same words in lines 10 and 11?

Hon. Sir JAMES LOUGHEED: Yes. We will allow that proposed amendment to stand.

On subsection 3 of paragraph o, section 1 —Judge to decide as to right to vote:

Hon. Sir JAMES LOUGHEED moved in amendment that on page 7, in line 33, after the word "division," the following words be added:

In recount proceedings it shall be presumed that any person to whom an enumerator has refused to issue a certificate of such person's right to vote in a polling division was not entitled to vote therein, and that any person whose name appears on the voters' list of a polling division was entitled to vote thein, and in the absence of any or of sufficient contrary evidence the judge shall decide and shall deal with the envelopes which contain the ballots of such persons, and with such ballots, in accordance with such presumption.

Hon. Mr. BOSTOCK: Will my honourable friend explain what is the object of that? I was not able to grasp it.

Hon. Sir JAMES LOUGHEED: It deals simply with the burden of proof in the case of those envelopes which are tied up. It states what in the absence of evidence the presumption shall be; that is to say, if the enumerator has refused to give a certificate to the voter, it shall be presumed that he was not entitled to vote. On the contrary, if his name appears on the list, it will be presumed that he had the right to vote. The case goes to the judge and the judge decides, but this amendment is for the purpose of getting the matter before the judge. The burden of proof must be fixed one way or the other.

Hon. Mr. BOSTOCK: That does not do away with the necessity of the man whose vote is objected to being present. He would be kept waiting around just the same. The amendment would not make any difference in that respect?

Hon. Sir JAMES LOUGHEED: No. If he does not appear, it simply states what the presumption shall be, and then the question goes before the judge, and is one entirely for the judge to decide.

Hon. Mr. BEIQUE: I would suggest adding to the amendment, after the words "in recount proceeding," the words, "it shall be prima facie presumed that."

Hon. Sir JAMES LOUGHEED: We will accept that.

Hon. Mr. BEIQUE: I would understand the amendment if it were in subsection 1, or subsection 2, where the vote is provisionally admitted, but I do not see why it is to be inserted in subsection 3.

Hon. Sir JAMES LOUGHEED: My honourable friend will see that we put it with the provisions respecting recount proceedings.

Hon. Mr. BEIQUE: But the amendment declares that it shall be prima facie admitted. The first part of the amendment is all right, but I am uncertain as to this part: "and that any person whose name appears on the voters' list of a polling division was entitled to vote therein."

Hon. Sir JAMES LOUGHEED: It is a matter of procedure more than anything else, and is for the purpose of arranging for the procedure to be followed in dealing with the ballot itself.

Hon. Mr. DANDURAND: Why does my honourable friend bring in this amendment?

Hon. Sir JAMES LOUGHEED: Suppose a person who set this machinery in motion, whose vote is contested and is contained in the envelope, does not appear, or suppose that the person who challenges the vote does not appear. There is an envelope with a vote in it. What shall the judge presume? It is simply to lay down the rule of evidence; that is about what it amounts to.

Hon. Mr. BEIQUE: But it is provided in the first part of subsection 3:

If the enumerator is not satisfied as to such person's identity or qualifications he shall deliver to him gratis a signed declaration in the form W2.

That is in case the person applying cannot satisfy the enumerator that he is entitled to vote. Nevertheless, you give him the right to vote unless somebody can prove that he is not entitled to vote.

Hon. Sir JAMES LOUGHEED: No, he is entitled to vote, but his vote is sworn in and is placed in an envelope. There are the two kinds of cases; one is where the enumerator resists a person's assertion of his right to vote, and the other is where the enumerator is willing, but the vote is challenged.

Hon. Mr. BEIQUE: But we are dealing with the class of persons who are unable to satisfy the enumerator that they have a right to vote.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: In that case the vote is put in an envelope, so that the voter may, before the judge, if there is a recount, establish his right to vote. That is, it seems to me, the proper procedure. But by the amendment which the honourable gentleman moved that rule is reversed, and when the case comes before the judge this party will not have to establish his right to vote. His right to vote will be prima facie presumed, and it will be for the other party to prove that he was not entitled to vote. I think that is not the proper way to proceed.

Hon. Sir JAMES LOUGHEED: It deals with both classes. There are two distinct classes of votes which may be placed in envelopes. There must be some presumption as to each. The burden of proof must fall on some one, and supposing the person does not appear, the judge must have the right to presume one thing or the other, for the purpose of determining the matter.

Hon. Mr. BOSTOCK: I would suggest that my honourable friend allow that to stand, so as to give us time to consider it.

Hon. Sir JAMES LOUGHEED: For the purpose of continuity I should prefer to have the amendment carried, and if my honourable friend wants to go back to it later, I am quite willing that he should do so.

Hon. Mr. BOSTOCK: It is difficult to understand. This whole Bill is difficult to understand.

Hon. Sir JAMES LOUGHEED: It will be printed to-morrow, and if my honourable friend wants to reconsider that amendment, I am not going to raise any objection. But for convenience and continuity it is better to carry this now. It has been well considered.

The amendment of Hon. Sir James Lougheed was agreed to, and subsection 3 of paragraph o as amended was agreed to.

On subsection 4 of paragraph o, section 1 —challenge on ground of non-qualification or disqualification:

Hon. Mr. BEIQUE: That is reserved.

Hon. Mr. BOSTOCK: Will the honourable gentleman allow the whole of that to stand?

Hon. Sir JAMES LOUGHEED: We will adopt it as it is, and we can go back to it later. My honourable friend from Middle-

ton will probably ask to-morrow that it be reconsidered.

Hon. Mr. DANDURAND: But we are not adopting the amendments of the honourable gentleman from Middleton?

Hon. Sir JAMES LOUGHEED: No; we are adopting the clause as it stands.

Subsection 4 of paragraph o, section 1, was agreed to.

On paragraph r, section 65A, subsection 2—basis of list of voters in Ontario:

Hon. Mr. BOSTOCK: What is the effect of these references to Chapter 6 of the Revised Statutes of Ontario, 1914, and Chapter 4 of the Ontario Act, 1917?

Hon. Sir JAMES LOUGHEED: They refer to towns of 9,000 and upwards.

Hon. Mr. BEIQUE: I understand you disregard the Act of 1917, and stand on the Revised Statutes?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: What is the reason? If you adopt the provincial list, why not adopt it as it has been amended by the province?

Hon. Sir JAMES LOUGHEED: There are no lists.

Hon. Mr. SPROULE: The Act of 1917 provides an entirely new method of making up the lists. The last revised list is under the old Act, and was made by the municipal councils and revised by the judge. That is taken as the basis.

Hon. Mr. BEIQUE: I understand that the list as it exists was made under the Revised Statutes of 1914 previous to these amendments?

Hon. Mr. SPROULE: Yes.

Hon. Mr. BEIQUE: Cities and towns having a population of 9,000 and over are excepted; under what provision?

Hon. Mr. SPROULE: The provision of the old law was that in towns of over 9,000, before an election, there always shall be enumerators, and that is continued. In towns or cities there is no list made up from year to year, as in rural municipalities.

On subsection 3 of paragraph r, section 65A—Ontario voters' lists:

Sir JAMES LOUGHEED moved to amend subsection 3 at line 13 on page 10, after the word "Act" by adding the words:

Hon. Sir JAMES LOUGHEED.

Except the issuance in any necessary case of a certificate in form W3 under paragraph g of section 67.

The amendment was agreed to.

On subsection 3 of paragraph r—voters' registration boards to be boards of appeal:

Hon. Mr. BOSTOCK: What are these?

Hon. Sir JAMES LOUGHEED: They are the duly-constituted boards in Ontario—provincial boards. This whole clause is according to the provincial regulation.

On subsection 3 of paragraph r—delivery of lists to returning officers:

Hon. Mr. DANDURAND: What is section 62, referred to here?

Hon. Sir JAMES LOUGHEED: That is relating to the "tied ballot." That is the ballot that is placed in the envelope.

Hon. Mr. DANDURAND: Is it not somewhat late to deliver lists to the deputy returning officer before six o'clock in the morning of polling day?

Hon. Sir JAMES LOUGHEED: It is pretty early to get up in the morning.

Hon. Mr. DANDURAND: It strikes me that the deputy returning officers will receive the lists just as the poll is opening, or thereabouts, and that there will be very little time for the candidates to verify the authenticity of the lists.

Hon. Sir JAMES LOUGHEED: They are delivered forthwith. If that is not done, we make provision specifically that they must be in the hands of the returning officer.

Hon. Mr. BEIQUE: This section seems to imply that the lists are closed four days before polling day.

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BEIQUE: The language is very ambiguous. It should be said that all such lists should be deemed closed four days before.

Hon. Sir JAMES LOUGHEED: The Clerk of the Board of Appeal, four days before, must hand the lists to the returning officer, who has to return them to the deputy returning officer.

Hon. Mr. BEIQUE: Why not say all such lists shall be deemed closed four days before polling day?

Hon. Sir JAMES LOUGHEED: They are closed long before that. This is simply the appeal. The Clerk of the Appeal shall, four days before polling day, do so and so.

Subsection 3 of paragraph r was agreed to.

Hon. Sir JAMES LOUGHEED: I wish to add as paragraph u, at the end of page 11, the following words:

He shall also on the same day deliver, or mail by registered letter to each of the candidates, a statement of the additions made to and of the changes made in the list posted pursuant to section 48 during the course of the revision.

Paragraph u was agreed to.

On section 2—Part III to operate as amended:

Hon. Mr. BEIQUE: I move that the word "complete" be struck out of the first line on page 12.

Hon. Mr. WATSON: What would be the interpretation of the section after striking out the word "complete"?

Hon. Sir JAMES LOUGHEED: It would read: "During the present war and until demobilization."

Hon. Mr. WATSON: Would that be immediately after peace was declared? It might take two or three years to demobilize.

Hon. Sir JAMES LOUGHEED: That is the phraseology that has been used right along with regard to this and other Bills.

Hon. Mr. WATSON: What would be the minister's idea with regard to that? At what particular date would that take place?

Hon. Sir JAMES LOUGHEED: We could not fix a date for that. It will have to be carried out as speedily as possible. It would depend almost entirely on transportation facilities. I should say that after the terms of peace are declared the demobilization would be the disbanding of our forces and placing them on a peace basis.

Hon. Mr. DANDURAND: There surely must be a legal interpretation of the word "demobilization" among the warring nations in Europe.

Hon. Sir JAMES LOUGHEED: I suppose they cease to be belligerents. They are disbanded and disarmed, and cease to be organized for warfare.

Hon. Mr. BEIQUE: I suggest that the honourable gentleman think over the question as to whether the word "demobilization" should not be defined in the Act. I think it would be better.

The amendment of Hon. Mr. Béique was agreed to.

On paragraph a of section 2—where electors shall vote:

Hon. Mr. BOSTOCK: Evidently there is something wrong with the wording of this section.

Hon. Sir JAMES LOUGHEED: It is a misprint. It should read:

Except as otherwise provided in this Act, each elector shall be entitled to vote at the polling station of the polling division, or of one of the polling divisions, upon the list of voters, for which his name is entered as such elector, and at no other.

On paragraph b—hours of polling:

Hon. Sir JAMES LOUGHEED: I move that the following words be added after the word "Sherbrooke":

Windsor, Ontario; Chatham, Ontario; Lethbridge and Medicine Hat.

The amendment was agreed to.

Hon. Mr. McLENNAN: I move that the following words be added after the word "Lethbridge":

Sydney, Glace Bay, and Sydney Mines, Nova Scotia.

The amendment was agreed to.

On paragraph c of section 2—provisions as to election officers or agents entitled to vote:

Hon. Sir JAMES LOUGHEED: I would move that section 2, paragraph c, of the Bill be amended by striking out the words and figures, "and 247" at the end thereof and inserting instead the following:

"153, 154, 155, 156, 176 and 247 and inserting as sections 153 and 154 the following:

"153. Except in the Yukon Territory an elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, take an oath in form Z No. 1, Z No. 2, or Y, as in schedule one, or all of them.

"154. No voter who has refused to take any oath or affirmation or to answer any questions, or produce any evidence, as by this Act required, shall receive a ballot paper or be admitted to vote."

Hon. Mr. BOSTOCK: What becomes of section 154 of the Act? Is that struck out?

Hon. Sir JAMES LOUGHEED: This is substituted in lieu thereof.

The amendment of Hon. Sir James Lougheed was agreed to, and paragraph c of section 2, as amended, was agreed to.

On paragraph f of section 2, subsection 2—refusal to answer, or unsatisfactory response:

Hon. Mr. BOSTOCK: In that subsection it is stated:

If such person refuses to answer fully such questions, or by his manner shows—

It seems absurd to suggest that his manner would show he was born in an enemy country.

Hon. Sir JAMES LOUGHEED: That is a mistake; the word "manner" should be "answer." I had an amendment to propose. My honourable friend (Hon. Mr. Bostock) is to be congratulated on the close way he is following this. I move that clause 2 of paragraph f of section 2 be amended by striking out, in the second line, the word "manner" and inserting instead the word "answer."

The amendment of Hon. Sir James Lougheed was agreed to.

On paragraph g of section 1—subdivision of electoral district into polling divisions:

Hon. Mr. BOSTOCK: Do we understand that paragraph g, on page 2, has been agreed to? How does that stand at the present moment?

Hon. Mr. DANDURAND: Is it carried without the amendment of the Hon. Mr. Ross of Middleton?

Hon. Sir JAMES LOUGHEED: Yes, it was carried without amendment. It is understood that it can be taken up to-morrow.

The Bill was reported with amendments, and the amendments were concurred in.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Tuesday, September 18, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

COST OF PUBLIC PRINTING.

CONCURRENCE IN REPORT OF JOINT COMMITTEE.

Hon. Mr. DENNIS moved that the fourth report of the Joint Committee of both Houses on the Printing of Parliament be now concurred in.

Hon. Mr. POWER: I rise simply to express my satisfaction with the character of the report which we are asked to adopt. As every honourable gentleman knows, there has been a very great increase in the expenditure for public printing and the distribution of printed matter during the last few years. Either last session or the session before, the Joint Committee on the printing of Parliament presented an elaborate report showing how a considerable sum of money might be saved if certain changes were made. That report came in at the close of the session; and, although the leader of the Government in the House of Commons intimated that he approved of the report, still his view was that the departments should be consulted. Of course, honourable gentlemen, you cannot get a minister to concur in anything that will take away the kudos from his own department. I am glad to see that, although no very decided action has been taken since last year, some action has been taken, and that the joint committee has persisted in recommending further action, and, as a practical step has proposed a commission, I think one may call it, of three experts to deal with this matter. I am glad to see anything done which tends to reduce the useless expenditure of money.

Now, I may make one or two observations of a more or less general character with respect to the departments. Every one knows that the work of the Department of Trade and Commerce and that of the Department of Customs are very largely the same, and that the reports of those two departments overlap each other, the same statistics being given in both. Moreover, the Department of Trade and Commerce is very much addicted to the issuing of supplementary reports—weekly, monthly and quarterly; and those reports are very little used or read by any one. The Department of Agriculture is also a great sinner in this respect. It issues a number of expensive publications, among them what I think is called the Agricultural Gazette. I happen to have one or two farmer friends to whom I should like to send anything that might be useful to them. I have looked over this Agricultural Gazette, and really, as a rule, I have found nothing in it that would be of any use to a practical farmer. I make the suggestion to the committee or to the Government that that periodical, which is issued at great expense, should be dispensed with altogether.

I suppose this is not the time to deal at any length with a subject of this kind; but there is one other point which I should like to emphasize: I refer to distribution. Every honourable gentleman must feel that numbers of blue-books are sent to him for which he has no use, and which are either

disposed of to charitable institutions or used to light the fire. A very simple way of preventing the unnecessary distribution of documents or of blue-books would be to have a list of the reports which are to be published in the ensuing year distributed to the various members of the two Houses, say in the month of September, and to ask each member or senator to indicate the reports which he wishes to have. In that way it would be possible to prevent the circulation of fully two-thirds of the reports which are now circulated, and after a time it would be possible to cut down the printing of blue-books in the same proportion. I commend that suggestion to the honourable the Chairman of the Committee (Hon. Mr. Dennis), and I trust he will be good enough to submit it to the gentlemen who are to investigate and deal with this subject.

Hon. Mr. LANDRY: Before the motion is carried, I may tell my honourable friend that the suggestion which he has made has been carried out, I think, for two years. During the recess we generally receive a printed list of all the blue-books that are to be published, and we are asked what books we want.

Hon. Mr. POWER: If there was one sent to me this year, I did not get it.

Hon. Mr. LANDRY: I suppose it was thought that the honourable gentleman would not read it as it was a parliamentary matter. What I complain of is that French documents are not given with the same generosity as English copies. Take, for instance, the Minutes of Proceedings of this Chamber. There are, I suppose, seventy copies in English given to members, and probably seventy more kept for distribution. There are, I think, twenty-six French members in this Chamber, if I am not mistaken, and there are probably twenty-five copies of the French issue of the Minutes given to those members. We cannot get any extra copies, unless we send to the Bureau to Mr. Paradis.

Hon. Mr. DANDURAND: That is a matter that should be easily adjusted.

Hon. Mr. LANDRY: Yes, but if no one complains it never will be adjusted. I believe in the policy that if we want a thing we must agitate for it. I do not wish to throw blame on any one, but simply desire that some solution should be offered.

Hon. Mr. DANDURAND: Who decides as to the number issued? Is there a special regulation?

Hon. Mr. LANDRY: I do not know. I know that the number of copies we receive is one less than the number of French members, and that when we want to get one or two or three additional copies, they are not here nor upstairs; we must send to the Printing Bureau.

Hon. Mr. SPROULE: With regard to the observations of the honourable gentleman who has just taken his seat, I should like to say that one of the troubles we found in the House of Commons was that many of these reports were demanded in large numbers in both French and English. We found that some of these French reports were left lying in the House of Commons—between one and two tons of them—and we could not get a Frenchman to take them. They insisted on the reports being printed, but you could not do anything with them after they were printed, and they were left lying around until they were burned up in the Parliament building fire. That is one of the reasons for the increasing cost of printing.

What I rose more particularly to say is that, if it is desired, and I assume that it is, to economize in the cost of printing, both Houses should abandon the common practice, when some one desires some document to be printed for distribution, of moving the suspension of the rule and having so many copies of the document printed forthwith. In the mind of the person who makes the motion there is a great urgency; but the matter should go to the Joint Committee on Printing, which should exercise its judgment as to what number should be printed. The practice to which I have referred is more prevalent in the other Chamber than here. When I was Speaker of the other House I regularly drew attention to this fact, but found that it was almost impossible to control the matter in any way. The argument was advanced that a document was wanted immediately, and the committee might not be called together for several weeks. This is one of the constantly-occurring reasons for the greatly increased cost of printing, that might, in my judgment, be absolutely avoided if such matters were decided by the Joint Committee, which is designed to economize as much as possible the public money in that respect. There is also the duplication of reports. Take the commercial monthly report. We have had it for years. It is duplicated in the annual report. Then we have it again in the report of the Minister of Trade and Commerce and the report of the Minister of

Customs. That is embodied again in the sessional papers, every member getting two copies of each one. These documents are piled up hundreds and thousands, and as members have said to me, "I would need to build a new house to hold my parliamentary literature; I cannot distribute it and it is of no use to me." Notwithstanding all the efforts and substantial efforts were made the cost of printing for the present year will show an increase over last year of about $450,000, speaking from memory. It is said that three-quarters of that increase is due to the increased cost of paper, so that figure does not represent quite as much as would be supposed.

Hon. Sir MACKENZIE BOWELL: Wages are double.

Hon. Mr. SPROULE: I do not think they are quite double, but they have increased considerably. If we adopted also the innovation, which has been suggested many times in both Houses of reducing the length of speeches, we could economize time and labour, get better results, and greatly reduce the cost of printing Hansard. I am still in favour of some record of the Houses of Parliament; but the burden of expense has become onerous. From my experience of the last year or two—although I was formerly very strongly opposed to it—I have reached the conclusion that it would not be an unmixed evil if we amended our rules in both Houses—especially in the other House, because we do not indulge in very long speeches here—to provide some limit to the length of the speeches that are read to the House, and are embodied in Hansard at an immense cost to the country, and in my judgment for no good purpose whatever.

Hon. Mr. GORDON: I am under the impression that the suggestion of the honourable member for Halifax (Hon. Mr. Power) has already been adopted, inasmuch as the members are always informed of the publications which they may have on application. It has been said by some that this practice has effected quite a saving; but in my opinion it has not effected any saving whatever. It only means that now, instead of those publications being stored in the places indicated by my honourable friend, at home and elsewhere, that they are stored here in Ottawa. Therefore there is no saving effected other than the cost of transportation to the destination to which the reports might have been sent.

Hon. Mr. SPROULE: The suggestion of the hounourable gentleman was to ascertain from the experience of a year or two what reports the members desired, and from that knowledge to cut down the number of reports to be printed.

Hon. Mr. GORDON: But may I tell my honourable friend where the scheme falls flat? In order to make any saving at all, the members should know, before the publications are printed, what ones they may desire, and only that number should be printed, or a few extra ones, if that were thought desirable. If this is not done, we save only the cost of transportation from Ottawa to the different members.

Hon. Mr. DENNIS: Notwithstanding the remarks of the honourable member for Nipissing (Hon. Mr. Gordon), there has been a great decrease in the number of the various blue-books printed last year, although there is room for still further improvement in that respect.

Hon. Mr. GORDON: What was the reason for that?

Hon. Mr. DENNIS: The reason was that the Joint Committee, acting with the heads of the various departments, decreased the number.

A year and a half ago the Joint Committee on Printing made a number of recommendations to Parliament, with a view to combined efficiency and economy. That report included the following recommendations: that, instead of the reports, publications, etc., of the score or more of departments and branches of government being distributed by and from each individual department, all distributions should be centralized at the Printing Bureau and sent out from a branch post office in that Bureau on mailing lists that would be revised annually, thereby saving a vast amount of labour, unnecessary trucking to the central post office and other inexcusable wastage of time and energy. The same practice was recommended to be pursued with regard to sending out bound volumes of sessional papers. And instead of indiscriminate distribution of bluebooks, sessional papers, etc., to persons who have no use for them, and who could never read them—and in a great number of cases, probably a majority of cases, never looked at them—the idea of charging the general public for departmental bluebooks and special publications was urged to be rigidly adhered to. A number of other recommendations were made. Some of these were too drastic to be imme-

diately adopted. But the prosess of education is going on, and the fourth report, the adoption of which I am now moving, tells to what extent the various departments are co-operating to carry out the recommendations of the committee and the policy of the two Houses of Parliament.

Within five years the cost of public printing has almost doubled. This is due to two reasons:

1. The enormously increased legitimate requirements owing to the war and the general increase of the public business in many departments;

2. The increase of wages and the extraordinary increase in the cost of paper. Out of a total increased cost of $420,000, for public printing for 1917 over 1916, the increased cost of paper alone represents $377,000.

The report now before us shows material savings in the decreased number of pages, changes in type, rearrangements of matter, and the decreased number of copies printed of various reports. But, as the Joint Committee's report points out, I believe there is still room for sweeping reductions by the omission of unnecessary, if not practically useless details and "padding" that practical printers cannot but regard as expensive absurdities. In this connection I call special attention to those sections of the committee's report referring to the expenditure of the Mines Department—which has jumped from $41,000 in 1912 to $135,000 in 1916. The report expresses the opinion that "many of the publications of this department are not of public interest." It is to be hoped that the new Secretary of State will embrace the earliest opportunity to give his personal attention to the whole question of public printing, and how the expense can be curtailed without detriment to the public interest, and I think he will find the extraordinary increase in the public expenditure of the Mines Department a good starting place for investigation. The report expresses the opinion that the public interests do not at this time demand the annual publication of the Hydrometric Survey reports. If this opinion is based on practical business judgment, a saving of $30,000 can be effected in this one instance. As an illustration of this point, I call attention to 450 pages of the blue-book containing Hydrometric Survey reports of British Columbia for 1915, printed in French, the cost of which, including translation, is estimated to exceed $4,000—probably $100 a copy for every person who reads it in French, or was ever interested in reading it.

Then there is the matter of the 3 volumes of High Cost of Living reports containing the voluminous evidence taken two or three years ago. These three volumes cost $16,500 to print in English. The English language edition of Vol. 1 cost $5,300. The same volume translated into and printed in the French language cost $10,000—almost double the English edition. If the other two volumes are printed in French, at the same ratio of cost, the total will be $40,000. I venture to say that all the salient facts ascertained by that commission, together with their recommendations, could have been summarized in one compact readable volume at one-twentieth of the cost that the 3 volumes in English and French have involved.

As another illustration, I hold in my hand "Bulletin No. 75—the Mining of Thin Coal Seams as applied to the Eastern Coal Fields of Canada," of which 4,000 copies were printed—when 400 in all human probability is all that will ever be needed—at a cost of $1,590 for the English language edition. When printed in French the approximate total will be $3,600 or $3,800, which I venture to assert that all practical men interested in the contents of that book will agree is an unjustifiable expenditure.

There are other features of the report that I might dwell upon; but, as I before remarked, it speaks for itself in no uncertain language. But I may be permitted to read and emphasize the committee's recommendation for largely remedying the laxities and unnecessary expenditures complained of and for greater efficiency and economy in the public printing:

> The Committee feel, however, that unless Parliament provides some stringent form of supervision over the fountains from whose sources so many volumes of useless literature flow, there will be a continuous increase in the printing bill of the country, which increase in recent years is alarming. These taps must be turned off by somebody, and it is too much to expect that ministers, working under tremendous pressure as they have been for years, should give attention to all routine details in their departments.
>
> The most effective way to bring about economies in Canadian Parliamentary and departmental printing is, in the opinion of the committee, to create an editorial board of three members of the Civil Service, thoroughly conversant with public affairs, and with a knowledge of departmental workings. This board should have plenary powers to order such excisions of "copy" of departmental reports, leaflets, bulletins, memoirs, etc., or to refuse to sanction the printing of any report if, in their judgment,

the public interest would not be seriously affected by such refusal.

It would be the duty of this board to call upon the deputy head of any department or branch of the public service created by Parliament, whose requisition and "copy" for printing were under consideration, to show cause why any proposed reductions in "copy" should not be made or the printing thereof suspended entirely, and only upon the direct written authority of the minister of the department interested should the decision of this board of auditors be countermanded.

The board should present a report of its operations annually to Parliament within three weeks after the opening of each session thereof, such report to give the dates when first and last "copy" of every department report is received, and specifying the reductions in text, and the reasons therefor. In cases where the decision of the board has been overridden by the minister of any department, Parliament shall be advised.

The board should also have authority to "spur up" the prepation of departmental reports, so that work at the Printing Bureau may be more evenly distributed throughout the year.

The recommendation is a drastic and far-reaching one; but conditions demand drastic action.

Hon. Mr. GORDON: When you speak about the cost of these publications, does that mean only the actual cost of paper and printing, or does it take into account the overhead expenses?

Hon. Mr. DENNIS: No. This is the actual cost, as I understand it, of typesetting, make-up, paper, binding, etc.

Hon. Mr. GORDON: So that it really costs very much more?

Hon. Mr. DENNIS: Oh, yes, very much more. The figures given do not include the overhead expenses.

Hon. Mr. DANDURAND: Nor do they include the editorial work?

Hon. Mr. DENNIS: No. (Reading):

The Committee is of opinion that no steps can or should be taken to diminish the size of this report. It is the greatest guarantee that the country possesses against improper expenditure. The Committee would suggest, however, that steps be taken to amalgamate the English and French editions, as has been done with the Civil Service List, the report on Unclaimed Bank Balances, List of Bank Shareholders, etc. To secure the amalgamation of the two editions into one it is suggested that all headings in the Auditor General's Report should be bilingual; all the statistics should be printed in two or three volumes as at present, and the correspondence in both languages. This will obviate approximately the setting and printing of 2,800 pages of "copy" for French version, and saving over $14,000.

The Committee feel however, that unless Parliament provides some stringent form of supervision over the fountains from whose sources so many volumes of useless literature flow, there will be a continuous increase in the printing bill of the country, which increase in recent years is alarming. These taps must be turned off by somebody, and it is too much to expect that ministers, working under tremendous pressure as they have been for years, should give attention to all routine details in their departments.

I would like to point out to honourable gentlemen in this connection that this printing abuse has been growing for years. Neither party is alone responsible for it; both parties are responsible. The expenditure has increased during the last three or four years, because of the increase in wages and in the cost of paper, principally the latter; also because of the greater demands of the Militia Department and the various war commissions and services. But, while the committee has been very drastic in its recommendations and very plain in its language, we are not reflecting on the ministers, either of the present or of previous Administrations. Both parties are responsible for the present condition of affairs; but it is the duty of the present ministers to remedy it:

The most effective way to bring about economies in Canadian Parliamentary and Departmental printing is, in the opinion of the Committee, to create an editorial board of three members of the Civil Service, thoroughly conversant with public affairs, and with a knowledge of departmental workings. This board should have plenary powers to order such excisions of "copy" of departmental reports, leaflets, bulletins, memoirs, etc., or to refuse to sanction the printing of any report if, in their judgment, the public interest would not be seriously affected by such refusal.

It would be the duty of the Board to call upon the Deputy Head of any department or Branch of the puplic service created by Parliament, whose requisition and "copy" for printing were under consideration, to show cause why any proposed reductions in "copy" should not be made or the printing thereof suspended entirely, and only upon the direct written authority of the minister of the department interested should the decision of the board of editors be countermanded.

The board should present a report of its operations annually to Parliament within three weeks after the opening of each session thereof, such report to give the dates when first and last "copy" of every department report is received, and specifying the reductions in text, and the reasons therefor. In cases where the decision of the board has been overridden by the minister of any department, Parliament shall be advised.

The board should also have authority to "spur up" the preparation of departmental reports, so that work at the Printing Bureau may be more evenly distributed throughout the year.

Owing to delays on the part of various departments in sending their copy to the Printing Bureau, men are often kept idle. I think the number of hours lost in this way during the past year, if the facts were ascertained, would be astonishing. When the copy does comes, it comes with such

a rush that the Printing Bureau is unable to undertake the work; consequently it has to be sent to outside offices, resulting in increased cost of printing.

Hon. Mr. LYNCH-STAUNTON: Would it be necessary to pass an Act to constitute such a board?

Hon. Mr. DENNIS: No, an Act would not be necessary; I think an Order in Council would cover the case. If the suggestion of an editorial board is favourably considered by the Government and adopted, I think a very material saving can be effected in the cost of public printing, and the members of Parliament and the general public will be relieved of considerable inconvenience. Many of the reports which they receive and open are unread and are thrown away as junk; and yet they contain a large quantity of valuable paper, which at the present time is costing 10 cents a pound.

Hon. Mr. GORDON: How does the honourable gentleman suggest that the board should act?

Hon. Mr. DENNIS: The proposition is that, if the editorial board is appointed, they shall consult with the deputy heads of the various departments.

Hon. Mr. LYNCH-STAUNTON: Do I understand that the honourable gentleman recommends that this board shall have power to say what reports shall be printed?

Hon. Mr. DENNIS: Yes.

Hon. Mr. LYNCH-STAUNTON: And what reports shall not be printed?

Hon. Mr. DENNIS: After consultation with the deputy ministers.

Hon. Mr. McLENNAN: May I ask if the committee has considered pursuing the same plan with regard to outside persons as is followed with regard to members of the House of Commons and of this House, namely, to ask each person if he wants the report. I am perfectly certain that there are thousands of reports sent to newspaper offices and other outside places, which are never opened, but are simply thrown in the wastepaper basket. Persons on the mailing lists should be informed that a certain report will be printed, and should be asked if they want a copy of it.

Hon. Mr. DENNIS: The practice is that when a report is printed a postcard is sent to every member of the Senate or the House of Commons, and also to the addresses on a select mailing list.

Hon. Sir MACKENZIE BOWELL: To public libraries and such institutions.

Hon. Mr. DENNIS: To public libraries, newspapers, etc. They are informed that a certain report is ready and are asked, if they want it, to put a cross opposite the title.

Hon. Mr. GORDON: But that is done, I understand, after the printing.

Hon. Mr. DENNIS: Yes.

Hon. Mr. GORDON: What saving is effected in that way?

Hon. Mr. DENNIS: The Distribution Office and the Printing Bureau have a list, which is revised annually, of persons to whom blue-books are sent. The number of names on the list has been gradually reduced. Furthermore, we have introduced the system of charging for documents. The blue-books and various other documents are not now sent out indiscriminately to 3,000, 4,000 or 5,000 persons, many of them dead, as was previously done. The receipts from the sale of official documents for the past year were about $2,000 in excess of previous years.

Hon. Mr. BEIQUE: I suppose the practice of the Joint Committee of both Houses to order the printing of certain reports will be continued. It is not intended to interfere with that?

Hon. Mr. DENNIS: No.

Hon. Mr. BEIQUE: The board which is suggested will have nothing to do with that?

Hon. Mr. DENNIS: That is a matter of detail, which will be arranged when the board is appointed, if it is appointed. But the printing of the papers laid before this honourable House or the other House is a matter for the Joint Committee on Printing to consider and report upon to both Houses. Then the respective Houses decide what shall be done. We do not propose to refer that matter to the board at all.

Hon. Mr. LYNCH-STAUNTON: Honourable gentlemen, what is everybody's business is nobody's business. Reports have been made and comments passed for many years on the extravagance of the Government printing. Reports come in and are filed, and I venture to say that even among members of Parliament not one in a dozen ever looks at them or considers them. If we wish to have the cost of printing reduced, the suggestion of the report, it seems to me, is not the best one. If a

board of editors is constituted, it simply means another board of officials.

Hon. Mr. DENNIS: It is not proposed to appoint a separate board, but to appoint three members of the Civil Service and utilize their services.

Hon. Mr. LYNCH-STAUNTON: To my mind that is not the best solution. It seems to me that an Act of Parliament should be passed constituting a joint board of members of the two Houses, to whom, all documents it is proposed to print should be submitted for authorization. The proof that editors chosen from the Civil Service would not be the most desirable committee to appoint is found in the fact that each department now prints its reports, and, so far as usefulness is concerned, they are absurd. In any one of these reports it is difficult to find anything interesting; it is simply a collection of statistics thrown together, without any index or other means by which you can ascertain what it contains. Is there any honourable gentleman in this House who ever reads any of these reports? They are sent to me and I never read them. I received a copy of the Cost of Living report. I was going to say it might be used as a paper weight; but it could be used only in a blizzard to keep down a building, it is of such a size. Another report was simply a collection of vouchers of expenditures by the Militia Department. Now, if the men who have the editing of these reports in the different departments have not enough judgment to withhold them from publication in that form, how can we expect to select from those departments three men who by their combined judgment will do any better? The men who know what the public want are the members of the two Houses of Parliament, because they are the persons to whom application is made by their constituents for these reports. Although the great cost of public printing has been pointed out time after time, no member of the Government has been sufficiently interested in the question during the last 20 years to ask for an Order in Council, and I venture to say that if we file this report it will grow blue-mouldy, and there never will be an Order in Council passed. I submit that what should be done is that the chairman or some member of this committee should bring in a Bill to constitute a board; and when that Bill passes and becomes law, a board will be appointed from the members of both Houses and we shall not have this public scandal year after year, as we have it now, of printing enormous quantities of useless literature. The accumulation would have become a public nuisance but for the good luck that it was all burned up.

Hon. Mr. LYNCH-STAUNTON.

Hon. Sir JAMES LOUGHEED: Would my honourable friend, before he concludes his remarks, point out to the House the distinction between the practice which we have followed up to the present time, that of referring such matters to a joint committee of Parliament, and the proposal to appoint a board which would be practically a joint committee of both Houses?

Hon. Mr. LYNCH-STAUNTON: I used the word board; I should have said a joint committee.

Hon. Sir JAMES LOUGHEED: We have that now.

Hon. Mr. LYNCH-STAUNTON: But the joint committee is not given the necessary power. As I understand, such matters are submitted to the committee pro forma; but if no department had the right to print such documents until they had been passed upon separately and accepted by the joint committee, a reduction of expense would be effected. Does the joint committee ever intervene before printing, to say, "You shall not print this report," or, "You shall print this report in such and such a form," or, "You shall reduce this report to such a size"? I do not understand that the committee does so. The joint committee should have all reports submitted to it before they are printed at all.

Hon. Sir MACKENZIE BOWELL: If the honourable gentleman (Hon. Mr. Lynch-Staunton) had had a little experience of the Printing Committee and of the departments, he would find that his suggestion is quite impracticable. How would the public ever get the information contained in these reports? The reports which would be submitted to this committee are completed only just about the time Parliament meets, and sometimes it is with great difficulty that the head of a department can get a report ready in sufficient time to lay it before Parliament. If my honourable friend's suggestion were carried out, all reports would have to be submitted to this joint board. But all the work would be performed before the report was submitted to the board, and then it would be useless to submit it.

Let me say, speaking from experience, that the suggestion made by the chairman of the committee, as he has explained it to-day, is the most practical way of carrying out economy in printing, and to my mind the committee deserves great credit for

what it has done. This is about the first time that we have had a Printing Committee which has really performed its duties in taking into consideration what documents should be printed. It is all very well to complain that a large number of these reports should not be printed, and that orders of one House or the other are often given overlooking and overriding the powers and duties of the Printing Committee. But when a report is laid before Parliament, if a politician thinks it will not suit his party he will crush it; but if he can use it, he will ask to have it printed by thousands. The same course is followed in the Printing Committee, and the same reasons are given for the publication of many reports which are of no interest to any one except the man who moves for them, and probably the people of the constituency in which he circulates them. The course suggested by the Chairman of the Printing Committee is the most practical one that has been laid before Parliament during the fifty years that I have been a member.

Hon. Mr. BEIQUE: I think we are all agreed that a great deal of money is wasted, and that many reports are printed and distributed which might well be dispensed with. Reports are sometimes thrown into the waste-paper basket because they are badly arranged. Recently a book was issued containing archives of the most interesting nature in three-quarters of its space; but the balance was made up of things of practically no interest at all. One does not want a book containing something that is of no interest, and it usually goes into the waste-paper basket. The matter contained in a publication should be so classified that it will be preserved if the matter is of interest for the future.

I rise especially to say that I am in accord with the honourable member from Hastings (Hon. Sir Mackenzie Bowell), that the committee has done excellent work. I think the recommendations of the committee are along the proper lines. I do not think Parliament will consent to do away with the Printing Committee and forego its power of directing what shall be printed and what shall not be printed; but I think it would be wise to appoint a board. I would suggest that the board be composed of two members only, one English and one French, and that it should be the duty of that board to keep in communication with the Joint Committee and with the departments, and to devise the best means, from the point of view of efficiency and economy, of reducing as much as possible the cost of printing and the circulation of papers. It might make recommendations which would be accepted by the committee as to what documents should be printed or not printed.

Hon. Sir MACKENZIE BOWELL: The honourable member for Hamilton (Hon. Mr. Lynch-Staunton) intimated that most members of Parliament and others who receive these documents throw them away. If the honourable gentleman wishes at any time to consult any of these reports, including Hansard from the time of Confederation, and will come to my office in Belleville I will furnish him with anything he wants. I have about 450 feet of shelving filled with the reports of each department for each year, and the Debates from the time of the Charlottetown meeting, at which Confederation was first considered. It would give me great pleasure to have the honourable gentleman come and consult these documents. Very often politicians come to my office and want to get books. I say: "There is the room, go and occupy it;" but I will not let any of them take books away, because I would probably never see them again.

Hon. Mr. DANDURAND: No doubt there are some statistics that must be printed and kept on record. There is no Government in the world that does not attend to this matter seriously; but it seems to me that we are lacking in common sense when we pelt the members of Parliament with formidable reports which, when added to each other, make a small mountain each year, and when it is quite apparent that one man cannot go through them all. I have often wondered why these reports are not summarized, and the essence of the testimony taken, or the opinions given, printed. If that were done, the members would not be discouraged and would make it their duty to peruse these summaries. When I receive a list of forty-five or fifty reports, with instructions to indicate what I want, I select two or three; and even then, when I am confronted with them I am sometimes so paralysed that I leave them aside, and when I have some leisure, I find that I have more pressing demands made upon me. It seems to me that these reports should be reduced in volume to what is absolutely essential.

Hon. Mr. POIRIER: I do not know what may be the value of these reports, intrinsic or extrinsic, but they must have some value. After the burning of the Parliament building, an officer of the Secretary of

State's Department, I believe, wrote asking if I could help to replace the lost collection. It happened that I had a file which was nearly as voluminous or mountainous as that of my honourable friend from Hastings. I sent it on to the department. There were trunks full and barrels full—in fact, a great pile of documents. Judging from the thanks I got, that collection had some value as a historical record, or for some other purpose. If those records should only serve as documents for future historians, I think, although they cost a goodly sum of money, that we should persist in printing them. I would not insist on mountains of them being printed; but I would insist on the printing of documents which, though overwhelming in appearance, will certainly be of interest to future generations when Canada has become one of the largest, most prosperous, and most enlightened nations of the world.

Hon. Mr. GORDON: While I sympathize considerably with the suggestions made by the chairman of the committee, and think they would, if acted upon, bring about an improvement, I must say that the tendency of this report is, as has been the case in the past, to take the responsibility away from the responsible minister. In a responsible Government such as we have, it seems to me that if we remove the responsibility from the shoulders of the minister, we shall have no person to look to in the event of the work not being done properly. I submit that we are on the wrong trail altogether. Even to-day some person had to apologize and say that there was no minister to blame and that practically there never had been. I say that unless the matter can be brought home to a minister, you will not get results. It is proposed to put the responsibility upon the shoulders of two or three civil servants, and every man here knows that these men will be desirous of meeting the views of practically every member of Parliament and every politician who goes to them, and the excuse will always be given that so-and-so asked for something to be done. I think there should be some means, which we have evidently not had in the past, of putting the responsibility for the carrying out of these requirements upon the shoulders of the minister who is in charge of that department.

Hon. Mr. DENNIS: The recommendation does not propose to relieve any minister of responsibility. It is proposed to appoint a board of editors, and when a report is sent in from a department—the Department of Mines, for instance, which is one of the chief sources of what I unhesitatingly say is extravagance—the board will say: "We do not think that report is necessary." The board will consult with the deputy minister, and if the deputy minister says it is essential that the report should be printed, and the board disagrees with him, the minister will be appealed to, and he has to take the responsibility of saying whether the report shall be printed or not, and has to give written instructions to have it printed.

Hon. Mr. GORDON: The minister who is asking for that particular work has to decide. For years it has been the common report on the street, that the Printing Department, which is rather loosely run, to say the least, has too many employees. What we want to do is to find out who is responsible for that condition of affairs, and put it squarely before him, in order to have that condition remedied. I suggested that one way of effecting a saving would be to find out beforehand what publications are really necessary, and print no others. I am of the opinion that an immense saving could be affected in that way. The chairman of the committee is a practical printer, and I judge from his remarks that he is satisfied that an immense saving can be affected in that department. I would like to have some suggestions from him as to how it can be done.

Hon. Mr. DAVID: I think that the suggestion made by the honourable member for Nipissing (Hon. Mr. Gordon) should be taken into serious consideration; but, unless two competent men are appointed, one French and one English, men who will be responsible, nothing will come of it. That is the only way to have anything done which will produce results.

Hon. Mr. BOSTOCK: This discussion has been a very interesting one. The Chairman of the committee is to be congratulated upon laying this matter before the House, and his recommendations are very much to be commended. But in this matter it seems to me that the Secretary of State is very largely responsible. The Printing Bureau is under his department and the Joint Committee of the Houses of Parliament should be in a position to see that a proper branch of the Department of the Secretary of State is organized for the purpose of arranging the collation of statistics. This branch seems

to be in a very serious condition at the present time. We get statistics from the different departments, and when we try to compare them we find that the results disagree very considerably, and the consequence is that the information obtained is not at all satisfactory. I think that the proper collation of statistics is one of the most important matters that we have to deal with.

Hon. Mr. DENNIS: Should we not have a bureau of statistics?

Hon. Mr. BOSTOCK: Yes. Probably it would be best to have it under the Secretary of State's Department. In his report my honourable friend refers to the printing of maps. That is another case in which we have wasted an enormous amount of money. Various departments have been printing maps according to what they thought were the requirements. The Railway Department, for instance, has issued maps without any consideration of what was being done by the Department of the Interior. Very expensive maps have been issued, and a great deal of money has been wasted owing to duplication. That is another matter which I think should be referred to the Secretary of State. His department should know whether certain maps had been issued before, or whether they were really required. I think the Department of the Secretary of State should be made a kind of clearing-house, so that work would not be duplicated. Then there is the editing of all these reports. There is no doubt that an enormous amount of money is wasted owing to reports not being properly edited. That work could be done by a staff of officials, as I presume my honourable friend means to have it done. We are all interested in saving as much money as possible. There has been a good deal of waste in the past. I understand that the Joint Committee of Parliament can only deal with papers that come before it during the session, and that as to reports of departments they can only make recommendations or suggestions to the various ministers of the Government that certain action should be taken.

Under the statutes the different departments have to make certain reports to Parliament within a certain number of days after the session opens, and of course we know the Joint Committee on Printing cannot convene and get to work early enough in the session to deal with those reports. Hence anything that could be done in the way proposed would have to be done by the departments themselves. I think this is a very important matter, and at the beginning of the session we might be able to discuss it at much greater length and to better effect, and probably arrive at a more satisfactory conclusion as to what can be done.

Hon. Sir MACKENZIE BOWELL: My honourable friend seems to have misunderstood the duties of the Secretary of State so far as they relate to the Printing Bureau. That minister has nothing to do with what shall or shall not be printed; he has no power.

Hon. Mr. BOSTOCK: Give him the power.

Hon. Sir MACKENZIE BOWELL: His duty is simply to manage the Printing Bureau as any gentleman would manage his own manufacturing establishment—control the expenditure, arrange how the business is to be done, and see that under the Superintendent of Printing the reports sent in by the different departments are printed. If the suggestion of my honourable friend were carried out, you would make the Secretary of State a kaiser, a dictator to all the departments of the Government, which nobody would tolerate for a moment.

The motion was agreed to, and the report was concurred in.

ALLEGED MISCONDUCT OF IMMIGRATION OFFICIAL.

INQUIRY.

Hon. Mr. LANDRY rose to call the attention of the Government to the following facts:

On Saturday, 26th May last, a citizen of Windsor, named J. J. Massé, manufacturer, doing business in Windsor and Detroit, called at the Canadian Immigration office to obtain a permit to cross from Windsor to Detroit, such permit now being necessary in virtue of an Order in Council.

The officer in charge of the office at that time, was one Vincent M. Byrne who, on Massé's application, made in French, for a permit to cross, replied that the use of the French language was not legal in Ontario.

Then, in a fit of anger, he suddenly seized Massé and confined him in a cell close by, 8 feet by 6 feet, with but a small window hermetically closed, and re-inforced by a solid iron grating.

Mr. Massé was kept in confinement there, for two hours, during which he was subjected, by Byrne, to all sorts of insults, and in reply to any protests on the part of Massé, Byrne added: "Shut up; I have the upper hand here; I will have you arrested and sent to jail."

The Chief Immigration Inspector at Windsor, Mr. O. J. Adams, visited Massé in his cell, and after having heard the facts, told the prisoner that he had no right to use French, that that language had no legal status in Canada. He left Mr. Massé a prisoner.

During the whole period of his confinement, Massé was invariably refused all telephone communication with his business office in Detroit, and any communication with his solicitor.

By the intervention of another officer of the department, Massé was allowed to leave his cell and obtained what he was applying for, but he had to make his application in English.

Two days later, Mr. De Grandpré, advocate, communicated all these facts to the Minister of the Interior, and requested justice for his client.

On the 1st of June, Inspector Adams refused a passport to Massé, under the pretext that the latter had instituted an action in damages against Byrne, on account of ill-treatment by the latter on the 26th May, as mentioned above.

This refusal of Adams was denounced on the 1st of June, to the Minister of the Interior, who immediately ordered his officer to issue the passport applied for. Four days later, 5th of June, the Minister promised that an investigation would be held.

On the 23rd of June, the promised investigation having not been held, Mr. De Grandpré wrote to the Minister to remind him of his promise and requesting its fulfilment.

On the 3rd of July last, further letter from Mr. De Grandpré asking for Byrne's dismissal, on account of the unjustifiable imprisonment of Massé, also for Adams' dismissal, for complicity in the act committed by Byrne and for having, on the 17th of June, refused to grant a passport to Massé.

On the 14th July, Mr De Grandpré renewed his requests of the 3rd of July. At the same time, he received, from the Minister of the Interior, a letter informing him that the dismissals asked for seemed too harsh a measure, and giving him the assurance that the offences already committed would not be repeated.

In replying to this letter on the 24th of July last, Mr. De Grandpré protests against this attempt to hush up this matter, and insists on his request that the incriminated employees disappear from Windsor, leaving the Minister at liberty either to dismiss them altogether or to appoint them somewhere else.

"You have," he writes to the Minister, "quite recently dismissed one of your Immigration officers at Windsor who had taken the liberty of insulting Mr. Tuson, the present Mayor of Windsor, by making rather curt remarks to him, and I cannot see why you do not act in a similar manner in the case of Byrne and Adams, whose brutality and iniquity towards Massé were a hundred times worse than in the Tuson incident." This letter remained unanswered.

Mr. De Grandpré wrote again on the 31st of July, and informed the Minister that Inspector Adams kept, under lock and key in his private office, the French blank forms sent by the Department for the convenience of those who asked for them; but those who desired them could not obtain any during Mr. Adams' absence as the latter took his office key with him.

And to inquire:

Is it the intention of the Government to leave the action of Byrne and the complicity of Adams, unpunished, the former depriving a British citizen of his liberty in placing him in a cell without the slightest authority, and the latter in keeping him a prisoner contrary to the laws of this country, both being guilty of disobeying the orders of their superiors in refusing to Massé permits to which he was entitled?

Hon. Sir JAMES LOUGHEED: I have great pleasure in giving an answer to my honourable friend that I think should be satisfactory. It is as follows:

A careful investigation was made into this case, and it was ascertained that on May 26, 1917, about 8.15 a.m., Mr. Massé appeared at the ferry dock immigration office at Windsor, Ontario, demanding that he be examined in the French language. Inspector Byrne, before whom he appeared, being unable to speak French, suggested that Mr. Massé answer in English questions addressed to him in that language. Mr. Massé, while admitting he spoke English fluently, absolutely refused to be examined in English. He was told that an officer able to speak French would be there about 9.30, and he expressed his preference to wait rather than speak English. He was then in the office where the general examination of immigrants and others takes place, and as it is contrary to the rules to have others than officials in the office when persons are being questioned, he was asked to wait outside. This he refused to do, saying: "I don't give a damn for you or any other officer; I am going to stay here until I get my rights." He was then asked to wait in one of the other offices and again refused, and was by force removed from the office in which the examination was taking place to one of the other offices. The door of the office in which he was placed was open and he was free to leave at any time. For three years there has been no telephone connection between the ferry dock office and Detroit, and for this reason his request to phone his Detroit office could not be complied with.

A temporary permit was granted to him on the date on which this trouble commenced, and when he applied for another permit on June 1st he was refused, the officers taking the ground that as the whole case had been referred to the Minister of the Interior, it was preferable that the minister should take the responsibility for issuing the second permit. Long distance instructions were given to issue the permit, so Mr. Massé occasioned no serious inconvenience on June 1st.

The Immigration Inspector in charge at Windsor, in reporting this matter, says:

There is absolutely no ill feeling between the French speaking public and myself or any of my Inspectors that I am aware of and the greatest harmony exists at all times. I regret very much the attitude which Mr. De Grandpré

is taking as it would appear that he is endeavouring to create an ill feeling between the two races in this neighbourhood. I am glad to say, however, that this feeling is limited to a very few, most of whom are friends of Mr. De Grandpré.

In view of the facts above outlined, it is not the intention of the Government to in any way punish Inspector Byrne or Inspector-in-charge Adams.

Hon. Mr. LANDRY: I may have my doubts about the answer. With the kindness of the honourable leader, I read the answer, and I differ in toto from the version given. I think this matter should be followed by another inquiry, by examining persons under oath, and having the proper evidence produced.

MILEAGE AND GRADES OF RAILWAYS.

INQUIRY.

Hon. Mr. CASGRAIN inquired of the Government:

1. What is the mileage by the Canadian Pacific Railway between Winnipeg and Quebec?
2. What is the mileage by the Canadian Northern railway between Winnipeg and Quebec?
3. What is the mileage by the National Transcontinental railway between Winnipeg and Quebec?
4. What is the total adverse grade on the Canadian Pacific going east, from Winnipeg to Quebec?
5. What is the total adverse grade going west on the same road?
6. What is the total adverse grade going east on the Canadian Northern railway between Winnipeg and Quebec? The same going west?
7. What is the total adverse grade going east on the National Transcontinental railway between Winnipeg and Quebec? The same going west?

Hon. Sir JAMES LOUGHEED:

1. 1587 miles.
2. 1640 miles.
3. 1351 miles.

Information has been received from the railways concerned as follows:

4. and 5. 681.51 miles in length; 14,102 feet of raise, going east. 659.83 miles in length; 14,578 feet of raise, going west.

6. 9,655 feet, going east. 10,393 feet, going west.

The elevation above sea-level is 18 feet, Quebec; Winnipeg, Red River Bridge, 756 feet.

7. 608.0 miles in length and 8,946.7 feet of a raise, going east. 536.8 miles in length and 9,730.3 feet of a raise, going west.

The Senate adjourned at one o'clock.

Second Sitting.

The Senate met at three o'clock, the Speaker in the Chair.

WAR-TIME ELECTIONS ACT.

THIRD READING.

Hon. Sir JAMES LOUGHEED moved the third reading of Bill 133, The War-time Elections Act.

Hon. W. B. ROSS: I beg to move that this Bill be not now read a third time, but that it be amended :

(1) By striking out the words "Nova Scotia" from the first and second lines of the new section 33B provided by the Bill.
(2) By striking out the words "Nova Scotia" from the seventh and eighth lines of clause 4 of the new section 62 provided by the Bill.
(3) By striking out the words "Nova Scotia" from the third and fifth lines of the new section 65A provided by the Bill.

Hon. Mr. CLORAN: Why does the honourable gentleman want to have those words struck out ?

Hon. Mr. POWER: To strike out the words "Nova Scotia" only — not "New Brunswick"?

Hon. W. B. ROSS: I am not so interested in New Brunswick as I am in Nova Scotia. We had some discussion on this amendment last night. I desire to be as brief to-day as I can be. The voters' lists in Nova Scotia are prepared by what we call revisers.

Hon. Mr. DANDURAND: Appointed by whom ?

Hon. W. B. ROSS: The revisers are appointed by the county council, and the appeals from them are to the sheriff.

Hon. Mr. DANDURAND: How many revisers are there ?

Hon. W. B. ROSS: I think there are three.

Hon. Mr. FARREL: Three for a revisal section.

Hon. W. B. ROSS: The province of Nova Scotia has been Liberal since the year 1882, that is, for thirty-five years. The sheriffs are not judicial appointees. I explained last night that at one time they were appointed by the judges. Under the present Government they have been appointed by the Lieutenant Governor in Council. Now, it is perfectly true that some of the sheriffs act very fairly, but a great many of them act very arbitrarily, and the fact is that we

have not in Nova Scotia under the provincial preparation of the lists a judicial review such as there is, either before or after the elections, in the western provinces and in Prince Edward Island, and it is that judicial review which I wish to provide for by this amendment.

Hon. Mr. POWER: This amendment will not give it.

Hon. W. B. ROSS: Yes, it will.

Hon. Mr. DOMVILLE: You are not dealing with the province of New Brunswick at all. Is that province to follow the old lists?

Hon. W. B. ROSS: New Brunswick is provided for in the Act along with Ontario and Quebec.

Hon. Mr. DOMVILLE: But I am asking for information. How will the lists of New Brunswick be arranged?

Hon. W. B. ROSS: The lists will be taken as they are now.

Hon. Mr. DOMVILLE: By the revisers?

Hon. W. B. ROSS: Yes; but they can be added to by the enumerators putting on the new classes of voters provided for in the Act. The effect of this amendment to strike out the words "Nova Scotia" is to put Nova Scotia on the same footing as Prince Edward Island, Alberta, Saskatchewan, British Columbia, and Manitoba. Although there is not a judicial review in any of those provinces before the election, there is a revision after the election, and in the meantime there is ample machinery to enable a man to vote whom the enumerator would wrongly exclude from voting, and there is no way by which a man can squeeze in a vote who is not entitled to it. The voter or his agent can have his vote brought under review by the judge. So far as my limited comprehension goes, there is not the slightest advantage given one party over the other in this system. If any one had shown me that there was, I would take a very different view of the amendment which I am now proposing to the House. It is, I think, desirable that there should be a judicial review and that it should be equally open to both parties.

Hon. Mr. POWER: Is there a judicial review in New Brunswick?

Hon. W. B. ROSS: There is not in New Brunswick; but New Brunswick has representatives here, and if they wish to have "New Brunswick" added to "Nova Scotia" in this amendment, it is quite open for them to do so.

I was told last night that this proposal was sprung as a surprise upon this House, but that is not so. It was known in the other House and known to leading members of the Liberal party that such a proposal would be made in this House. The amendment would have been proposed in the other House only that at the time it was mentioned there the Bill was under closure, and it was impracticable to put the amendment in.

Hon. Mr. DANDURAND: Will the honourable gentleman mention a single member of the Chamber who knew that such an amendment would be offered?

Hon. W. B. ROSS: Mr. Maclean.

Hon. Mr. DANDURAND: He expressed his surprise to us last evening that such an amendment was proposed here.

Hon. W. B. ROSS: I am informed that he was acquainted with the fact.

Hon. Mr. CLORAN: Do I understand the honourable gentleman to state that this amendment was not put before the House of Commons owing to closure?

Hon. Mr. BELCOURT: That is what he said.

Hon. Mr. CLORAN: I want a straight answer to that question. The honourable gentleman has said that owing to the closure this amendment was not allowed to be put in the House of Commons.

Hon. W. B. ROSS: I say if the Bill had not been under closure the amendment would be have been offered.

Hon. Mr. CLORAN: What an argument that is against closure in the House of Commons. You have to come up here for free speech.

Hon. W. B. ROSS: The honourable gentleman from Kings (Hon. Mr. Fowler) has asked me to amend my motion by adding the words "New Brunswick." I am willing that my amendment be amended in that way.

Hon. Mr. DANDUDAND: The honourable gentleman can do so only by the consent of the House.

Hon. W. B. ROSS: We can do it in another way.

Hon. Mr. DANDURAND: Do I understand that we agree that the effect of the amendment moved by the honourable gentleman is that the enumerators to be

appointed under this Act will have to make all the lists de novo?

Hon. W. B. ROSS: They start with the provincial lists. They have the benefit of the provincial lists.

Hon. Mr. POWER: Where does that appear?

Hon. W. B. ROSS: In section 46 of the amended copy of the Franchise Act that accompanies the Bill before the House.

Hon. Mr. DANDURAND: It is within the enumerator's discretion to take the list or reject it.

Hon. W. B. ROSS: He will take that list. If he does not stand by that list, the parties in the division who are interested have the old list to guide them.

Hon. Mr. DANDURAND: In complainin to the judge?

Hon. W. B. ROSS: In complaining to the enumerator himself and later on to the judge.

Hon. Mr. THOMPSON: If this amendment were adopted, would the lists be entirely in the hands of the enumerators, or would the lists that were already made up for the year be accepted?

Hon. W. B. ROSS: He takes the list for the year. From that he takes all the names that he thinks he can take, and strikes off names of persons whom he thinks not qualified to vote, and the names of others whom he thinks qualified to vote. If he strikes out the name of a man who thinks he is qualified to vote, that man may apply to him to be reinstated, and if he is not reinstated he gets a certificate and takes it with him to the polling station on polling day, and votes. There is elaborate provision for dealing with the case.

Hon. Mr. BEIQUE: I understand the honourable gentleman from Middleton (Hon. Mr. Ross) to state as the reason for his amendment, that the electoral lists of the province of Nova Scotia are revised by the sheriffs, and that the sheriffs, being appointed by a political party, are not always fair, and that there should be a remedy for a condition of that kind. The honourable gentleman asks to substitute nominees of the present Government, who would be entrusted with the preparing of the electoral lists for the whole province. Does it not occur to the honourable gentleman that these nominees will likewise be appointed by a political party, and they will not give any more guarantee of impartiality than the sheriffs who were appointed by another political party? I appeal to the honourable gentleman whether it is fair, by means of a majority in this House to disturb the whole system under which the House of Commons and this Government have been acting heretofore. It seems to me that this matter can be dealt with in a way on which all men who have any sense of fairness will agree. It is suggested to continue the provincial lists as a basis, but to provide for a revision of those lists by the judges. All parties will be put on a par, and no advantage will be taken by one over the other. I suggest an amendment to the amendment, as follows:

Nothwithstanding anything to the contrary contained in this Act, in the province of Nova Scotia, on the application of any person having a right to vote in virtue of this Act in any electoral division of said province, the electoral list of such electoral division may be revised by the county judge at any time within a delay of thirty days from the passing of this Act.

On the occasion of such revision a judge may strike out any name appearing on the electoral list or he may add to it such names as he may deem proper. I think this should appeal to the sense of fairness of the honourable gentleman. Is the honourable gentleman willing to accept that?

Hon. W. B. ROSS: No. I tried to work out an amendment on the lines suggested by the honourable gentleman. It would require almost a complete code, providing for the fixing of the sittings of the judge, for the notice to the electors affected, and the other necessary notices, and for the parties being heard; whereas under this system the thing is complete. The honourable gentleman's motion has the merit of proposing the interference of the judges, but it is not workable under this Act.

Hon. Mr. BELCOURT: Why?

Hon. W. B. ROSS: I have already pointed out that we have not the machinery.

Hon. Mr. DANDURAND: Reserving my right to speak on this amendment, I should like to make a suggestion. Instead of getting into a discussion that may last over a number of sittings and may lead to no satisfactory conclusion, I would suggest to the honourable gentleman that the House adjourn for a short time to allow the legal gentlemen on both sides, with the Minister of Justice and a couple of representatives from both sides of the other House, to meet and see if we cannot agree upon granting

an appeal to the judges of Nova Scotia in case of any complaint of omission or commission in regard to the lists. It seems to me that, instead of entering upon a course of wrangling which may lead to nothing and which may prevent prorogation for a number of days, my honourable friend should accept such a suggestion.

Hon. W. B. ROSS: Why cannot the honourable gentleman show us how it can be done?

Hon. Mr. BELCOURT: It is up to you.

Hon. Mr. CLORAN: Why disturb the present state of things in Nova Scotia? Is it not good enough?

Hon. Mr. POWER: I had given the honourable gentleman from Middleton (Hon. Mr. Ross) credit for being broad-minded and fair-minded. I am sorry to feel now that I have misunderstood the honourable gentleman's character. Here is the fact. In the province of Nova Scotia the assessors' lists are the foundation upon which the whole structure rests. The revisers who are appointed by the municipal authorities take the assessors' lists, go over them carefully, and make a list of the persons whom they believe to be entitled to be registered as voters on the basis of those assessment lists. Then the revisers take the list, which you may call the original list, and post it up in various places throughout the constituency; and part of the notice is to the effect that on a certain day the revisers will meet to hear appeals from the original list. On that day the revisers meet, consider the appeals, strike off the names of persons who they are satisfied have not the right to vote, and insert the names of persons which have been improperly omitted. After that, if there is still disatisfaction, the dissatisfied person has the right to appeal to the sheriff. Now, honourable gentlemen, while the Government of Nova Scotia has been Liberal for a great many years, these lists are not made up by the Government. They are not made up under government supervision. They are made up under the supervision of the municipal authorities, and those authorities, I think, are about equally divided between the two parties. So that there is no ground for a change from that system. There has been no complaint of it. My own impression is that if the honourable gentleman will look into the matter he will find that appeals to the sheriff hardly ever take place. I have not for years seen or heard of any serious complaints as to the character of the electoral lists in the province of Nova Scotia. Under those lists Conservative members have been elected to the House of Commons in as large numbers as Liberals, or in somewhat larger numbers. They have also been elected in considerable numbers to the provincial legislature. Under these circumstances, why should the honourable gentleman separate his native province from Ontario, Quebec and New Brunswick, and put it in with the province of Prince Edward Island and the western provinces, where there are no provincial lists at all? It is a great advantage to have these provincial lists, which are non-partisan in their character; yet the honourable gentleman proposes practically to do away with them, and substitute lists that are made up by enumerators, all of whom are appointed by one party.

Hon. W. B. ROSS: Allow me just one correction. I am informed that Manitoba and British Columbia both have electoral lists.

Hon. Mr. POWER: They have no such lists as we have, because that appears from this Bill itself. If they have such lists why are they dealt with separately in the Bill? There are other honourable gentleman here from Nova Scotia, and I do not think that any of them can say that any serious complaint has been made with respect to the lists in that province.

Another point is this. It is stated that we are within a month or so of the election. The lists were all made up months ago, and the period for appealing has elapsed, and if there were appeals they have been heard and disposed of. Why should we go back and take these complete, impartial lists and put them in the hands of enumerators to be dealt with just as those enumerators please? There is nothing to hinder the enumerators from wiping out the whole of the existing and carefully-prepared provincial lists, and substituting lists of their own.

I think it is a most extraordinary motion. Further, it should be borne in mind that this Bill has passed through the House of Commons, where there are representatives of both parties from Nova Scotia, yet no one in that House ever said a word in the direction of the amendment which the honourable gentleman now proposes.

Hon. Mr. DANIEL: I think the honourable member from Halifax has fairly stated the case, with exceptions. He appears to

have the idea that the provincial lists will not be placed in the hands of the enumerators.

Hon. Mr. POWER: I did not say that.

Hon. Mr. DANIEL: While I agree that the lists as at present arranged in New Brunswick are fairly made up, as a rule, yet under this law they must go into the hands of the enumerators, who take the lists as the basis of the new electoral lists.

Hon. Mr. POWER: We are simply asking that Nova Scotia be left where New Brunswick is left.

Hon. Mr. DANIEL: I was going to suggest that I think it would be to the advantage of New Brunswick to go in with Nova Scotia in the amendment which the honourable gentleman suggests, because, as I understand it, at the present time the sheriff has nothing to do with making up or revising the list; it is only appeals from the revisers that go to the sheriff. Now, if I understand the amendment offered by the honourable senator for Middleton, it is to have that appeal go to the county court judge instead of to the sheriff. That is all there is in his amendment, so far as I understand; and I think that ought to appeal to the judgment of the House; I do not see how any one can take exception to it. As far as the sheriffs are concerned, my impression is that in my constituency they have been pretty good men, pretty honest and fair. In regard to these officials in the other parts of the province, I am not in a position to judge. In the province of New Brunswick the sheriff is appointed by the Government of the day, and he is appointed annually, not for a number of years, so that of course the office is liable to constant change. Naturally the sheriff is a strong and active supporter of the Government of the day. The object of the amendment, as I understand it, is that instead of appeals being made to those gentlemen, who are annual appointees of the Government of the day, they should be made to the county court judge.

Hon. Mr. DANDURAND: Does the honourable gentleman say that in Nova Scotia the sheriff is appointed annually?

Hon. Mr. DANIEL: Yes.

Hon. Mr. POWER: Although nominally he is appointed annually, as a matter of fact he is appointed for life.

Hon. Mr. CROSBY: He is only appointed annually.

Hon. Mr. DOMVILLE: The appointment is renewed by the fact of the Government not disturbing it; he is virtually there for life. I would call my honourable friend's attention to section 11 of the New Brunswick Elections Act, which says that the voters' lists must be made up at certain times, on or before the first day of August, and section 12 says that on or before the first day of September in each year the revisers of each city, town and parish shall meet, and, with the aid of lists furnished them, and so on. Now, the first day of September is past. Where do we stand on those lists? They are prepared, and they do not come into force until next year. If an election should come on prior to the first week in February or March, as the case may be, then we vote in New Brunswick on the electoral lists prepared the year before. Has my honourable friend considered that point at all?

Hon. W. B. ROSS: If you took the same view that I do, you would agree to insert New Brunswick in my amendment.

Hon Mr. DOMVILLE: I do not want to take any views at all. I want to go by the law and the statute.

Hon. Mr. LANDRY: I think that this motion should be, not to amend the Bill, but to move the House into Committee of the Whole. Then the different phases of the amendment could be considered, and the mover could answer questions; otherwise we have no opportunity to learn what we want to know.

Hon. W. B. ROSS: On the third reading of the last two important Bills here, amendment after amendment was proposed in the House, and I think it is better to follow that practice.

Hon. Mr. LANDRY: In the Senate it is usual to follow the English practice and amend the Bill, when necessary, on its consideration in Committee of the Whole. I raise the point of order.

Hon. Mr. DANIEL: With regard to that point of order, I would like to say that in connection with the Canadian Northern Bill we had about a dozen amendments.

Hon. Mr. BELCOURT: But they complied with the rule.

Hon. Mr. DANDURAND: In the case of the Canadian Northern Bill, in accordance with practice, all the important amendments which were moved in committee had to be repeated on the third reading, in order to be recorded with the names of the members voting pro and con; but they were

repeated at the third reading, on motions that the Bill be recommitted to the Committee of the Whole House, in order to amend the Bill along certain lines, which was the proper practice. Now, the honourable gentleman from Stadacona (Hon. Mr. Landry) raises the point, a quite important one, as to the correct practice to be followed in this House. A motion is made, in amendment to the motion for the third reading, to amend the Bill; there is also an amendment to that amendment. These questions bring us down to the details of the Bill, and I urge His Honour the Speaker to examine closely the point raised by the honourable gentleman from Stadacona as to whether we can go on proposing amendments and counter amendments to a Bill on the third reading without recommitting the Bill to the Committee of the Whole House. Of course, we can do so by general consent if the amendments are unimportant ; in fact, we can do nearly everything by general consent; but the question now is what is the correct practice to be followed? In the House of Commons members would not for a moment think of amending a Bill at the third reading stage instead of going back to the committee stage. The point is whether the regular practice should not be followed, that if amendments to the Bill be moved, that should be done in committee.

Hon. Mr. DANIEL: I would call attention to the fact that last night the honourable gentleman from Middleton gave notice that at the third reading he would move this amendment.

Hon. Mr. DANDURAND: I think I was the person who told him that he need not give that notice, because a public Bill can be amended without notice; but it must be amended according to the form which says that if you move to amend a Bill in details you must return it to the Committee of the Whole.

Hon. W. B. ROSS: We discussed this amendment last night, and the understanding then was that I would make my motion on the third reading to-day.

Hon. Mr. DANDURAND: Nobody on this side of the House is objecting to my honourable friend moving his amendment; in fact, we ourselves have amendments to move on the third reading. But when it comes to moving amendments to the Bill, I think the regular practice is the one that was followed in the case of the Canadian Northern Bill—that the Bill be recommitted to the Committee of the Whole.

Hon. Sir JAMES LOUGHEED: My motion is that the Bill be read the third time. My honourable friend from Middleton has moved an amendment to that. My honourable friend from Stadacona suggests that, owing to this being involved in very great complications, it can be better discussed at the Table than in the House. If honourable gentlemen will consider for a moment the amendment of the honourable member for Middleton, it will be quite evident that no motion can be made possessing greater simplicity, so to speak, so far as the absence of complications is concerned.

Hon. Mr. BELCOURT: Did my honourable friend say innocence?

Hon. Sir JAMES LOUGHEED: I am not importing unnecessary elements into the discussion. Upon the words "Nova Scotia" being struck out, then automatically all the machinery of this Bill comes into play. There is nothing complicated about it.

Hon. Mr. DANDURAND: But my honourable friend sees that there is a sub-amendment to the amendment of my honourable friend, which complicates the matter.

Hon. Sir JAMES LOUGHEED: My honourable friend from De Salaberry (Hon. Mr. Béique) has moved a very vague and shadowy amendment containing, I grant, a principle, but not containing any provisions which would be necessary for the working out of such an amendement. But the amendment of my honourable friend from Middleton is quite simple.

Hon. Mr. CASGRAIN: We might add two more words, "Ontario and Quebec." That would be simple too.

Hon. Mr. McSWEENEY: Too simple.

Hon. Mr. BEIQUE: Would it not be easy by adding three or four words simply to say that such and such provisions of the Revised Statutes of Nova Scotia for the revising of the provincial lists shall apply? It would import the whole machinery.

Hon. Sir JAMES LOUGHEED: That might be, but it is equivalent to saying—

Hon. Mr. BEIQUE: Will the honourable gentleman allow me? I prepared my amendment on my knees, at the last moment, when the honourable gentleman (Hon. Mr. Ross) was moving his motion. I had not

expected from what had passed that the suggestion would come from the honourable gentleman.

Hon. Sir JAMES LOUGHEED: I am very glad that my honourable friend prepared his amendment in so reverential a manner. It indicates his sincerity, anyway. What I was about to say was that if this Bill should be referred back to the committee, it would mean that any motion to amend a Bill on the third reading would have the effect of recommitting the Bill to the Committee of the Whole. Some one could simply move an amendment to the amendment, seeking to complicate it, and thus render it desirable that that should be done. It seems to me that the proper procedure is being followed in this case, and that the Bill should not be recommitted to the committee.

Hon. Mr. LANDRY: I will quote May also:

> When material amendments are desirable, the order for the third reading of the Bill may be discharged, and the Bill recommitted to introduce the amendments in committee.

That is the English practice.

Hon. Mr. BELCOURT: My honourable friend (Hon. Sir James Lougheed), on the point of order, has advanced reasons which might appeal to the discretion of the House; but when we are discussing a fixed point of order we are discussing the rules, not the discretion of honourable members. It is or it is not the rule of this House that if any amendment to a Bill on the third reading is to be made, it can be made only by the Bill being sent back to the committee for that purpose. Whether the amendment proposed is one that is simple or is not simple, whether it is one that could be easily done or not easily done is something altogether outside the rule. The argument of my honourable friend for this House to proceed and dispose of this matter here without again going into committee might be a good argument if the unanimous consent of the House were obtained, but that is no answer to the objection that it is against the rule. If the rule is to be disregarded, that must be done with the unanimous consent of the House. My honourable friend will not deny that the rule is that to amend a Bill on the third reading it must be sent back to the committee. Does my honourable friend deny that?

Hon. Sir JAMES LOUGHEED: Yes. The Bill has not to go back to committee.

Hon. Mr. BELCOURT: Surely my honourable friend will not seriously say that the rule does not require that a Bill shall go back to the committee to be amended?

Hon. Sir JAMES LOUGHEED: I am unaware of any such rule. The practice in this House is entirely different from that of the Commons. My honourable friend has in view the Commons practice.

Hon. Mr. BELCOURT: Not at all.

Hon. Sir JAMES LOUGHEED: Let us have the rule, then.

Hon. Mr. BELCOURT: I am not able to put my finger on the rule, but to my mind it is so much the rule that I have never seen it departed from here except when the House unanimously agreed. I submit, Mr. Speaker, that if the amendment and the sub-amendment are to be considered they can be discussed properly only in committee.

Hon. Mr. DANDURAND: I would draw my honourable friend's (Hon. Sir James Lougheed's) attention to the amendment moved by the honourable gentleman from De Salaberry (Hon. Mr. Béique), which opens the whole question of the revision of the lists. He will see that it is no inconsequential amendment and not a matter to be easily solved by a simple vote on the amendment and the sub-amendment. He will see that when once we enter upon this question of giving to the judges of Nova Scotia the appeal from the decisions of the sheriffs or upon any complaint, then members of the Senate may move further amendments if they believe that further amendments are needed to perfect the working of the Act. For these material reasons, I appeal to the honourable the Speaker to declare that this Bill should go back to the Committee of the Whole.

Hon. Mr. CHOQUETTE: I am not prepared to say anything upon the point of order, for I think it is a rather complicated question, and I am sure that His Honour the Speaker is not ready to pronounce upon it. It seems to me at first blush, having heard the authorities read, that the point of order is well taken; but I am not prepared to pronounce upon that. I desire only to say how much I regret that the suggestion of my honourable friend (Hon. Mr. Dandurand) has not been accepted by the Government. Here is an amendment proposed which, I am sorry to say, shows the majority in this House to be more partisan than that of the other House. As a member of the Senate I regret that

Then a sub-amendment is proposed, and here is a point of order.

Hon. Mr. TANNER: Which side does the honourable gentleman think is partisan?

Hon. Mr. CHOQUETTE: I say that I regret that the suggestion, which was a very fair and proper one, has not been accepted, that a conference should be held to discuss the question and even to discuss the point of order. If a conference were held among the leaders on both sides of this House, with the Minister of Justice, an understanding might be reached before we meet this evening at eight o'clock, and the time of the House would be saved, and we should be spared a great deal of partisanship which may be shown here this afternoon. It seems to me that the suggestion ought to be acceptable to the honourable gentleman from Middleton, who so far has been fair-minded except for this motion, which I am sorry to see in his hands, and to the honourable leader of the Government, who used to be ready to accept suggestions, much less time would be taken up. I think the difficulty could be settled in 20 minutes if the honourable leader of the Government, the honourable leader of the Opposition, and a few other members, together with the Minister of Justice and a few of the Nova Scotia members of the other House, from both parties, were to confer for the purpose of coming to an agreement. Then an amendment could be put, which would be fair to all concerned, along the lines of the sub-amendment proposed by the honourable gentleman from De Salaberry, to put the matter in the hands of the judges. Though I am not in a position to give an opinion on the point of order, it seems to me that the suggestion made by the honourable gentleman from De Lorimier (Hon. Mr. Dandurand) ought to be accepted, and the sitting of the House suspended for half an hour, so that the point of order may be taken into consideration and an amendment may be brought in which will perhaps be agreeable to all concerned. That would smooth over the difficulties and prevent a display of partisanship. No time would be lost, because in the meantime the Railway Committee could perhaps proceed with its work. If the suggestion is not accepted, if we proceed now with this Bill, the rest of the sitting will be wasted in talk, that is certain.

Hon. Sir JAMES LOUGHEED: In order that my honourable friends may not think that members on this side of the House have hardened their hearts against any reasonable proposal, I may say that this matter has been discussed this morning with some of my honourable friends opposite, and every consideration has been given to working out a judicial revision of the list; but it is utterly impossible, owing to the lack of judges in Nova Scotia, to adopt any system by which the lists can be revised other than the plan which has been adopted in the Bill. It is a physical impossibility.

Hon. Mr. BEIQUE: How many judges are there?

Hon. Sir JAMES LOUGHEED: I understand there are six judges. There are sixteen constituencies, and it would be utterly impossible to take those judges away from their duties and have them revise the whole of the lists for Nova Scotia within the time which will elapse between the present date and the holding of the election.

Hon. Mr. McSWEENEY: There are the county court judges as well.

Hon. Mr. DANDURAND: Will the honourable gentleman (Hon. Sir James Lougheed) allow me to draw his attention to this situation? Under the present Bill, leaving Nova Scotia as it is, and leaving the lists as they are, is there not a possibility of numerous appeals being made to the judges of Nova Scotia?

Hon. Sir JAMES LOUGHEED: Yes, after the elections.

The Hon. the SPEAKER: The question before the House is on the point of order raised by the honourable gentleman from Stadacona (Hon. Mr. Landry). Until that question is disposed of I do not think it is in order to discuss any other question.

Hon. Mr. LANDRY: With the permission of the House I should like to give this additional reason for my point of order. If we are not obliged to go into committee, why have we a committee for all Bills that come before us? The committee is a stage of our proceedings which practice has imposed, because there is more liberty in committee to discuss points that are brought up. We could do away with the committee stage of every Bill if the reasoning of our friends is correct. That reasoning could be applied to any Bill that comes before us. The procedure of referring Bills to committee is one imposed by parliamentary law and which we should follow, or, if we do not like to follow it,

we can by common consent move any amendment we like.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I would suggest this, to show the good faith of honourable gentlemen on this side: that we should now rise, and my honourable friends on this side will be only too glad to discuss the question to see if we cannot arrive at some satisfactory conclusion.

Some Hon. SENATORS: Hear, hear.

The Hon. the SPEAKER: The point of order raised by the honourable gentleman from Stadacona (Hon. Mr. Landry) is that the amendment moved by the honourable gentleman from Middleton (Hon. Mr. Ross), like all amendments made on the third reading of a public Bill, must be referred back to Committee of the Whole House. I have had very little time to study the question, but I do not see anything in our rules which indicates clearly the way of proceeding. I find, however, in Bourinot, Fourth Edition, page 531, the following:

In the Senate, Bills are constantly amended on the third reading without going back to committee. Previous to 1880-81 it was customary not to require a formal motion for the third reading—a practice which sometimes gave rise to misunderstandings when members wished to move amendments. Since then, the third reading is moved regularly as in the Commons. The practice in moving amendments is still very variable. Amendments are now moved after the reading of the order, or on the motion for the third reading.

We are referred then to the Senate Journals of 1867-8, pages 124, 278; 1876, pages 115, 183 and 212; 1878, page 186; 1880, page 247; 1882, page 334; 1884, pages 225 and 257; and the same practice in the Lords.

I find also in the Journals of the Senate for last session, when my honourable friend from Stadacona (Hon. Mr. Landry) was the Speaker of the Senate—and we all know how well informed he was on points of order; he knew the procedure perfectly well, and would not allow an amendment to be moved until he was satisfied it was perfectly in order—I find the following:

The Order of the Day being read for the Third Reading of the Bill 66, "An Act in aid of Provincial Legislation prohibiting or restricting the sale or use of Intoxicating Liquors," as amended,

It was moved, That the said Bill, as amended, be now read a third time.

It was moved in amendment, That the word "not" be inserted before the word "now" in the said motion and that the following words be added at the end of the question: "but that it be amended by adding the following as subsection 2 to section 2:

"No brewer or distiller shall distil, manufacture or brew, within the boundaries of any province that has adopted prohibition, under the like penalties."

The vote was then taken.

Hon. Mr. LANDRY: But there was no objection raised.

The Hon. the SPEAKER: My decision is that the point of order is not well taken.

Hon. Mr. THOMPSON: I would ask His Honour the Speaker, is it then our right to continue to move amendments on the third reading? Is there no limit in moving amendments?

The Hon. the SPEAKER: Other amendments may be moved.

At six o'clock the House took recess.

The Senate resumed at eight o'clock.

The Senate adjourned during pleasure.

On the Senate being resumed:

The debate was adjourned.

DRY DOCKS AMENDMENT BILL.

FIRST READING.

Bill 134, an Act to amend the Dry Docks Subsidies Act, 1910.—Hon. Sir James Lougheed.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Wednesday, September 19, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

DISORDER AT FORD CITY.

INQUIRY.

Before the Orders of the Day:

Hon. Mr. LANDRY: I should like to know from the honourable minister in this House if he would be willing to inquire who called out the Militia at the time of the Ford city disturbance. Some one is responsible. Everyone wants to shirk the responsibility, but I want to find out who did it.

Hon. Sir JAMES LOUGHEED: I may say to my honourable friend that I made inquiries some days ago, and it was not then known that they had been called out. I will inquire further.

WAR-TIME ELECTIONS ACT.

DEBATE ON MOTION FOR THIRD READING.

On the Order:

Resuming the adjourned debate on motion of Hon. Sir James Lougheed, that Bill 133, the War-Time Elections Act, as amended, be now read a third time, and the motion in amendment of the Hon. Mr. Ross (Middleton), thereto, also the motion of the Hon. Mr. Béique in amendment to the amendment, etc.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, I am still hopeful that we may be able to arrive at a mutual understanding as to what amendment may be made to the Bill. My honourable friend from De Salaberry (Hon. Mr. Béique) was good enough to lend his good offices in calling a conference of some of the Nova Scotia Liberal members of the House of Commons. That conference is still discussing the question. I therefore move that the debate be adjourned until the afternoon sitting of the Senate, and that we adjourn until three o'clock this afternoon.

The debate was adjourned.

The Senate adjourned until three o'clock this afternoon.

Second Sitting.

The Senate met at Three o'clock, the Speaker in the Chair.

WAR-TIME ELECTIONS ACT.

DEBATE ON MOTION FOR THIRD READING.

The Senate resumed the adjourned debate on the motion of Hon. Sir James Lougheed that Bill 133, the War-time Elections Act, as amended, be now read a third time, and the motion in amendment of Hon. W. B. Ross, and also the motion of Hon. Mr. Béique in amendment to the amendment.

Hon. Mr. BEIQUE: Honourable gentlemen, as my name was mentioned by the honourable leader of the Government at this morning's sitting in connection with a conference which met for the purpose of arriving at an agreement as to the amendment in question, I think it my duty to state that the parties have been unable to come to an agreement, and to state what is the point of difference between them.

It will be recalled that the motion of the honourable member from Middleton (Hon. W. B. Ross) was based on the allegation that in the province of Nova Scotia the revising officer was appointed by the local Government, and that in certain cases he had not revised the lists as he should have done. It was suggested by the amendment that the revising officer, who, in each district or county in Nova Scotia is the sheriff, should be superseded by the enumerator to be appointed by the Government under this Act when it is passed.

To this we on this side of the House answered that it was nothing short of substituting for one political appointment another political appointment; that if, as was claimed, there was need for any redress, we were quite willing to forego the present method of revising the lists, and to allow the judges of the province to revise them de novo and to hear applications for the insertion of names, or for the removal of other names. Objection was taken to that, and the proposition embodied in the sub-amendment which I had the honour to propose yesterday, was made instead.

At the conference we submitted the following amendment by way of compromise:

In the province of Nova Scotia any enumerator, candidate or elector in any electoral district may, at any time previous to fifteen days before the date of polling, apply by way of appeal to the judge of the County Court for the judicial district in which such electoral district is situate, or to a judge of the Supreme Court of the province who may be allocated to the said electoral district by the Chief Justice of the said Court, upon the application therefor by the judge of the County Court for the judicial district in which such electoral district is situate, to add to the existing list the names of any persons who, according to the laws of the province, should have been added thereto when the said list was made, and to strike therefrom the names of such persons as should not have been allowed to remain thereon according to the laws of the province when the said list was so made. The said County or Supreme Court judge shall have power to entertain and dispose of all such applications or appeals, and shall prescribe such procedure as to notice, evidence or otherwise as in his judgment may be fair and reasonable; provided. however. that no person shall be struck off the said list without having received five days' notice of the intention so to do, either by personal service or by mailing a registered letter, postage prepaid, to said elector to the address given in said list or to his last known address,

The said judge shall, not later than the thirteenth day prior to the election, furnish the proper returning officer with the complete list of all names added to or removed from the said electoral list for the said electoral district, and the said returning officer shall allocate the same to the several proper polling subdivisions and furnish a copy of such changes and allocations to all candidates not later than ten days before polling day.

To this three exceptions were taken. First, it was claimed that the judges would not have time to make the revision, and that it would be necessary to empower the judges

to appoint nominees of their own. We conceded that.

The second objection was that the revising judge should have not only the power to revise the list as made up at the time it was closed, but also the power to put on the list the names of persons who became qualified subsequent to the making up of the list, up to the first of September. We again conceded that point by way of compromise.

It was also claimed that the last clause of this proposed amendment would not harmonize with the Bill as drafted, and that it would be necessary to adopt other machinery. This was conceded also, and Mr. O'Connor was instructed to draft it so that it would harmonize with the Bill as printed.

I may say at once that this harmonizing could, in my humble opinion, easily have been done by striking out that last paragraph and substituting another. Before reading the proposal I should refer to the first paragraph of section 65A of the Bill in question. It says:

In the provinces of Quebec, Nova Scotia and New Brunswick the enumerators shall adopt as the basis of the lists of voters which they respectively shall compile the lists prepared for the several polling divisions established, and which on the sixtieth day next preceding the day fixed for the nomination of candidates for the election were in force, or were last in force, under the laws of the province, for the purposes of provincial elections, and they shall not add to such basis list any other names than those of female voters qualified to vote by this part of this Act nor strike off nor erase therefrom any other names than those of persons disqualified from voting, by this part of this Act, and section 62 of this Act shall apply not only to qualified female voters whose names do not appear on any list compiled by any enumerator and to persons whose names he has erased or struck from such basis list.

I think that the first paragraph of the draft which I have read would have harmonized with this provision of the Bill by our adopting as the second paragraph the following:

The said judge shall, not later than the . . . . day prior to nomination furnish the enumerator with a certified copy of the list as revised by him, which list shall be taken as being the list referred to in the first part of subsection 1 of section 65a of this Act.

This morning I was furnished with a copy of the proposal from the other side, which is in the following words:

Add to section 65A at the end, as paragraph 5 of Bill 133:

5. In the province of Nova Scotia—

(1) The various judges of the County Court shall be revisers of lists of voters and shall be known as Revising Officers. Each thereof shall have jurisdiction on appeal from enumerators over the electoral district within his judicial district wherein he resides, and shall have power, and is directed to appoint one other Revising Officer (who shall have similar jurisdiction) for each electoral district within such county court judge's judicial district. Such additional Revising Officers shall be barristers of not less than ten years' standing. Every Revising Officer, before acting as such, shall be sworn before the appointing judge to the faithful performance of his duties. A Revising Officer shall have power to entertain and, in manner not inconsistent with the provisions of this Act, to dispose of, all appeals which may be asserted before him. Subject to the provisions of this paragraph he shall prescribe or confirm such procedure as to notice, evidence or otherwise as in his judgment may be fair and reasonable, considering the circumstances.

To this we took no exception.

(2) The enumerators in said province shall adopt as the basis of the lists of voters which they respectively shall compile the lists prepared for the several polling divisions established, and which on the sixtieth day next preceding the day fixed for the nomination of candidates for the election were in force or were last in force under the laws of the province for the purposes of provincial elections, and they shall not add to such basis lists any other names than those of (a) female persons qualified by this part of this Act to vote at the election of a member, and (b) male persons who according to the laws of the province were qualified to be added to such lists when the same were made or who under the laws of the province or under this part of this Act are qualified to so vote, nor shall such enumerator strike off nor erase from such basis lists any other names than those of (a) persons who, when such lists were made were not qualified to have their names entered thereon or (b) persons disqualified by this Act from voting at the election of a member. Every enumerator in said province who shall strike off or erase from any such basis list the name of any person shall forthwith mail to such person by registered letter, to the address given in such basis list or to his last known address, notice of the fact and of the reason. Every enumerator in said province shall complete, date at his place of residence and sign the copies of the voters' lists prepared by him fifteen days before the polling day; two of such copies he shall forthwith post up as required by section 48 of this Act and a third he shall personally deliver or mail by registered letter to the Revising Officer for the electoral district wherein his polling division is contained. He shall also deliver or mail by registered letter a copy of such list to each of the candidates. Such list so prepared shall not be subject to revision by the enumerator, nor shall he have any further duty to perform except the issuance in any necessary case of a certificate in Form W-3 under paragraph (g) of section 67. If the enumerator refuses or omits to enter upon the list of voters the names of any person whom he is by this paragraph authorized to enter thereon or strikes off or erases from the basis list the name of any person other than one which he is by this paragraph authorized to strike or erase therefrom, such person, (or, in the case of a qualified person who may be absent from the polling division

at the time of the enumeration, an elector in the polling division acting on such absent person's behalf) may within four days after the posting up by the enumerator of such list, appeal to such Revising Officer by notice in writing stating the facts and mailed to the enumerator and to said Revising Officer respectively. An appeal shall also lie in like manner, and on the like and further notice by registered letter to the person entered on the list, from the entry by the enumerator under authority of this paragraph of the name of such person on such list. The registered letter shall be mailed to the address of the person as appearing on the list, or to his last known address. The Revising Officer shall first sit at such place as he may fix and notify by public advertisement, ten days before polling day. He shall continue in session as Revising Officer until all appeals have been disposed of but in any event for not longer than six days, or, if any one of the five days following his first day's session is a Sunday, he shall arrange to conclude his business as such Revising Officer in five days. He shall make and initial the alterations in the lists of voters, rendered necessary as a result of his decisions, and shall append and sign to each of such lists the following words:—

I certify that the foregoing is a correct list of the voters in polling division No. (or as the case may be) of the electoral district of as revised on appeal by me this day of , 1917.

"Revising Officer of the Electoral district of in the province of Nova Scotia.

Four days before polling day the Revising Officer shall deliver or mail by registered letter to each of the candidates in the electoral district a statement of such alterations as he has made in the lists of voters on appeal, and on the same day he shall deliver to the proper returning officer the lists revised on appeals and as well all other lists received by him from the various enumerators, but respecting which no appeals have been asserted, or, if asserted, no changes have been made. The returning officer shall deliver such lists to the proper deputy returning officers forthwith or before six o'clock on the morning of the polling day. All such lists shall be deemed closed and section 62 of this Act shall not apply thereto, or to the persons whose names appear thereon.

Honourable gentlemen will see that under the provisions of paragraph 2 of this draft the provincial lists in Nova Scotia are completely set aside, except that in preparing the lists the enumerator will take the last provincial lists as a basis; but he may strike out names or add to the list as he deems advisable. Therefore the enumerator is entrusted with the duty and is given the power of preparing an entirely new list. The electors of the province will be placed in this position. Under the list as at present prepared, if provision is made for revision, the name of any person who happens to be on the list remains there unless it is attacked and unless it is shown that the name has no right to be there; whereas, if this suggestion were adopted, it would result in an entirely new list, and it would be incumbent upon any person whose name was not placed on the list as prepared by the enumerator to claim that his name should be put on the list, and to establish his right to have it there. That would be altogether unfair. It would be putting the whole electorate of the province to the trouble of having a new list made, and of establishing de novo their right to be on the list, instead of merely having to answer to the revision of the list as made, and as it may be amended by the revising judge, if the system as suggested by this side of the House were adopted. In other words, the proposition announced to-day is that the Government shall be allowed to appoint enumerators who shall have the power and the opportunity to stuff the electoral lists as they like, and to give to the other side the opportunity to try, by way of revision, to clean it up as well as they can before the list is finally closed at six o'clock on the morning of the voting day. Honourable gentlemen can understand that it would be quite easy to obstruct the revision of the list to such an extent that it could not be properly revised within five days. The root of the whole difficulty, and the main objection to the suggestion, is that it wipes out the provincial list and provides for the making of an electoral list de novo.

I am asked to explain more clearly the difference between the one plan and the other. I think I have already given a clear explanation; but I will repeat it. Under the plan as suggested by myself and some of my friends, the provincial list will be taken, and it will be open to any elector or any candidate, or to the enumerator himself, to ask a judge to revise the list and to strike out any names which should not have been added to the list, or to add any names which should have been included, and we give ample time for that by allowing the judge to appoint nominees, as was suggested by the other side, so that all facilities might be afforded for the revision. We also consented by way of compromise to allow any person who had no right to vote in April last, or in January last, when the list was made up, but who, between that time and the first of September, became qualified by age or otherwise, to be added to the list. Under the draft as now suggested by the other side, we are asked to consent to a new list being prepared by the enumerator, and when that list has been so prepared, the other party has five days within which to appeal from the list, and to ask either that names be struck

off or that names be added to the list, the list to be completed by six o'clock on the morning of voting day.

Now, honourable gentlemen, I desire to call the attention of this honourable House to the fact that when this Bill was introduced in the other House by the Government, it was expressly stated by the Secretary of State, who introduced it and gave the explanations, that in the provinces of Saskatchewan and Alberta the lists are always prepared for each election, and that the same practice would have to be followed in those provinces; that the preparation of the lists would have to be entrusted to enumerators appointed for the purpose; and that in the provinces of Manitoba and British Columbia, although there were provincial lists which were used in former elections, in the present instance there were certain categories of electors whose names would have to be struck off or added, as the case might be, which would disturb those lists to such an extent that it became necessary, as in the provinces of Saskatchewan and Alberta, to have new lists prepared by the enumerators. The Secretary of State added:

The provincial franchise, subject to the operation of the two principles I have described in the foregoing part of my address, is adopted in every province including Alberta and Saskatchewan.

Franchise, of course, is one thing and list making is another. The alterations in the franchise, described in that portion of the Bill dealing with the franchise which alterations I have endeavoured to explain so far, were such that there had to be variations in the elections Act to enable the lists to be made. For example, in British Columbia and Manitoba, the lists that are now made contain the names of all women as well as of men; consequently, we have addressed ourselves to the task of making a list to meet the franchise requirements of this legislation. In the provinces of Alberta and Saskatchewan there are no provincial lists and by our own Dominion Elections Act, which has been in force since 1905—indeed, I think before—the Dominion provides machinery for the making of the lists. By this Act the machinery which heretofore has been applicable only to the provinces of Alberta and Saskatchewan is made applicable to all those provinces where the present lists are such that new lists are necessary; namely to the four western provinces of British Columbia, Alberta, Saskatchewan and Manitoba and as well to Prince Edward Island. It was impossible to use any lists to be found in those provinces and consequently the machinery which has been in force for twelve years as to the provision of lists in Alberta and Saskatchewan is made applicable to the other three provinces.

And further on:

I have covered the method so far as it applies to the four western provinces and Prince Edward Island. There are left the provinces of Ontario and Quebec, New Brunswick and Nova Scotia. In those provinces the women are not on the list last made up. In the province of Ontario the list last made up was prepared last fall and completed, I believe, in December. It is only a male list. That list has also been judicially reviewed according to the Ontario law, and there is no reason for throwing that list away and making a new list by enumerators. This year's list will, of course, include some names of women. My words in that regard apply only to the counties of Ontario and to towns up to 9,000 population. In towns over 9,000 and in cities, there are no completed lists. consequently, as to towns and cities in Ontario, another method of making the list has to be devised. First, let me deal with the counties of Ontario. In the counties of Ontario there is a list covering all places except towns and cities over 9,000 population. That list has been made up and was revised judicially last December.

In Quebec, in the cities of Montreal and Quebec, there are also completed lists, and in all the rest of Quebec there are lists now approaching completion, and to be completed this month. Those lists should be kept in mind in conjunction with the Ontario lists in counties, because all are treated the same. Similarily in New Brunswick and Nova Scotia there are lists now complete.

The lists so made up of male voters all judicially revised in Ontario and Quebec and revised by the provincial methods in Nova Scotia and New Brunswick, are by this Bill adopted, so far as they go. The only requirement as to them is to add such of the women as by this Bill are to be entitled to vote and to substract such of the men, if any, as, by reason of alienage, should not be entitled to vote. This is done by means of a system of enumeration similar to that adopted in the other provinces. The names of women are enumerated along the lines of the present Ontario Act. I am not speaking now of the cities of Ontario; I shall ask hon. members to keep the cities of Ontario until I get through with the counties of Ontario and with the provinces of Quebec, New Brunswick and Nova Scotia. As regards these latter the lists are adopted and the enumeration only goes to the adding of the names of the additional women now entitled to vote and to the striking off of those who by reason of alienage, and nothing else, are disentitled to vote. That is the province and duty of the registrars or enumerators, whatever you call them, and that alone. They cannot in other respects affect those lists. The work of the enumerators to that extent, namely the adding of the women and the taking off of the men by reason of alienage, is subject to the same safeguards on election day as obtain in the four western provinces and in Prince Edward Island. That is to say, any one who is taken off by the enumerator and claims the right to vote, may, by taking the necessary oath on election day, vote, and his vote goes in an envelope; and if any one has not been put on by an enumerator and claims the right to vote—and it must be a woman of course because no one else has the right to be put on—she may go and assert her claim, and if the enumerator refuses it she may vote and her vote goes in an envelope. The vote of any one claimed to be wrongfully put on may be challenged, and it will then go into the protested lists and be subject, as all other protested votes, to revision.

I now come to the cities of Ontario. But perhaps I should first repeat that there is no

review of what has already been reviewed; that is to say, of the lists as already made up in the counties of Ontario, in Quebec, in New Brunswick, and in Nova Scotia. There is no review of those lists except, of course, so far as the work of the enumerator goes, and the enumerator has power only to add the women vote and to strike off by reason of alienage. He can strike off for no other cause. That work and that alone is subject to final review by a judge. The rest of the list is already completed and revised, and that stands for this election.

Honourable gentlemen will see that it was well said by the Government itself when the Bill was introduced, and that principle was respected when the Bill was put through the other House, that as far as the provinces of Ontario, Quebec, Nova Scotia and New Brunswick were concerned the provincial lists were not to be disturbed. I think we went a long way when, because it was alleged that there might be complaints, we consented to open the revision anew, and have that revision made by judges; and I submit that honourable gentlemen in this House should have been satisfied with that concession, and that it is altogether unreasonable to ask that new lists be made, especially when it is done in violation of the principle laid down by the Government in introducing the measure both in this House and in the House of Commons. For my part, I must say that I cannot explain the attempt now made to change the system and to have a new list made, except that it is for the purpose of taking an undue political advantage by one side over the other. I do hope there will be found in this honourable House a number of men of sound and impartial judgment, who will understand and appreciate the unreasonablemess of the motion which has been made, and will give their vote against the amendment and support the sub-amendment. My sub-amendment simply asks that the Bill be amended in such a way that the electoral lists may be revised by the county judge at any time within thirty days from the passing of this Act. This motion embodies merely the principle I have laid before this House as the true one on which it should act, and if this amendment is adopted it will be the duty of the House to proceed to arrange the proper machinery to carry it out.

Hon. Mr. CHOQUETTE: I would like to ask if the Government, or honourable gentlemen on the other side, wish us to discuss the proposal which has come from the other side? If so, it will be impossible for us to discuss such an important matter intelligently unless we have before us the terms of the proposal. Both sides are accusing each other of partisanship, those on the other side saying that they cannot accept the lists for Nova Scotia because those who revise them were appointed by the local Government, which is a Liberal one. On this side we say: supposing that is true, we offer to you the proposition to have the list revised by the county judges of that province. But the other side will not accept that, saying that they have no confidence in lists prepared by officers of the local Government. They go further and insult the judges by saying that they have no confidence in the judges revising the lists, and they propose to appoint enumerators to prepare the lists, to be afterwards revised by the judges. For one, I am not willing to discuss the counter proposal without the opportunity of reading it; but I consider the sub-amendment of my honourable friend from De Salaberry fair to everybody, and will support it. I would like to ask the leader of the Government what the intention is—whether to go on with this proposal, or drop it and go on with the real amendment and the sub-amendment; or to adjourn again in order to give time to the members generally to look over this matter when it is printed in Hansard.

Hon. Sir JAMES LOUGHEED: All I can answer to my honourable friend is this: that a conference took place lasting the most of yesterday and almost until midnight last night; that, when the Government came to put into workable shape the proposals agreed upon, my honourable friends on the Liberal side would not accept those proposals.

Hon. Mr. CHOQUETTE: Then what is the consequence?

Hon. Sir JAMES LOUGHEED: There is no other alternative than for the debate to be proceeded with.

Hon. Mr. BEIQUE: Do I understand the honourable gentleman to say that the agreement come to last night was not accepted to-day on this side of the House? Is it not a fact that the agreement entered into last night was on the basis that I have claimed it should be— that there should be a revision of the list and not a new list?

Hon. Sir JAMES LOUGHEED: We have accepted as the basic list the provincial list, but when we come to apply the machinery which the Government considers absolutely necessary for the purpose of completing that

list as a list revised by the judge, then my honourable friends do not accept. There is just that difference of opinion, and it seems to be irreconcilable. It is a regrettable fact that such is the case; but the Government must necessarily be influenced by the law officers of the Crown as to what machinery is necessary to put into effect the requirements of the proposition which we yesterday discussed. That has been submitted, and it has not been accepted.

Hon. Mr. BEIQUE: I hope I shall be allowed to say this: that the draft which I have read as being our proposition was left in the hands of the Secretary of State and Mr. O'Connor, with the understanding that it would be amended so as to harmonize with the Bill.

Hon. Sir JAMES LOUGHEED: But that cannot be carried out.

Hon. Mr. BEIQUE: And that embodied the principle which was agreed on. I would be glad to have an explanation.

Hon. Mr. LYNCH-STAUNTON: I was present at the conference which took place between representatives from both sides of this House and representatives from both sides of the House of Commons. The honourable member for De Salaberry, so far as he has gone, has frankly and fairly stated what took place; but the honourable gentleman has, I am sure not intentionally, omitted one thing which I consider of great importance in the discussion. After the discussion had proceeded all afternoon, and I think far into the evening, the Secretary of State, (Hon. Mr. Meighen), came into the meeting and read the memorandum which has first been read by the honourable member for De Salaberry. As soon as he read it he said that the proposition could not be worked out in the language which was embodied in that agreement. In other words, he said, "This memorandum is quite unworkable." After we discussed it for some time further, the Secretary of State said, "Now we are agreed upon the settlement of this question, and I wish to state"—

Hon. Mr. BEIQUE: Agreed upon the principle.

Hon. Mr. LYNCH-STAUNTON: Upon the principle, if you choose, on which this question is to be settled—I think that is accurate—"and I shall state what we are agreed upon." He then went over the memorandum, not reading it, but summarizing it, and said: "Now, we shall carry this out on the plan laid down for the cities of Ontario; we shall adopt the machinery which is to be used in settling the lists in the province of Ontario." I confess that, so far as I am concerned, I had not read that part of the Franchise Act which related to the cities of the province of Ontario. No person in the meeting demurred to the statement made by the Secretary of State, and we left the meeting on the understanding that Mr. O'Connor should draft an amendment to the Franchise Act providing for our adopting the machinery which is to be used in settling the lists in the province of Ontario. Now when one reads the clause of the Franchise Act applicable to the cities of the province of Ontario, which is subsection 3 of section 65A, one sees at once that the enumerator has to make the list, striking out the names which should be striken from the lists, and adding names which should be added to it. Therefore if the Secretary of State's suggestion, which was agreed to by all those present—I am not saying that it was thoroughly understood— is to be followed, it necessarily follows that paragraph 2 of the proposed amendment is really the amendment which was agreed to at that meeting.

I believe that all parties to the conference are expressing themselves candidly, and I do not consider that the honourable member for De Salaberry is making a statement which is not as he understood it; but I think it was the duty of those who were at the conference, if they did not know what were the provisions for the settlement of the electoral lists for the cities of the province of Ontario, to look at those provisions. At all events, it would have been the part of prudence to have done so. I was not concerned to look at the provisions, because what would satisfy the Secretary of State and the members from Nova Scotia was absolutely satisfactory to me, and I had no concern in the matter in any way excepting to endeavour so far as I could to bring those interested to an agreement.

I conceive that the only difference between us is this, under the proposed amendment the duty is thrust upon the enumerator of striking from the voters' list such names as he by evidence finds should not have been put on that list when it was finally revised, and of adding to that list the names of those whom he finds on evidence were improperly left off the list when it was finally revised. I am not addressing myself to the question of the women's vote, or the question of striking at the aliens.

Application is open to both sides, and if the enumerator adds to that list names to which either side objects, the objector may carry the matter before the county judge. The war is over this: both sides say that when the list comes before the county judge the applicant has the labouring oar and must prepare the evidence for the county judge. I cannot see any substance in this objection, because when the list comes before the county judge the appellant must present his evidence, truly; but the respondent must also come there with his evidence. There is no additional expense: there is no expense on the appellant which would not have been on him if he had been the respondent; there is no expense on the respondent which would not have been on him if he were the appellant.

I am not saying more at the moment about the agreement; but in my judgment the honourable gentleman from De Salaberry (Hon. Mr. Béique) is quite wrong when he says that it is left to the Government to stuff these lists. I have just enough confidence in my opponents in political matters not to leave them any more discretion than I can help; and I think my opponents are equally justified in giving me as little discretion as they are compelled to do. But let us study this for a moment. The Solicitor General, it is said, laid down in the House of Commons as a principle that the lists of the provinces of Nova Scotia, Ontario, New Brunswick and Quebec should not be interfered with. But after the Solicitor General had delivered himself of this speech, the Conservative members from the province of Nova Scotia demurred. They said: "It is quite reasonable for you to adopt this principle in so far as it affects Ontario and Quebec, because in those provinces the revision of the voters' lists is by a judge, and the reviser has the confidence of both sides in politics, but in the province of Nova Scotia a different condition obtains. We have for years, session after session, asked the powers that be in the province of Nova Scotia to substitute for the sheriff, who is their officer and a partisan, the county judge, who dwells in a higher atmosphere and is free from political affiliations; and they have so often absolutely and flatly refused, although they knew that throughout the Dominion of Canada Liberals and Conservatives alike were willing to have their lists settled by the judicial officer." And they said: "As a consequence of these lists being finally settled by a partisan officer, we have not received fair treatment and the lists have not represented the electorate honestly and honourably; we object to it." They protested so strongly and brought forward so many facts that they have induced the Government to believe, and the Government does believe, that there is substance in their objection and that the lists in Nova Scotia should not be treated on the same basis as the lists in the other provinces.

Hon. Mr. BELCOURT: Would the honourable gentleman give us any explanation as to why all this was not said by the Conservative members in the House of Commons when this Bill was under discussion?

Hon. Mr. LYNCH-STAUNTON: I am not a diviner and I cannot tell my honourable friend the reason, because I was not in the House of Commons and I have no information of what occurred in that House.

Hon. Mr. BELCOURT: It was not disclosed in the House of Commons.

Hon. Mr. LYNCH-STAUNTON: All I can say is that these facts have been brought to the notice of the Government, and, upon this condition being disclosed, this amendment has been offered in this House. As to whether it should have been brought up in the other House or not, I have nothing to say.

Hon. Mr. DOMVILLE: The honourable gentleman mentioned New Brunswick. I should like to know the attitude of those who attended the conference as regards New Brunswick?

Hon. Mr. LYNCH-STAUNTON: So far as New Brunswick is concerned, there has been no objection raised.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. LYNCH-STAUNTON: I am told there is no objection raised. We are frying other fish at the present moment. It is conceded by the Liberals of Nova Scotia that the Conservatives of Nova Scotia have made out some sort of case anyway, because they say, "Admitting that our reviser, the sheriff, is a partisan, we will give you the right to appeal." They do not for a moment admit, they have most forcibly denied, that the sheriff in any case has acted improperly. They say that in any constituency you can count on your fingers the appeals which have taken place in years; they say that in many cases the sheriff has been appointed the returning officer by the Conservative Dominion Government;

and so on. For these reasons, they say: "We are quite willing that these lists should be submitted to the county judge."

Now, we have all got to the point that the lists should be submitted to the county judge for revision; and I have pointed out, as clearly as I am able, the reasons why in my judgment and belief there would be no extra expense put upon either party by reason of his being the appellant to the county judge.

Now let us see what will happen before the enumerator. Honourable gentlemen have with one voice averred that there are very few, if any, inaccuracies in these lists, and have called in evidence the fact that year after year few, if any, objections have been taken to these lists. If that is true, then, when the matter comes before the enumerator, he is bound to take evidence, and he is sworn to perform his duty, and he has before him the fact that the case is appealable to the county judge. Both sides are represented before him. Is it conceivable that a man, knowing that the county judge will sit in appeal over him, will strike off wholesale names from that list?

Hon. Mr. BOSTOCK: He can do it.

Hon. Mr. LYNCH-STAUNTON: Oh, he has the right, and so has the county judge. It is a matter of indifference to me which contention succeeds in this. I am only trying now to explain the matter as it strikes me, and not to express any opinion on it. My honourable friend says that when the lists come before the enumerator, it is left open to the Government to stuff them. Well, if you have men brazen enough, in broad daylight, in violation of their oath, with both sides represented, with an appeal to the county judge, open to stuff the lists, then you are better—or worse—politicians even than Sam Slick said you were. But, from what I have been told by honourable gentlemen on the other side, I do not believe that when these lists come before the enumerator he will strike off more than 10 or 20 names, or add more than 10 or 20.

Hon. Mr. BELCOURT: He might add a hundred.

Hon. Mr. LYNCH-STAUNTON: He might add a hundred; he might add a thousand.

Hon. Mr. BEIQUE: Without notice.

Hon. Mr. LYNCH-STAUNTON: No, no —as I understand it. If it is not so provided, it should be provided, that he should not have power to add any names except in the presence of both sides and after hearing evidence from both sides. That is the way I read it.

Hon. Mr. CLORAN: That is not provided in the Bill.

Hon. Mr. LYNCH-STAUNTON: If it is not provided for, I agree that it is improper that it is not. It should be. I say that the enumerator should sit in open court, that both sides should be represented, that either side should give evidence, and that he should give judgment on the facts, and if he does not give that judgment on the facts, he is a disgraced man. If the enumerator is put in the position of a judicial officer and changes the list only on evidence and in the presence of both sides, there will be, in my opinion, no appeal from him in nine cases out of ten. You must necessarily go before the enumerator when you apply to strike off the alien vote; or when you apply to add the women's vote; and, according to the memorandum, you could then have to go to the county judge and have yourselves put to four or five days' trouble, when you could settle the whole thing before the enumerator and in nine cases out of ten there would be no appeal to the county judge. To my mind the present amendment cuts down the trouble for the candidates and their friends by one-half. To my mind this reduces the expense. To my mind it is absolutely fair. To my mind this machinery is more desirable than the other. The only objection to it is the assumption that the enumerator will act as a felon and not discharge his duty.

I have heard members from Nova Scotia on this side of the House and in the House of Commons say: "So far as I am concerned, I am willing that any barrister in the province of Nova Scotia should be appointed by the judge as revising officer; I am not in the least concerned what his politics are." I think that the members on the other side of the House have equal confidence in the integrity of a member of the legal profession when acting in a judicial capacity. So if men are to be selected as enumerators in Nova Scotia who are respectable men—and I have not noticed in any election, provincial or Dominion, any quarrel as to the selection of the returning officers, who have far more power, or of the deputy returning officers—I cannot see, unless we are going to stickle on a question of principle quite irrespective of whether or not

that principle is going to injure or benefit us, why this amendment should not be agreed to.

As I have said before, I think all the gentlemen who appeared at the meeting of the committee and took part in it acted fairly, displayed no heat, and appeared to be anxious to arrive at a fair solution of this problem. I think that we have the opinion of the law officers of the Crown that this is the only practicable way to work out the problem—that, if we adopt that memorandum as it is, we shall have confusion worse confounded, we shall perhaps have the elections in the province of Nova Scotia contested, we shall have trouble. I cannot see how either side can be in any way prejudiced by adopting the proposed amendment.

The honourable member for De Salaberry has said that they have only five days in which to appeal from this stuffed list. I think the honourable gentleman is quite in error —and sincerely in error. The judge on the appeal has to sit for five days. You may prepare your appeal, and surely, when there is a judge for every electoral division, you can dispose of the appeals in five days. A great deal of talking can be done in that time.

Hon. Mr. CLORAN: Electoral division or polling division?

Hon. Mr. LYNCH-STAUNTON: In the electoral division. But if you want to change the time I do not see why we should not do so. Divide the time that we now have on election day, and work it out so that there can be no doubt that sufficient time will be given to everybody, and there will be no snap judgment; everybody will be on the same basis. Let me point out, too, that if the list is to go before the county judge, before whom the honourable member for De Salaberry wants it to go in its present form, what is to prevent any person who is opposed to that list from objecting to the whole list? If he objects to the whole list, in substance, we must make a new list. The judge will have to learn the complete history of every man just the same, if you are all unreasonable. You are not going to avoid making a new list if we have to deal with a lot of silly, prejudiced people, no matter on what side.

Hon. Mr. BELCOURT: That state of affairs might happen after the enumerators got through with the list.

Hon. Mr. LYNCH-STAUNTON.

Hon. Mr. LYNCH-STAUNTON: Certainly it might happen.

Hon. Mr. BELCOURT: Then your solution does not end the difficulty.

Hon. Mr. LYNCH-STAUNTON: I am going to assume—it may be a violent assumption—that the people of Nova Scotia are reasonable; that they are not going to waste their time, when they ought to be out before the electors, in battling over matters before the judge or the enumerator; but that when they have real objections they are going to dispose of them before the enumerator or the county judge. I would not give the enumerator any discretion over those lists except the judicial discretion, that is, to find the evidence.

Hon. Mr. BEIQUE: Did the honourable the Secretary of State take any exception in principle to the draft which was read by him at the conference last night, except saying that it would have to be arranged in order to be workable?

Hon. Mr. LYNCH-STAUNTON: What the Secretary of State said—I am going to answer you candidly——

Hon. Mr. BEIQUE: I will put another question so that the honourable gentleman can answer it at the same time: and did you not understand that the principle of revision, on which the draft was based, was accepted?

Hon. Mr. LYNCH-STAUNTON: I say, first, that the Secretary of State said that this form was unworkable. Then he said it would have to be worked out by the machinery used in the Ontario cities. That is my answer to the first question. Whether that involved the principle or not, I am not able to say; but so far as I myself am concerned, I have already stated that I did not know what the Ontario machinery was, and I did not recognize that it made any change. I have stated to the honourable member for De Salaberry privately, and I state it to him now, that I did not myself appreciate that by invoking the use of the machinery for the cities of Ontario we were going to change in any way the memorandum.

Hon. Mr. BOSTOCK: Will my honourable friend allow me one question? I understand the two gentlemen who were there from the House of Commons to ask the Secretary of State that very question about that Ontario matter.

Hon. Mr. LYNCH-STAUNTON: If they did, I may assure the honourable gentleman that it was not in my hearing.

Hon. Mr. POWER: I am in doubt as to the Ontario system. Has the honourable gentleman found what the system is?

Hon. Mr. LYNCH-STAUNTON: Yes. It is set out in subsection 3 of section 65A of the Act, and it provides that the same course shall be pursued as is set out in section 2 of this amendment. In other words, section 2, objected to by the honourable member for De Salaberry is, as near as may be, a copy of subsection 3 of section 65A as far as it is applicable to the case in hand.

Hon. Mr. BELCOURT: I want to make a suggestion, although I am not very hopeful that it will be acted upon; but if we can avoid losing any more time I think it is desirable. It appears clearly from the two statements we have heard that we are fighting about nothing. The honourable member for Hamilton (Hon. Mr. Lynch-Staunton) tells us that they agreed on the principle, and from all we know there was a distinct agreement on the principle that there should be a judicial revision. The difficulty has arisen in the matter of carrying it out. Would it not be a wise thing to see if we cannot find a way of carrying out the agreement that has been arrived at on both sides? What are we talking about? Merely a matter of procedure, is that not all?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. BELCOURT: Then had we not better adjourn, to let the jury see if they cannot agree?

Hon. Sir JAMES LOUGHEED: I would say to my honourable friend that it seems to be hopeless to make further endeavours to come to any agreement on this subject. We have occupied all to-day up to three o'clock; we adjourned this morning in the hope that a mutual understanding would be arrived at with our honourable friends opposite; but those who represent the Liberal members of the House of Commons seem to be obdurate on this question. If my honourable friend thinks that he has greater persuasive powers than those who have taken the matter in hand, we shall be glad to let him see if he can find a settlement. But we are charged with trying to pass this Bill, and we have spent so much time on it that I think we should proceed with it.

Hon. Mr. CHOQUETTE: I think we should confine ourselves to the discussion of the amendment and the sub-amendment. It is the only thing to do, because there can be no agreement between the parties. I charge the Government with acting very partially in this matter, especially after hearing what has been said by the honourable member for Hamilton. I was informed this morning that there was an understanding on the lines suggested by my honourable friend from De Salaberry, and that this understanding was accepted by the Government and by the Secretary of State. It was so at twelve o'clock, and this morning I was told by a member of the Government that the arrangement was all off, because so many members of the other House objected to it and wished to have the revising of the lists in Nova Scotia in their hands. This is the game, and we see through it. But the other side has not the courage to bring up that question in the other House; so we must take the matter as it stands now. It seems that the members of the other House have now changed their minds, and have imposed on the Government the necessity of changing this Bill. I say "imposed," because I am sure that the honourable leader of this House in his heart would be glad if the Bill would stay as it is now—that he is opposed in his heart to the amendment, because he is a fair man. The honourable member for Middleton boldly said yesterday that the reason this amendment had not been put through in the other House was because the closure was brought up against the Tory members in the other House, and they were not at liberty to introduce the amendment which they are now asking us to make to this Bill. I think that this admission from the mouth of a Tory like the honourable member for Middleton shows how far they may go with this closure, and how the rights of the people have been trampled upon in the other House by the Government.

In regard to this amendment, it has been stated that both parties are acting as partisans. The Liberals are satisfied with the way the voters' lists are prepared in Nova Scotia, and it seems that the Tories have been satisfied too, for there has been no complaint. Those appointed by the Liberal Government there to prepare the lists had to give notice that on a certain day the lists would be closed, and complaints against them would be heard, and if the lists are now closed it is only fair to assume that they are correct, and that the Conservatives in Nova Scotia are satisfied with them. I am sur-

prised to hear a lawyer of the standing of the honourable member from Hamilton say it would be for a man who is on the list to bring proof of his right to be included rather than to require those who are attacking his right to prove that he is not entitled to vote. I am sure my honourable friend from Hamilton would never as a lawyer give that opinion which he is now supporting as a senator. A lawyer who would put that before a court of justice would be laughed at by the judge on the Bench. Now, those Nova Scotia lists are supposed to be correct, and have been accepted by everybody there; but both parties can make application for the addition of other names, such as women, soldiers, and others; then finally the judge will revise this list. Is that not fair? That is the principle maintained by the sub-amendment. Nobody can vote against this amendment unless he refuses the right to vote to those who are now on the Nova Scotia electoral list, or unless, with a partisan view, he wishes to make it a stuffed list, as the honourable member for De Salaberry has said. We on this side of the House may be accused of trying to favour the Liberals of Nova Scotia, and the other side may be accused of trying to favour the Conservatives there; but when we are prepared to take the opinion of the judges of the province, what can be said? We must stop accusations of partisanship at the door of the court-house at least. Can anybody deny that it is a fair proposition to leave to the county judges in the province the revision of the lists? That proposition is found in this amendment, which I will support with great pleasure.

Hon. Mr. ROCHE: The subject for discussion before the House this afternoon is the province of Nova Scotia. I have the honour to come from a portion of Nova Scotia—the city of Halifax. Perhaps we have a pride in the metropolis of the province in supposing that we are equal in intelligence and repute to the people of any other county in Nova Scotia. We do not claim superiority in any respect, but simply an equality with the other counties of the province.

I think I may claim the right to say a word historically on the subject of elections in Nova Scotia, especially in the city of Halifax. My knowledge of elections began in the year 1847. I took part in the election of 1859, and I have had an intimate knowledge of all the elections that have taken place in the province since that date. I may say, with regard to the outside districts in the county of Halifax, with which I am familiar, that the municipal council elects revisers, and they—both sides of politics being represented—make up the lists for country districts in the county. There is an appeal to the sheriff—

Hon. Mr. POWER: The honourable gentleman remembers that there is first a preliminary list made by the reviser who hears the appeals.

Hon. Mr. ROCHE: Yes. I omitted that because it is patent to every one here that a list is first prepared, gone over, and posted up for the information of every one in the district.

Hon. Mr. TANNER: Will the honourable gentleman allow me to ask him a question?

Hon. Mr. ROCHE: I would much prefer that the honourable gentleman wait until the end of my remarks, when I will endeavour to answer him. I am not a legal man, and I do not think it is fair to break in on a layman. I may say that the sheriff of the county of Halifax has always been regarded as a model of fairness and impartiality. We had some objection to sheriff Archibald because we thought he rather leaned towards the Tories. He had been a Liberal, and fearing that it might be asserted that he leaned towards the Liberals, he took good care to give the Tories a fair proportion of everything they demanded, and as a result we rather complained that he leaned towards them. The present sheriff is Sheriff Hall. I think no one accuses him of partiality. I think he has evinced by the propriety of his conduct that he intends to act impartially. When the Tories get in they invariably thank and praise the sheriff for his impartiality, and afterwards say that he has conducted the elections with the utmost fairness and that they have full confidence in his decisions and in his conduct. When they do not get in, they are like bears with sore heads: everything has gone wrong; there has been partiality; there has been undue leaning; there has been misconduct. I am quite willing, so far as my little influence goes in the county and city of Halifax, to submit the question of appeal to the sheriff, to the county judge, to the judge of the Supreme Court, or to any of those gentlemen, who are above any imputation of wrong doing, and whose character and attainments would warrant that their decisions would be of the utmost fairness and according to law. So much for the sheriffs.

This afternoon I heard the very acute legal argument of the honourable gentleman who has such an intimate knowledge of Nova Scotia and of Sam Slick and other literary products of Nova Scotia, but who has not such an intimate acquaintance with the facts. I am not a lawyer, as every one can judge from my conversation, but I am in possession of some facts that the honourable gentleman does not know. I say that when a new form of enumeration is set up the burden of proof that the former system was improperly exercised or inadequate. Did the legal gentleman do that? He took the essential point for granted. He did not prove that the present enumeration was a failure, or that it was partial or illegal in any respect. In the first place, the names put on the lists come from the assessors' books. The assessors are fully acquainted with the property of the individual. They are chosen from various parts of the city, and they give their very best attention to the compilation of the lists, which are posted up. The revisers and enumerators have access to the assessors' books; which are in the court house building where they have their office, and they have full intercourse with the assessors and other officials. The revisers then make out lists from their knowledge, and from the applications which they receive. These men are all sworn. They are all of good character; they all have experience. Why not put that experience, knowledge, character and sworn obligation by the side of an enumerator who must be chosen? Unless we assume that the enumerator has a better character, more knowledge or more experience than these other men, we should not lay aside the present system. We should not lay aside the present system if it be equal or superior to the one that is proposed. Both sides come before the reviser or arbiter to make out their case. They have attorneys. They state reasons why certain names should be left off the lists or why they should be put on, and the city clerk, a sworn official of the city, sits in judgment. Then the persons whose names are posted up are allowed to vote. I have had experience of enumerators in my time. Some twenty odd years ago Mr. E. H. Harrington, a very respectable and honourable barrister of Halifax, was appointed revising barister. Next Mr. B. H. Eaton was appointed. He was a man of great integrity, but he was not a native of the city of Halifax. He did not know the people, and great confusion arose from the fact that the names of individuals who lived in one extremity of the city were put on the lists for districts far remote from their residences, and where they were not known. Without any intention of doing so, he frequently left off names which should have been on the list, those of citizens of respectability who had been qualified for a long time.

It has been demonstrated by experience in the city of Halifax that the system at present in vogue is infinitely superior to any enumerator, even when he enters upon his duties with the best intention. First of all, he has not the time; secondly, he has not the knowledge; thirdly, he has not the benefit of collateral sources of information to enable him to make out a list as accurately as it can be done under the present system. Sometimes the conduct of these officials does not satisfy gentlemen on the opposite side of politics; but if they are successful in the elections they say that everything has worked admirably and smoothly, that the officials have discharged their functions with repute, and that there could be no better system than the one at present in vogue.

Now, honourable gentlemen, from theory, from history, from experience and from knowledge of the circumstances, I have no hesitation in saying that the lists as at present prepared are as near accuracy as it is possible for them to be, because the information has been derived from the best sources, the men employed are men of integrity, they are anxious to discharge their duties properly, they have the information at hand to enable them to do so; and, as an honourable gentleman has said, if, with all those qualifications, they do not make out a better list than the enumerator can they are criminals, I should be very loth to place the stigma of being criminals upon the heads of those city officials who have given the best of their services and have the confidence of the community.

Hon. Mr. DAVID: I should like to ask the honourable the leader of the Government a question. I have tried twice to do so, but did not succeed. I am of the opinion of the honourable member for Ottawa (Hon. Mr. Belcourt). I cannot believe that there is no way to an agreement. The honourable leader of the House has said that the question of agreement was closed; but does he not think that the suggestions made by the honourable member for Hamilton (Hon. Mr. Lynch-Staunton) opens the door to another conference, and does he not think that the differences

between both parties are narrower than they were before? It is now five o'clock. Perhaps by eight o'clock the two parties could agree. I am inclined to believe that those who took part in the conference must be of opinion that the suggestions made by the honourable gentleman from Hamilton deserve to be taken into consideration. I am sure that the honourable leader of this House must attach some importance to those suggestions.

Hon. Sir JAMES LOUGHEED: I pointed out to my honourable friends before that we had been most anxious to meet their wishes in every possible way, but it seems impossible to do so. It is not necessary for me to say that the session is drawing to a close, and that we must proceed with this Bill. As my honourable friends have not accepted the workable form, in which we on this side of the House consider we have embodied the principle suggested as a basis of settlement, I am not aware of any other concession that we can make.

Hon. Mr. DAVID: The honourable gentleman cannot deny that the honourable member for Hamilton has suggested an amendment.

Hon. Sir JAMES LOUGHEED: We have spent two days in trying to get my honourable friends to accept that very same proposal.

Hon. Mr. POWER: Honourable gentlemen, I made some observations on the second reading of this measure, but I think I may add a few words more. The honourable leader of this House says that this measure must be put through this session, and, because it is desirable that the session should close at an early date, that we should go ahead and dispose of the measure now; and he practically says that any one who undertakes to hold up this measure and delay its passing is really not a friend of the country—is an enemy of the country.

Hon. Sir JAMES LOUGHEED: I have not said anything about that.

Hon. Mr. POWER: It is implied. Now, who is responsible for this hold-up? If the honourable gentleman had allowed the Bill to pass as it came from the House of Commons there would not have been any delay at all. But the honourable gentleman allows one of his supporters to get up in this House and move an amendment which, as regards the province of Nova Scotia, practically contravenes the principle laid down in the Bill. I think that under such circumstances it is really not becoming for the honourable gentleman to undertake to blame members of the Opposition who have resisted this important change made by one of the honourable gentleman's own followers in a Bill coming from the majority in the House of Commons. If I may say so, I am not fond of talking; but I feel that this is a case where one is bound to say something. As the honourable gentleman from Halifax (Hon. Mr Roche) has just pointed out, the lists in Nova Scotia —and the same is the case in New Brunswick, I understand—are prepared with great care. The revisers are not appointed by the Government; they are appointed by the county councils.

Hon. Mr. DANIEL: In New Brunswick the chairman is appointed by the Government. The other two are generally county councillors. I think it is the same in Nova Scotia.

Hon. Mr. POWER: I was under the impression that it was the same in New Brunswick as it is in Nova Scotia. In Nova Scotia the Government have nothing to do with the appointment of revisers. The revisers meet, and, using the books of the assessors, and any other information they have, they make out a parliamentary list. This list is printed and posted up in a number of conspicuous places in the polling districts, and notice is given that on a certain day the revisers will meet to hear applications to have the lists corrected, whether these applications are to add names which have been omitted or to take off names which have been improperly inserted. Some weeks intervene. The first meeting of the revisers is held, I think, about the 5th of February, and the revisers meet about the 5th of March to correct the lists, and then there are, particularly when an election is coming on, a good many applications to have the lists corrected. These lists are finally corrected by revisers, who, as I say, are not appointed by the Government. As a rule, that really ends the matter. The law gives an appeal to the sheriff, but that appeal is hardly ever taken; and, as my honourable colleague has stated, as regards the county of Halifax, the sheriff who preceded the present one was like the man who was so straight that he leaned backwards. Sheriff Archibald was so anxious to leave no

ground for his being charged with sympathy for the Liberals that he rather leaned the other way. No matter what may be said in a corner, I am prepared to say this. I have had a good deal to do with elections for a great many years—not as much of late as when I was younger—and practically no substantial complaint has been made with respect to the lists of Nova Scotia. Under those lists Conservative members have been elected to the provincial legislature and Conservative members have been elected to the House of Commons, and none of the gentlemen who have been defeated have ever complained, or undertaken to establish any complaint, against the lists of Nova Scotia. That is the condition in the province of Nova Scotia. The lists are prepared with the greatest care and the utmost impartiality, and opportunity is given for the most careful scrutiny and correction; and yet, when an election for the Dominion is about to be held, you do not say as to Nova Scotia as you said as to New Brunswick and Quebec and Ontario, that the provincial lists shall form the basis of the new electoral lists, but you practically give these enumerators who are appointed by the Government the right to frame completely new lists.

The charge made by the honourable gentleman from Middleton, who moved this amendment, was that sometimes the sheriffs were partisans; and, in order to get rid of the little shade of partisanship that might possibly creep in because the sheriff, the officer to whom an appeal is taken, might be a friend of the Liberal party, he undertakes to place all the electoral lists in the province in the hands of men who are appointed directly by the Government to make up the lists —a Government going to the country on a mighty bad record, by the way. I am astonished that any hounourable members of this House should be in favour of dealing with the province of Nova Scotia in any way different from that in which they deal with the provinces of Ontario, Quebec and New Brunswick.

The amendment introduced by the honourable gentleman from De Salaberry (Hon. Mr. Béique) accepts the employment of the enumerator, but simply provides that the enumerator shall base his list on the carefully-prepared provincial lists, and that there shall be an appeal from the decision of the enumerator to the county judge or to a judge of the Supreme Court, as the case may be. I really cannot understand how any honourable gentleman having regard for the good name of Canada could be a party to such a transaction as that which is proposed.

Hon. Mr. CLORAN: I have listened with a great deal of attention to this discussion, and it seems to me that it is being kept at a pretty low level. There are very few large, national ideas in it—or absolutely none. The outstanding feature of this discussion is that an irresponsible body, called the Senate of Canada, is undertaking to build foundations for responsible Government in the House of Commons. An irresponsible body such as the Senate of Canada has been yesterday and is to-day, and will probably be until the 7th of October, undertaking to make foundation for responsible Government in the House of Commons. I am not proud of the position. It is none of our business to interfere with the fundamental rights of responsible Government. This discussion about picayune matters, about revising officers, and this and that, does not appeal to me.

If I had a suggestion to make—I was not called into the conference; probably it would have been a success if I had attended it—I would have proposed, and probably I would propose yet, that this whole matter be referred back to the House of Commons for their deliberation instead of ours. Would the honourable leader of the Government accept that?

Hon. Sir JAMES LOUGHEED: Yes. After we pass this, it will go back to the House of Commons for their concurrence.

Hon. Mr. CLORAN: That all this matter be referred back to where it belongs—to the House of Commons for further consideration and action thereon, instead of half-a-dozen honourable senators going into a room and wasting time in trying to settle a little, picayune matter regarding representation on the floor of the House of Commons, not interfering in the least with our right or our responsibility. What also surprised me was that such a bright legal mind as that possessed by the honourable senator from Middleton, Nova Scotia (Hon. W. B. Ross), should have consented to accept this brief. Of course, I know professional duty obliges an attorney to accept a brief when he is asked, especially in criminal cases. The honourable senator from Middleton, to my mind, casts lustre on this House from the point of view of intelligence, fair-mindedness and uprightness. I think he is one of the fairest-minded on the other side of

the House—probably more so than many on this side. Why he consented to take up this matter in this House is more than I can understand, unless it is from a strict sense of duty under his oath as an attorney, not as a senator, to present the case of scared politicians in the House of Commons. We have it on his own statement, his own frank and candid statement, that this is the remarkable reason for his amendment. It is on page 1285 of the report of yesterday's Senate Debates. The reason, he said, for bringing up the amendment of this Bill was that, although it was discussed privately among members of the House of Commons, Ministerial and Opposition, they did not bring it to a head, and they were forced out of court by Sir Robert Borden's motion of closure.

There are two points in that. It is a straight condemnation of that un-British act of muzzling the representatives of the people and preventing them from protecting the interests, rights and liberties of the people. Here we have the honourable senator from Middleton telling the Senate of Canada and the country that the reason this provision, which he considers necessary, and which the entire Government to-day considers necessary, is introduced because members of the House of Commons were prevented from introducing it owing to the closure being put upon the discussion in that House. That is from one of the best legal-minded representatives of the Government on the floor of this House.

I was not satisfied with that admission which the honourable gentleman made in the course of his remarks. It was not heard by everybody. I thought it was a most serious admission to make. When I want information I am not backward in asking any member for it; and, according to my usual custom, although there were cries on this side of the House not to interrupt, I did persist in interrupting and got from the honourable gentleman from Middleton the following answer:

Hon. Mr. Cloran: Do I understand the honourable gentleman to state that this amendment was not put before the House of Commons owing to closure?

Hon. Mr. Belcourt: That is what he said.

The honourable gentleman from Ottawa (Hon. Mr. Belcourt) heard the statement, but I venture to say there were some honourable gentlemen who did not hear it. In the meantime, the honourable gentleman from Middleton did not answer. (Reading):

Hon. Mr. CLORAN.

Hon. Mr. Cloran: I want a straight answer to that question. The honourable gentleman has said that owing to the closure this amendment was not allowed to be put in the House of Commons?

That was a straight question, and what was the fair and candid answer given by the honourable gentleman from Middleton?

Hon. W. B. Ross: I say if the Bill had not been under closure the amendment would have been offered.

What do you think of that? What does the honourable leader of the Government think of it? What does the Prime Minister think of it? What will the country think of it? This amendment was not put before the House of Commons because the closure was put on the Bill. Where is your freedom of speech, freedom of discussion, freedom of action? We have been threatened with the Kaiser. We do not want him over here; we have some just as good as he is, right here in Parliament. We have had more kaiserism right here in the Canadian Parliament than was ever attempted in the Reichstag of Germany. We have had it right here, and we have it to-day; and there is the proof of it from one of the ablest and most upright supporters of the Government in this House or in the country. This amendment which is taking up the time of the Senate has not been dealt with by the representatives of the people in the lower House because of the closure put on by the Government, through Sir Robert Borden, and the same Sir Robert Borden is looking around the country for a good Liberal to join with him. Any liberal respecting the traditions of his party will never join hands with a Government or a Prime Minister of that kind, who inflicts such dastardly things on Parliament. He will look around Canada and will find no Liberal worthy of the name, respecting the traditions of the party, having at heart the welfare and the unification of the country. Will he find a Liberal to join, as he calls it, a union or coalition Government? Not one. Why, the Government to-day is in a state of decomposition. Some of its limbs have been worn out and have dropped off, and the majority in Parliament supporting that Government has been reduced from 48 down to 20, sometimes down to 8. That Parliament is in extremis, in the agonies of constitutional death. That kind of Parliament and that kind of Government are forcing this kind of legislation on the free, independent people who desire the welfare of the country, the unification of the people,

built up on responsible government, on freedom of votes.

We in this Senate are compelled to deal with this matter. I am prepared to deal with it; I am prepared to deal with it from now until the last breath of this Parliament is drawn, on Saturday night two weeks hence. I think this legislation, which has been forced through by closure, deserves not only that the brain and intellect of the members of this party should be put at the service of the country, but that their health, their physical welfare, should be at the service of their country to prevent this thing from going through. If the Government can put on closure and muzzle us, as the Government has muzzled the Opposition in the House of Commons—it is a pity to have to say it—it is a shame to the country. The Government has muzzled its supporters on the other side, with the honourable leader in this House and the honourable gentleman from Hamilton. Now, if the Government has that power, why should we not use another kind of closure, which would be the closure of free men against pirates? Why should we not have the right to do so? I tell you, honourable gentlemen, what was said to me the night before last by a returned soldier who had been three years in the trenches. "Oh," he said, "senator, if the people of the country only knew what is going on, there would be in Canada scenes similar to those in Russia." That is from a soldier of the King who comes from Winnipeg; and he is in this House—at least, in this building. That is the kind of thing we have to deal with. We are opposed by closure; we are opposed by the complete silence on the other side of the House. They have no defence for their attitude, no explanation for their conduct.

The honourable senator for Hamilton (Hon. Mr. Lynch-Staunton) has also a good, legal mind—fair too. The honourable senator from Hamilton and the honourable senator from Middleton make a good pair on the other side. The honourable gentleman from Hamilton stated—and it is the only fair explanation that has been offered in regard to this measure—that the enumerator is a judicial officer and cannot put aside a name that is already on the list or refuse to add a name, without sworn evidence, and then his decision is subject to an appeal to a higher court; and the honourable gentleman asked, "What objection can honourable gentlemen have to the amendment?" As soon as he uttered those words I said: "I would vote for that, but it is not in the Bill."

Hon. Mr. DANDURAND: The suggested amendment.

Hon. Mr. CLORAN: I am prepared now to accept the proposition made by the honourable senator from Hamilton, and if the enumerators are to be made judicial officers for the occasion, taking the oath of allegiance to the King and justice to the subjects, and if they cannot take names off or add names to the list without evidence, and their decisions are to be subject to an appeal to a higher court, I will swallow the Bill.

Hon. Mr. CROSBY: That is all there is to it.

Hon. Mr. CLORAN: What fairer proposal do you want? But the honourable gentleman from Hamilton said that was in the Bill. It is not in the Bill. Now, if the Government will put that into the Bill, I will accept their amendment. That is fair enough. What more do you want? I am not here to bolster up the Liberal party when it does wrong, or to buttress Liberal traditions and ideas. No more should you be there to maintain a Government that is doing wrong when you know in your heart and soul that it does wrong very often. I belong to the Liberal party in Canada, and am proud of its traditions and accomplishments since the days of Papineau, Lafontaine and Baldwin, and especially since the days of the Laurier regime; but when our party makes a mistake, either in administration or in legislation, I am not hindered or hampered in telling them that such a law, or such a clause in that law, is not right. I would not give up my freedom of speech or my convictions for the sake of party affiliations. I am too good a Canadian and too proud of my country to take part in public affairs along such lines.

I stand here and offer to the Government that if the proposition made by the honourable senator from Hamilton is put into the Bill I will accept it, and I think many of my friends on this side will do the same. I think it is a fair proposition. All I want in this Bill is fairness; I want no partiality in it at all, either to one side or to the other. I like a fight or an election on fair grounds, and you can only have that with a fair voters' list. The voters' lists under this Bill, not only in Nova Scotia but all through the Dominion, are going to be of

the most unfair character, and most obstructive in regard to the good regulation of an election, simply on account of one word. I agree with the honourable senator from Hamilton that everybody in Canada is not a scoundrel or a felon; but the law can make him one officially. This law says that the enumerator or reviser, whoever he may be, will only have the voters' list completed fifteen days before polling day, and that it cannot be interfered with—cannot be changed, added to or subtracted from—until six o'clock on the morning of the polling day.

Now, members of this House who have gone through elections know that in the days of Sir John Macdonald or Alexander Mackenzie the first thing we used to do when an election was announced was to run to the returning officer and get all the copies of the voters' list we could, and that would be forty or sixty days before the polling day. The Government at that time was good enough to give us those copies at ten cents each. But in the elections under this Bill the list will not be ready till fifteen days before polling day. Have you stopped to think what is going to happen? Remember, it is not everybody who can get a copy of the list. According to this Bill a copy will be sent to the candidate, and another is to be posted up. But does the Government think there are many small pocket boroughs about a mile and a half or three-quarters of a mile square? Is the Government not aware that out of the 235 or 240 constituencies in the next election there will be at least a hundred covering from fifty to one hundred miles in length and the same in depth, while there are some counties over 500 miles long and 300 deep? How is a candidate or a revising officer to get around there in the fifteen days before polling? And the candidate is not sure that at six o'clock on election morning the entire list is not changed; he has no guarantee. The enumerator can change the list up to six o'clock that morning. Go over to Germany and ask the Kaiser if he has anything to do like that. He would be glad to see you on a mission of that kind; he would be getting lessons from you. I do not ask the leader of the Government to go, for he would be too honest; but let some of his colleagues go—the Secretary of State, for instance, who concocted this scheme; let him go over and ask the Kaiser if that is good legislation for a free and independent people—to have candidates travel 300 or 400 miles, and some of them in boats.

Hon. Mr. CLORAN.

The more you look at this Bill the more disgusting it is to a man who loves his country and wants to see it free and well governed. It breaks my heart; that is what it does. I have no interest in this election; but I love my country, and when I use such words, people like those on the other side of this House, who have no heart, sneer at the remark; all they care for is the petty little triumph at an election. I am looking to guard the honour of my country, and I am contrasting the action af the Government with that of the Kaiser in Germany, and I find the action of the Kaiser more acceptable than that of this present Government.

Now, I ask the honourable leader of the Government to suggest to the Secretary of State to strike out the word "fifteen" in two or three clauses and put in "forty" at least. If I had my way and were Secretary of State, I would give the people and the candidates a chance by providing that the list should be revised and completed sixty days before the polling day. I would also strike out the words stating that the lists can be changed and added to and taken from up to six o'clock on the morning of the polling day. Just imagine a candidate at an election who has fifty, sixty or seventy polling subdivisions; how can he be in the whole seventy at one time to see that the list is not interfered with before the polling is opened? Can you not see that that is unfair? It is unfair not only to the candidate on the Liberal side, but more especially to the Laborites and to your dear friends, the Bourassa outfit, the Nationalists. I am considering the independent candidates as well as the Liberal candidates. Do you not think that this legislation is unfair, unrighteous and unjust? On its face it is. I therefore suggest to the Secretary of State that he strike out that word "fifteen," and I will split the difference and make it forty days before the polling that the list is to be closed, and not open to every Tom, Dick and Harry to interfere with it before polling day. What is the use of a candidate running an election if he is not sure of the names of the men on the list? I put that to any honourable gentleman on the other side who has been a candidate in elections. How can a candidate leave his home and drive ten, fifteen or twenty miles when he is not sure that the men to whom he is to speak on that night will be on the voters' list? That is not fair to the people or to the candidate, who may have to cover thirty or forty parishes.

We are standing by the boys at the front, and as I have asked them to stand by their brothers and fathers whom they have left behind, so let the Senate stand by the boys at the polls and not deprive them of their votes for any reason. Any man who is good enough to pay taxes and work for the development of this country is good enough to vote. That is sound democracy, and that is what our boys are fighting for on the other side of the seas. By our action here for the past two days, and by the action in the House of Commons, we are demolishing those very principles to uphold which our blood is flowing and our treasure is being spent. So I appeal to the honourable gentlemen, or a few of them anyway, to stand by the principles which underlie democracy—the principles of fair play, justice and right to the people we are called upon to govern.

Hon. Mr. McHUGH: When this Bill was brought into this House for the second reading, I thought the Government had gone as far afield as they could in order to try to legislate themselves into power, not by the voice of the people, but by trying to stifle it. I had occasion then to point out what they had done with British subjects in this country, who were to be deprived of the privilege granted to them by this country under solemn compact, that when they came here and took the oath of allegiance to Canada, they were to be possessed of the electoral franchise and of all the rights and privileges exercised by Canadian citizens. By this Bill that right has been denied them. Great Britain herself, as I then pointed out, thought sufficient of her compact with the Belgian people to go to war with Germany because she had broken her treaty of neutrality with that little nation. What are we to think of the Government of Canada breaking her contract with thousands—yes, I think I would be right in saying tens of thousands—of British subjects in this country who have proved themselves loyal and good citizens, and deprive them of the right of citizenship? I went further, and said that if they deprived them of their citizenship, they should see that they were freed from taxation. I point out again, because I wish to emphasize it, that taxation without representation is a most unfair principle, which lost to Great Britain the thirteen colonies of the United States. You do not know how dangerous a step you are taking when you deny to citizens of this country privileges which they received under the solmen compact that Canada made with them, when there has been no violation of their agreement on their part.

The honourable member for Hamilton stated that he would be satisfied to have this clause amended to conform to the Ontario Franchise Act. If that means that he would be satisfied with the form of the present Ontario voters' list, he has me as a supporter. I know how the Ontario voters' list is prepared in rural parts and in the the cities, and I know that no enumerators or political officers have anything to do with it. The assessor may be a political partisan, but he is a sworn official of the municipal council. He makes the assessment which is the basis of the voters' list. After he gets through with it, it is returned to the clerk of the municipality. The municipal council then has a court of revision, after the list has been posted up for a month or more, and advertisement of the date of that court has been published in the newspapers in the municipality. If any name is on that list that should be off, the right is given to apply to have it struck off in that court of revision, which is composed of members of the municipal council elected by the people. Parties then have a right to go to the final court of revision before the county judge, who advertises the date for holding that court, and have names inserted that should be added, and get names removed that should be off. I would readily accept that plan. There is a further provision for cities and towns of a registration list at a court held by the county judge, after notice given when it is to be held, and after due application made. The names to be put on or off the list must be made public some fifteen days before the court of enumeration is held before the judge. An open court is held, witnesses are called, every one has the right to go and hear the appeal, and the judge decides the case.

I say that the attempt to put through this amendment has an ulterior motive, namely, to hold up an important railway Bill which contains legislation of importance to the people of the province of Ontario. I think the Government of the day is trying to burk that Bill, which is now before the Railway Committee of the Senate.

Hon. Sir JAMES LOUGHEED: Order. My honourable friend has no right to ascribe motives of that kind. I think he is entirely out of order, and I do not propose

that my honourable friend shall cast any such aspersion upon the Government.

Hon. Mr. McHUGH: I have been in this House seventeen years—

Hon. Sir JAMES LOUGHEED: This House has been sitting day and night, beginning in the morning and sitting until midnight. What does my honourable friend expect us to do?

Hon. Mr. McHUGH: I have been some seventeen years in this House. I have no closer neighbour than the honourable member who is our honoured Speaker. If I have broken the rules of order on this occasion, it is the first time, and I have never before been called to order in this House. I ask no better authority than that of the honourable gentleman who occupies the Chair to say what my conduct in this House has been. I may have been out of order in attributing motives; if so, I withdraw the remark. But I say that the action that has been displayed in not allowing that Committee to sit when this House was in session, and in holding the Bill back in that way, has left the impression on my mind, that the measure was to be strangled. I know that the people of Ontario are greatly interested in that Railway Bill, and do not want to see it delayed in order to gain an election for political friends of the Government in the province of Nova Scotia.

Hon. Mr. DANDURAND: Honourable gentlemen, it has been said in the other House by the Prime Minister and the Secretary of State that it was not the intention of the Government to bring in a Federal Franchise Act; that the sole purpose of the Government was to bring in a temporary provisional Act, the title of which, "A War-time Elections Act," explained itself. It is provided that the effect of this Bill shall come to an end upon the day of demobilization. I can quite understand the desire of Nova Scotia to transform its provincial lists into Federal lists. That is a legitimate desire; it has prevailed throughout the whole of Canada; and for a number of years we carried on elections—at least two, perhaps three—under a Federal Act; but to attempt to organise a Federal franchise for the whole of Nova Scotia, to govern elections that are within sight, is something which I cannot understand, and which I think cannot be properly done. The suggestion has been made that Nova Scotia should take advantage of this provisional Act to redress a grievance. If there was a grievance, it is surprising that it was not mentioned where the shoe pinched. If there was a grievance as to the mode of electing the members at the next election, the persons who had that grievance were surely the members of Parliament and not senators. That grievance was not heard of in the other Chamber, and surprise has been expressed by more than one senator who has preceded me that the Senate is now to take up that question. That question is before us under the amendment of the honourable member for Middleton (Hon. W. B. Ross) to the motion for the third reading of the Bill. By this amendment he asks that Nova Scotia be removed from the operation of clause 65A of the Bill. This clause reads as follows:

> In the provinces of Quebec, Nova Scotia and New Brunswick the enumerators shall adopt as the basis of the lists of voters which they respectively shall compile the lists prepared for the several polling divisions established, and which on the sixtieth day next preceding the day fixed for the nomination of candidates for the election were in force, or were last in force, under the laws of the province, for the purposes of provincial elections, and they shall not add to such basis list any other names than those of female voters qualified to vote by this part of this Act nor strike off nor erase therefrom any other names than those of persons disqualified from voting, by this part of this Act, and section 62 of this Act shall apply only to qualified female voters whose names do not appear on any list compiled by any enumerator and to persons whose names he has erased or struck from such basis list.

If this amendment is carried, what will be the state of things in Nova Scotia? In order to know that, we have to revert to the work which will devolve upon the enumerators who are to be appointed, and for that purpose we fall back on subsection 2 of clause 42, which reads as follows:

> Subject to the provisions of section 65A of this Act, in the compilation of such list, the enumerator may adopt as a basis thereof any part or parts of any provincial or municipal list of voters in force or last in force which may be applicable to the polling division for which he has been appointed, adding to or taking from such list the names of such persons as he may find to be qualified, or not qualified, as the case may be, within the polling division for which he has been appointed. He shall add after the name of every female voter whose name he places or permits to remain on the list of electors prepared by him the letter W in brackets, thus (W).

That shows the work which the enumerators in Nova Scotia would do. What does it mean? It means that the enumerators in Nova Scotia will do the same work that the enumerators in British Columbia, Alberta, Saskatchewan and Manitoba are charged with. It means that they will prepare lists—new lists in toto. The Nova

Scotia lists that are in force to-day will disappear. In the compilation of such lists an enumerator may, if he pleases, adopt as a basis thereof any part or parts of any provincial or municipal list of voters in force, or last in force, which may be applicable to the polling division. But, on the other hand, he may not choose to do so. He may start anew and go about his work as he deems proper. His discretion is absolute. Have honourable gentlemen formed any idea of what is meant by the wiping out of the whole of the lists of Nova Scotia, and the preparation of new lists? As I have said, if we were making a general franchise Act for the Dominion in ordinary times, a year or two or three years ahead of the end of Parliament, we would be prepared to accept the whole machinery from A to Z, for the appointment of officers, the preparation of the lists, the appeals upon the first draft of the lists, the closing of the lists and their proclamation in due form. We would be prepared for all of that. But I draw attention to the fact that to-day we are past the middle of September. This Parliament will cease to exist on the 7th of October, and it is not probable, if we rely upon orthodox constitutional doctrine, that this Parliament can remain non-existent much more than two months or two months and a half, especially in time of war. We all know that, according to British precedents and doctrines, Parliament is supposed to be always at the call of, and is called by, His Majesty the King. On the very day we adjourn a day will be fixed for the calling of the following session, and that time is again fixed from month to month. Parliament is supposed to be always at the call of His Majesty for the purpose of giving him advice. How much more important is it that Parliament should be existent and that the people should be represented in time of war, when conditions may change or become more difficult. So, I say, if the true constitutional doctrine which has prevailed in England for centuries is accepted, this Parliament will be called within two or three months after the 7th of October, which implies that an election will have to be held in short order. It is my conviction that the Government would be derelict in its duty, if after the 7th of October there were a period of more than forty or sixty days before the election. If that is so, we are facing the necessity of going to the people within two months and a half or three months. I ask honourable gentlemen if this is a proper time for wiping out the lists of a whole province and starting to reconstruct the whole machinery from the bottom to the top, for the purpose of calling the electors to the polls in that province.

Hon. Mr. CROSBY: What about Manitoba, Alberta, Saskatchewan and British Columbia?

Hon. Mr. DANDURAND: The Prime Minister and his representative who framed this Act and took the responsibility for it, took very great pains to explain why they were putting aside the provincial lists in the provinces of Manitoba and British Columbia. There are feminine names and a number of names of aliens running all through the lists, that have to be struck out.

Hon. Mr. CROSBY: It is the same in Nova Scotia.

Hon. Mr. DANDURAND: You have no women's names.

Hon. Mr. CROSBY: Yes.

Hon. Mr. DANDURAND: You have in the municipal lists, but not in the list upon which provincial or federal elections are held. Great care was taken to explain that.

Hon. Mr. CROSBY: If I understand the honourable gentleman, he is raising the point that there will not be time to make up the lists. These other provinces have to make up lists, and in Nova Scotia we can prepare them as quickly as they can.

Hon. Mr. DANDURAND: I understand the point raised by my honourable friend, but I draw attention to the fact that there are two provinces in which you will be facing chaos, Manitoba and British Columbia, and it will be as well to make an effort to make new lists. This does not mean that difficulties will not be met, and that a number of grievances will not creep in. I do not infer that the work will be done thoroughly. But, when we have, as the Prime Minister and the Secretary of State have said, four provinces that have had their lists revised under a system that has existed for over a quarter of a century, is it opportune and proper to do away with those lists, to charge enumerators with starting anew, and to put candidates and the people to considerable worry and expense—looking to the protection of their rights individually and to their mutual advantage collectively—in seeing that proper names are not struck off the lists and improper names added? Is it right to

throw the whole province into a turmoil, so that, until the lists are posted on the day of the election, electors will be wondering if their names are on the list.

At six o'clock the Senate took recess.

The Senate resumed at ten o'clock.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, after I had moved the third reading of the Bill, as indicated in the Orders of the Day, an amendment was moved by the honourable gentleman from Middleton (Hon. W. B. Ross), and my honourable friend from De Salaberry (Hon. Mr. Béique) moved an amendment to the amendment. As honourable gentlemen know, this matter has been discussed between both sides of the House with a view to arriving at some mutual understanding on the subject. I fully appreciate the fact that my honourable friends on the other side do not wish to commit themselves to this Bill. Yet, notwithstanding that fact, I think I may ask my honourable friend from De Salaberry, in view of what I am about to move, to withdraw the amendment to the amendment, and I shall likewise ask my honourable friend from Middleton to withdraw the amendment. I propose to move as an amendment to the Bill the following:

Add to section 65A, at the end, as paragraph 5:

5. In the province of Nova Scotia—

(1) The various judges of the county court shall be revisers of the lists of voters and shall be known as revising officers. Each thereof shall have jurisdiction on appeal from enumerators over the electoral district within his judicial district wherein he resides, and shall have power and is directed to appoint one or more revising officers (who shall have similar jurisdiction) for each electoral district within such county court judge's judicial district. Such additional revising officers shall be barristers of not less than five years standing. Every revising officer, before acting as such, shall be sworn before the appointing judge to the faithful performance of his duties. A revising officer shall have power to entertain, and, in manner not inconsistent with the provisions of this Act, to dispose of all appeals which may be asserted before him. Subject to the provisions of this paragraph he shall prescribe or confirm such procedure as to notice, evidence or otherwise as in his judgment may be fair and reasonable, considering the circumstances.

(2) The enumerators in the said province shall adopt as the basis of the lists of voters which they respectively shall compile the lists prepared for the several polling divisions established, and which on the sixtieth day next preceding the day fixed for the nomination of candidates for the election were in force or were last in force under the laws of the province for the purposes of provincial elections, and they shall not add to such basis lists any other names than those of (a) female persons qualified by this part of this Act to vote at the election of a member, and (b) male persons who according to the laws of the province are qualified to be added to such lists when the same were made, or who under the laws of the province were qualified to be added to such lists when the same were made, or who under the laws of the province or under this part of this Act are qualified so to vote, nor shall such enumerators strike off nor erase from such basis lists any other names than those of (a) persons who, when such lists were made, were not qualified to have their names entered thereon, or (b) persons disqualified by this Act from voting at the election of a member. Every enumerator in said province who shall strike off or erase any such basis list the name of any person shall forthwith mail to such person by registered letter, to the address given in such basis list, or to his last known address, notice of the fact and of the reason. Every enumerator in said province shall complete, date at his place of residence and sign the copies of the voters' lists prepared by him fifteen days before the polling day, two of such copies he shall forthwith post up as required by section 48 of this Act and a third he shall personally deliver or mail by registered letter to the revising officer for the electoral district wherein his polling division is contained. He shall also deliver or mail by registered letter a copy of such list to each of the candidates. Such list so prepared shall not be subject to revision by the enumerator, nor shall he have any further duty to perform except the issuance in any necessary case of a certificate in form W/3 under paragraph (g) of section 67. If the enumerator refuses or omits to enter upon the list of voters the name of any person whom he is by this paragraph authorized to enter thereon or strikes off or erases from the basis list the name of any person other than one which he is by this paragraph authorized to strike off or erase therefrom; such person, (or in the case of a qualified person who may be absent from the polling division at the time of the enumeration, an elector in the polling division acting on such absent person's behalf) may within four days after the posting up by the enumerator of such lists, appeal to such revising officer, by notice in writing, stating the fact and mailed to the enumerator and to said revising officer respectively. An appeal shall also lie in like manner, and on the like and a further notice by registered letter to the person entered on the list, from the entry by the enumerator under authority of this paragraph of the name of such person on such list. The registered letter shall be mailed to the address of the person as appearing on the list, or to his last known address. The Revising Officer shall first sit at such place as he may fix and notify by public advertisement ten days before polling day. He shall continue in session as Revising Officer until all appeals have been disposed of, but in any event not longer than six days, or, if any one of the five days following his first day's session is a Sunday, he shall arrange to conclude his business as such Revising Officer in five days. He shall make and initial the alterations in the lists of voters rendered necessary as a result of his decisions and shall append and sign to each of such lists the following words:

I certify that the foregoing is a correct list of the voters in polling division No. .... (or

as the case may be) of the electoral district of ..... as revised on appeal by me this ..... day of ..... 191 .

Revising Officer of the electoral district of ..... in the ..... of Nova Scotia.

(3) Four days before polling day the Revising Officer shall deliver by mail or registered letter to each of the candidates in the electoral district a statement of such alterations as he has made in the lists of voters on appeal, and on the same day he shall deliver to the proper returning officers a list revised on appeal and as well all other lists received by him from the various enumerators, but respecting which no appeal shall have been asserted, or if any asserted, no changes have been made. The returning officer shall deliver such lists to the proper deputy returning officers forthwith or before six o'clock in the morning of polling day. All such lists shall be deemed closed and section 62 of this Act shall not apply thereto or to the persons whose names appear thereon.

The enumerator shall forthwith after he receives notice of his appointment begin the performance of his duties and shall fix a time and place where he shall attend to consider applications in the performance of his said duties and shall give notice of such hearing with the time and place of such hearing by publication in a newspaper published in the electoral district or by posting such notice in at least four public places in his district; any person who wishes to have the name of any person added to or struck from said list shall deliver to the enumerator at least two days before the hearing a list of such names, which list shall be opened to the inspection of any voter or candidate during such two days. Any voter whose name is proposed to be struck from the said list shall be given two days' notice by registered letter addressed to the address of that voter as given on the list or to the last known address of that voter. The hearing shall begin within ten days after the notice of his appointment shall have been received by the enumerator. The enumerator shall receive such evidence at the hearing, which shall be in public, as may be offered by a candidate or any voter respecting the adding of names to the said list or the striking of names from such list and shall give his decision on all applications at the hearing. The enumerators shall proceed from day to day until the applications are disposed of. The enumerator is authorized to accept as prima facie evidence of his or her right to be put on the list the statutory declaration of any person who desires to be placed on the list that he or she is qualified to vote at the election. The name and the address of the enumerator for such electoral district shall be published in The Canada Gazette and in a newspaper published in the electoral district immediately after his appointment.

That, honourable gentlemen, is the amendment it is proposed shall supersede the amendment moved by the honourable gentleman from Middleton and the amendment to the amendment, now before the House. In view of this and of what has taken place in reaching this understanding, I would ask my honourable friends to withdraw their motions.

It is necessary, for the purpose of giving effect to this, to strike out the words "Nova Scotia" from section 65A, in the fifth line; the words "part of this" from section 65A in the seventeenth line; the words "Nova Scotia" from section 62, subsection 4, seventh and eighth lines. The application of all these proposed amendments has been considered, and I move that they be adopted. In view of these amendments, will my honourable friend from De Salaberry withdraw his amendment?

Hon. Mr. BEIQUE: I appreciate that this matter is in quite a different position from what we were asked to accept this morning; and, with the leave of the House, I will ask to withdraw the amendment which I proposed.

Hon. Mr. CHOQUETTE: I suppose the amendment agreed upon has all been accepted, including the last words which were read, by the Liberal members in the House?

Hon. Sir JAMES LOUGHEED: Yes, my honourable friend from Ottawa will know that.

Hon. Mr. CHOQUETTE: That is the understanding?

Hon. Sir JAMES LOUGHEED: Yes, no doubt about that.

The amendment to the amendment was withdrawn.

Hon. W. B. ROSS: Inasmuch as this amendment as read accomplishes what I asked for, I have great pleasure, with the consent of the House, in withdrawing my amendment.

The amendment was withdrawn.

Hon. Mr. LYNCH-STAUNTON then moved the amendment proposed to be substituted for the amendments withdrawn.

Hon. Mr. BELCOURT: I want to mention another point to my honourable friend. During the discussion it was agreed that, when the Bill goes back to the Commons, some of the details may be altered without the principle being affected; for instance, with regard to dates. I mention this because there may be a difficulty under the rules. This Bill comes from the Commons, we amend it, it goes back to the Commons; it is questionable whether the Commons can further amend it. I have not looked into the matter; but that question may arise, and I want my honourable friend to say that objection will not be taken in the other

House when the Bill is again under consideration there.

Hon. Sir JAMES LOUGHEED: Oh, no. I may say to my honourable friend that the understanding is that if it is necessary to alter those dates so as to make them consonant with the tenor of the Bill, it will be done.

Hon. Mr. BELCOURT: And no objection will be taken?

Hon. Sir JAMES LOUGHEED: No, no objection will be taken. That is what I understood to be the expression of the conference on the subject.

Hon. Mr. CLORAN: Before the motion is put, I want to congratulate the honourable senator from Hamilton upon the fair manner in which he suggested this amendment, and on his fair and candid explanation of the Bill. I think he deserves the thanks of this House, and I am sure he will receive those of the lower House. I was happy to associate myself with his proposal. Although not in consonance with some of my friends on this side of the House, I felt that his proposition, under the circumstances, was as fair as any that could be offered to this House. After so many conferences, running over several days, afternoons and nights, with no decision arrived at, as soon as the honourable gentleman made his proposal which is now embodied in this amendment, I felt, as a representative of the people, that it should be endorsed. The only thing I regret in this matter at present is the fact that the electors of the province of Nova Scotia, and especially the candidates, are not given sufficient time to study the voters' list. I am not objecting to the Bill itself, but I am pointing out that the electors and revisers and enumerators have to do all this tremendous work inside of fifteen days, or inside of six days. I am not going to propose any amendment, but would simply point out to the House of Commons that they would be perfectly justified in asking the Government to grant to the officers under their control sufficient time for the candidates and their agents and the electors to have full cognizance of the voters' lists—not fifteen, but at least forty, days before polling day. How is the enumerator in the space of four or five days going to take into consideration complaints from every polling division regarding names that have been added or subtracted? As a matter of fairness to the officers you are going to appoint to make those lists, I trust that members on both sides of the House of Commons will see that ample time is given to them to compile those lists with due respect to the interests of their respective divisions. I thank the honourable senator from Hamilton for having made the suggestion this afternoon, and I thank myself for having endorsed it.

The amendment was agreed to on division.

On the question of the third reading of the Bill:

Hon. Mr. BOSTOCK: Before that motion is put, I desire to say that we have dealt with certain amendments affecting the details of the Bill, but we have not altered the objections that were taken to the Bill itself on the second reading. A strong objection that was made at that time was that this Bill dealt only with the question of the franchise of certain subjects of His Majesty, and gave them a qualified franchise, and that certain other people were being disfranchised. That was a policy to which we on this side of the House took considerable exception. We think that it is a mistake that this Bill should be enacted at the present time. Therefore, I beg to move, seconded by the Hon. Mr. Dandurand:

That the said Bill be not now read the third time, but that it be referred back to the Committee of the Whole House with instructions to amend it by eliminating from it all provisions which tend to remove the franchise from any class of His Majesty's subjects who are now qualified electors according to the laws of the province in which they reside.

The motion was negatived on division.

Hon. Mr. BEIQUE: I move, seconded by the honourable member for Mille Isles (Hon. Mr. David):

That this Bill be not now read a third time, but that it be recommitted to the Committee of the Whole House with instructions to amend the same so that in all cases where a voter's name was entered on the electoral list by an enumerator, and the right of such voter to vote was challenged at the time of voting, it be incumbent on such voter, if a recount be made before a judge, to prove his right to vote.

The motion was negatived on division.

Hon. Mr. LANDRY: I do not want to give a silent vote on this Bill. Coupled with the Bill giving the franchise to the soldiers, this Bill is quite a departure from the practice of the past, and I am opposed to it because it does not follow the traditions which we have long loved and would like to see preserved now. The Bill is called the War-time Elections Act, and

one of the clauses enacts that as soon as the war is over and the troops are demobilized the Act will be no more—that it will fall of itself. There is one thing we cannot forget, however. If future members are elected upon this military electoral vote they will continue to be the representatives of the people, but they will not represent the sentiments of the country. I would have no objection if it were provided that as soon as the war is ended the party in power, be it Conservative or Liberal, should immediately dissolve the House.

Hon. Mr. POPE: No.

Hon. Mr. LANDRY: Certainly, and call upon the people.

Hon. Mr. POPE: No.

Hon. Mr. LANDRY: My honourable friend does not understand why.

Hon. Mr. POPE: No.

Hon. Mr. CLORAN: Two to one that he does not.

Hon. Mr. LANDRY: He is not obliged to comprenhend; it is sufficient that the other members of this House understand why. I do not see why any party should remain in power after having been elected in this way. I am not speaking for one party or the other; I am speaking for both parties. I say I do not see why any party that obtains power on a vote of this kind should remain in power. The Act ceases to have effect, and it is inequitable that the party elected under its provisions should remain in power. As a consequence, we must resort to other devices to keep in power people who have different feelings from those which are manifested to-day. I think even the honourable gentleman who interrupted a moment ago (Hon. Mr. Pope) will understand that.

If one may judge from the really scant attention the matter is receiving from the press, or at all events from the papers printed in the English language, it would seem doubtful if there is any realization at all of how the interests of the majority of the Canadian people, and indeed their rights, are being sacrificed by allowing to become the law of the land the extraordinary franchise legislation which is being crowded through Parliament with such unprecedented speed, and the effects of which on the liberties of the people are likely to become more and more pronounced each year for many years to come.

It is said that the number of persons who voted in the last Dominion election, in 1911, totalled slightly over 1,300,000 for the whole of Canada, constituting probably about 60 per cent of the names on the voters' lists. Legislation has just been put through making it as certain as any event to happen can be that there will be recorded the votes of practically all of some 400,000 soldiers, including foreigners and minors, by providing a period of twenty-eight days in which the soldiers may exercise the franchise by means of ballots brought to them. How this has a tendency to make the soldiers' vote predominate will be realized when it is recalled that under ordinary circumstances probably 40 per cent of those entitled to vote at an election do not get to the polls.

In addition, and far more dangerous as regards the rights of ordinary Canadians, we have now under consideration the so-called War-time Elections Act, disfranchising a considerable number of the constituents of the present House of Commons, and, worse still—especially in eliminating the influence of the French Canadian minority—adding to the voters lists the wives, mothers, sisters and widows of the soldiers. The latter feature in practice really amounts to the same thing as giving each of some 400,000 soldiers two, three, four, or perhaps five or six votes. Thus at a moderate estimate there may be added to the voters' list anywhere from say 800,000 to 1,200,000 votes for the women relatives of soldiers—this too, it should be remembered, to supplement the votes of the male near relatives of soldiers who of their own right are already entitled to vote, or, allowing one for each soldier, which is quite a conservative estimate, making 400,000 more soldier-controlled votes. Thus there is a prospect of the soldiers and their relatives having upwards of 2,000,000 votes, compared with a total vote of only about 1,300,000 in the last election. It is an easy matter to test the effect of the proposed war franchise by applying it to a number of families that we know of from which members have enlisted in the army. In each case we find that at least two, three or four women relatives, and sometimes more, will be entitled to vote on account of the soldier member of the family. 2,000,000 soldier votes!—contemplate it. These figures are certainly startling in their possibilities, and the appalling results which may accrue should make all democratic people, especially the ever liberty-loving French Canadians, awake to some realization of the dangers ahead. For there can be no other meaning, even if the estimate given were cut in two, that once this legislation is

passed, the soldier vote will absolutely dominate the country, removing the check which, though very limited, has always been of value, at least as a last resort, which the ballot has heretofore afforded the ordinary citizen, of restraining excesses on the part of the soldier element and their friends when their actions far transcend all reasonable bounds.

Everyone has an idea of how difficult it is at present to prevent groups of soldiers taking the law into their own hands—as witness the breaking up of meetings in all parts of the country except the province of Quebec. How much will this be intensified if the soldiers are allowed to absolutely dominate the voting? And how will it be when half a million soldiers return to Canada, many of them looking for employment when work is scarce, as it very likely will be, after the war is over, resulting in their making all kinds of impossible demands on the country backed up by an overwhelming vote. It goes without saying that a House of Commons elected under a franchise in which the soldier vote overwhelmingly predominates is the more likely to accede to unreasonable demands than one in which all have an equal say. Nor can it be safely assumed that a House of Commons chosen by the soldier vote will refrain from continuing the preference given to the soldier vote, no matter what may be said now as to the law being merely for this coming election.

The hostility which many of the class constituting the soldiers—probably the great majority of them at the present time ordinarily feel towards the French Canadian, would seem very likely to produce far more intolerable conditions in future than any that have so far prevailed in Canada towards the minority, whose position, God knows, is often made very difficult as it is, as witness the school legislation of Manitoba and Ontario, where the stock appeals to gain victory in elections are to prejudices against Roman Catholics and especially those of French extraction. Since the despoliation of the minority by the Manitoba school legislation, condoned by the Laurier Government after the elections of 1896, has not the tendency been to more and more disregard minority rights and give the extreme imperial and Orange elements the say as to the destinies of our country? And intolerant ideas, which public men would have shunned in the days of Sir John Macdonald, are now regarded as the surest road to victory in many cases when it comes to deciding issues at the polls.

At the present time, probably the majority of the English-speaking element in Canada are quite opposed to extreme war legislation, as is the case with the French-Canadian element; but the English-speaking people who feel that way have no opportunity of making themselves heard; and before giving them the opportunity of doing so it is proposed to submerge their voice by the votes of soldiers and their female relatives so overwhelmingly that they will be discouraged for a long time from making their influence felt.

Who are the men who have so far enlisted? Undoubtedly about fifty per cent are English immigrants, coming in many cases from the lowest classes in England, cockneys, etc. Probably twenty-five per cent of the soldiers have enlisted for adventure or owing to lack of employment for a time after the war broke out. The remaining twenty-five per cent may be ordinary Canadian boys who have responded strictly to appeals to defend the country.

Judging by history, it is a most dangerous thing to put great power in the hands of the soldier element in any country. How much more so must it be the case in a country like Canada, whose population is composed of various races, and of certain elements which are often very intolerant towards others, as witness the spirit of many of those who openly say that they want to force the "damn Frenchmen" to sacrifice their lives in the war, claiming that they have been obliged to fight their battles.

Furthermore, a Parliament controlled by soldier votes is likely to be much more extreme than the present expiring one, as there will be no restriction on it, and new conscription legislation may be expected with a view to making additional calls for 100,000 men each, perhaps even with a view to sending home the soldiers at present in Europe and having the new ones go over to take their place.

I think every member will understand why I object to this Franchise Act which has been imposed upon us in the dying days of Parliament, and which will continue its effect in future, for the duration of at least one Parliament. For this reason I shall vote against the third reading of the Bill, and I hope that all my friends on both sides of the House will consider this view of the question, and will help me to defeat the Bill.

Hon. Mr. SPROULE: Honourable gentlemen, I have only one word to say. It seems to me rather unfortunate that we should be treated to an argument which is deliberately against the principle of the Bill, and therefore clearly out of order, especially by an ex-Speaker of our own Chamber.

Hon. Mr. CLORAN: It is perfectly in order.

Hon. Mr. LANDRY: I may tell the honourable gentleman, who has been the Speaker of the House of Commons, that the principle of a Bill may be discussed on the third reading.

Hon. Mr. SPROULE: But it is not permissible to argue against the principle of a Bill on the third reading.

Hon. Mr. LANDRY: Quite the contrary.

Hon. Mr. CLORAN: I rise to say a word on the third reading——

Some Hon. SENATORS: Order.

The Hon. the SPEAKER: Order. The honourable gentleman has already spoken.

Hon. Mr. CLORAN: I have not. I have spoken on the amendment.

The Hon. the SPEAKER: Order.

Hon. Mr. CLORAN: I am going to speak on the third reading. When did I speak on the question?

The Hon. the SPEAKER: The question is on the third reading.

Hon. Mr. CLORAN: I rise to speak. I have not spoken—

Some Hon. SENATORS: Order.

The Hon. the SPEAKER: You have spoken.

Hon. Mr. CLORAN: I have not.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: It is a question of fact.

Some Hon. SENATORS: Order, order.

Hon. Mr. LANDRY: I think the honourable gentleman has spoken on the amendments.

Hon. Mr. CLORAN: Yes, on the amendments.

The Hon. the SPEAKER: The honourable gentleman has made a long speech on the third reading.

Hon. Mr. CLORAN: It was on the amendment. I am not going to take that ruling. I am going to stand here—

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: I shall sit down when you sit down.

Some Hon. SENATORS: Order, order.

The Hon. the SPEAKER: The question is on the third reading.

Hon. Mr. CHOQUETTE: Really, Mr. Speaker, as a matter of fact—

Some Hon. SENATORS: Order, order.

Hon. Mr. CHOQUETTE: I think the honourable the Speaker is mistaken. I do not think that my honourable friend has spoken on the third reading.

Hon. Mr. CROSBY: Certainly he did.

Hon. Mr. CHOQUETTE: He spoke on the amendments. I spoke on the amendments myself, but I have not said anything on the third reading. The question has just been put to-night. I think the Speaker is acting in good faith, but he is mistaken.

Hon. Mr. CROSBY: Order.

Hon. Mr. BEIQUE: I rise to call the attention of the Speaker to the fact that he is making a mistake. I think he is acting in good faith, but it is impressed on my mind that the honourable member from Victoria (Hon. Mr. Cloran) spoke when he had no right to speak. I was expecting that he would be called to order because he had already spoken on the amendments which had been proposed; but he has not spoken since the third reading has been moved. It is only a few minutes since the question of the third reading was put. The honourable the Speaker will see by the Minutes to-morrow that he is mistaken on the question of fact.

The Hon. the SPEAKER: The honourable member for De Salaberry (Hon. Mr. Béique) overlooks the fact that two long speeches were made by the honourable gentleman from Victoria (Hon. Mr. Cloran), and that three-quarters of those speeches were against the third reading of the Bill.

Hon. Mr. CLORAN: Certainly. They were against the amendment proposed on the third reading.

The Hon. the SPEAKER: If the House will give permission to the honourable gentlemen—

Some Hon. SENATORS: No, no

Hon. Mr. CLORAN: I will take it in spite of you.

The Hon. the SPEAKER: Unless the House gives permission, I say the honourable gentleman has no right to speak on the third reading.

Hon. Mr. LANDRY: I do not think it is a question of permission. The honourable gentleman has a right to speak or he has not. If he has spoken on the third reading he has no right to speak again, but it is not for the Speaker to say that the honourable gentleman may not speak with the permission of the House.

The Hon. the SPEAKER: Yes.

Hon. Mr. LANDRY: No, I beg your pardon. I differ entirely. If the honourable gentleman from Victoria has spoken, he has no right to speak again. If he has not spoken, he has a right.

Hon. Mr. TESSIER: I would like to say a word on the question. If the honourable gentleman (Hon. Mr. Cloran) has spoken, it was on another motion.

Hon. Mr. CLORAN: Certainly.

Hon. Mr. TESSIER: I would like to remind the Speaker that the honourable leader of the Government withdrew his first motion for the third reading. Then the amendments came in, and now he is making a new motion for the third reading. He withdrew his first motion. He said so himself, because the honourable gentleman from Ottawa (Hon. Mr. Belcourt) asked him, "Are you going to withdraw your motion for the third reading?" and he said, "Yes, I am withdrawing it."

Hon. Mr. CHOQUETTE: That is correct.

Hon. Mr. TESSIER: So now it is a new motion for the third reading.

Hon. Sir JAMES LOUGHEED: The honourable gentleman from Victoria division (Hon. Mr. Cloran) spoke after I moved the third reading of the Bill—

Hon. Mr. CLORAN: No.

Hon. Sir JAMES LOUGHEED: —and congratulated the honourable gentleman from Hamilton upon the work which he had performed in connection with it. I feel absolutely certain that that is the case.

Hon. Mr. CLORAN: That is the case.

Hon. Sir JAMES LOUGHEED: And if that is so, that was on the third reading.

Hon. Mr. CLORAN: It was on the honourable gentleman's motion to withdraw the amendments. Now the honourable gentleman has made a new motion for the third reading of the Bill. The honourable leader of the Government made a motion and I spoke to it, congratulating the honourable gentleman from Hamilton; then he made a second motion for the third reading of the Bill.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: You cannot suppress me It is not that I am going to take up the time of the House.

Some Hon. SENATORS: Order, order.

The Hon. the SPEAKER: I rule that the honourable gentleman (Hon. Mr. Cloran) is out of order. When the honourable leader of the Government moved the third reading of the Bill there were two amendments made; but there was not a new motion for the third reading of the Bill. After the two amendments had been withdrawn it was the same motion, that made at first, for the third reading. I rule that the honourable gentleman has no right to speak again.

Some Hon. SENATORS: Question, question.

Hon. Mr. CHOQUETTE: Honourable gentlemen, we ought to be fair to everybody.

Some Hon. SENATORS: Order, order.

Hon. Mr. CHOQUETTE: I do not desire to discuss the ruling of the Chair, but just to make an explanation.

Some Hon. SENATORS: Order, order.

Hon. Mr. CLORAN: Keep quiet over there.

Hon. Mr. CHOQUETTE: I desire only to suggest that in order that my honourable friend (Hon Mr. Cloran) may say a word or two on the question—only a word or two——

Hon. Sir MACKENZIE BOWELL: You have no right to discuss it unless you appeal from the Chair.

Hon. Mr. CHOQUETTE: I would just ask the permission of the House to speak for two minutes, that is all——

Some Hon. SENATORS: Order, order.

Hon. Mr. CHOQUETTE: —to settle the matter.

Some hon. SENATORS: Order, order.

Hon. Mr. CHOQUETTE: Well, I can make a motion, I suppose; I can make a motion on the third reading.

The Hon. The SPEAKER: Is it the pleasure of the House to adopt the motion for the third reading?

Hon. Mr. CHOQUETTE: Honourable gentlemen, I have a right to make a motion on the third reading. I will move the adjournment of the House if honourable gentlemen are not satisfied. I wish to have peace. It was at my suggestion that we rose yesterday afternoon, and I am thankful to the honourable leader of the Government for having accepted it. I am just going to move this, in view of the facts which have been brought out and the decision of the honourable the Speaker. I do not wish to discuss the decision, which has been given in good faith; but we on this side of the House, many of us, think that the honourable gentleman from Victoria has not yet spoken on the third reading. Now he is deprived of his right to speak by the decision of the Speaker, which I respect. I do not wish to say anything against it, but under the circumstances, in order that the honourable gentleman may not be prevented from saying a few words—surely he will take just a minute or two—I will move that the honourable gentleman be given permission to address the House on the third reading.

Some Hon. SENATORS: Order, order.

Hon. Mr. CHOQUETTE: What is the point of order in that?

Hon. Mr. SPROULE: The point of order is simply this. If the honourable gentleman (Hon. Mr. Choquette) is appealing from the decision of the Chair, it must be done without debate.

Hon. Mr. CHOQUETTE: I say I do not appeal at all from the decision of the Speaker. I am going to move that this Bill be not now read a third time, but be read this day six months. I move the six months' hoist.

Hon. Mr. TESSIER: We will not be bullied.

Hon. Mr. CHOQUETTE: I am willing to withdraw the motion if the honourable gentleman has my permission to say a few words. Honourable gentlemen, I did not intend to speak further on this question. I have given all the reasons which I have for fighting this Bill. It is a very bad Bill in every way. I did not intend even to stand up and congratulate my honourable friend (Hon. Mr. Landry), who has spoken on the third reading, on the view, the excellent view, he has taken on this question, that after this war is over Parliament ought to dissolve and a new election ought to be held, in order that those who are unjustly, unfairly and for political purposes disfranchised, may in a new election have the right to vote. Now, as this Bill is forced upon us, and as members of the Senate are deprived of the right of speaking, by a decision which, though given in good faith, is in my opinion and that of other honourable gentlemen based on premises which are not correct, I intend to make another motion on this question, without taking up much time in making a speech. It is sufficient to recall these facts to show how the Opposition are treated—ill-treated—in this matter—not by the honourable leader in this House, but by a few members on the other side, who have behaved in this matter as they ought not to have behaved. I move that this Bill be not now read the third time, but be read this day six months.

Hon. Mr. SPROULE: I rise to a point of order. I claim that such an amendment is out of order and that the honourable gentleman was likewise out of order in speaking. When the motion for the third reading is before the House, and any amendment is moved to that motion, the party who talks to the amendment is talking to the motion for the third reading as well, and by his speech exhausts his right to speak again on the third reading.

Hon. Mr. CLORAN: That is ancient history—no good in a free Parliament. Honourable gentlemen, I have much pleasure in seconding this motion.

The Hon. the SPEAKER: The question is on the point of order raised by the honourable member for Grey (Hon. Mr. Sproule).

Hon. Mr. DANDURAND: I would like the honourable gentleman from Grey to elaborate somewhat his point of order—to explain it a little more clearly, because I have not caught the point he has made.

Hon. Mr. TESSIER: Does the honourable member (Hon. Mr. Sproule) contend that we have no right, when the third reading is proposed, to move that the Bill be not now read the third time but be read this day six months? Does the honourable gentleman claim we have no right to do that?

Hon. Sir MACKENZIE BOWELL: Not if he has just spoken.

Hon. Mr. CLORAN: That is what he says.

Hon. Mr. TESSIER: That is a very new principle.

Hon. Mr. SPROULE: If the honourable senator (Hon. Mr. Tessier) takes his seat, I will tell him what my contention is on the point of order: that the honourable gentleman who moved the motion is out of order because he had already spoken on the third reading—

Hon. Mr. CLORAN: No, he did not.

Hon. Mr. SPROULE: —and thereby exhausted his right. He spoke on the amendment, and that amendment and the third reading were both before the House, and, having spoken on the amendment, he could not speak on the third reading.

Hon. Mr. CLORAN: Get your education over again.

Hon. Mr. SHARPE: Therefore he could not move a motion. If I remember correctly, a motion for the six months' hoist on this Bill was voted down long ago.

Hon. Mr. DANDURAND: I think the honourable gentleman is mistaken.

Hon. Sir JAMES LOUGHEED: Talk all night if you wish.

Hon. Mr. DANDURAND: My contention is that the point of order is not well taken. There may be two or three amendments moved, and a member can speak on each amendment.

Hon. Sir JAMES LOUGHEED: Go ahead. We are prepared to wait.

The Hon. the SPEAKER: Order. The point of order has been raised.

Hon. Mr. LANDRY: If the point of order is raised—

Hon. Mr. CLORAN: It is withdrawn. The honourable gentleman (Hon. Mr. Sproule) has withdrawn it.

Hon. Mr. LANDRY: If he has not withdrawn it, I want to say a word upon it.

The Hon. the SPEAKER: Do I understand that the honourable gentleman from Grey has withdrawn his point of order?

Hon. Mr. SPROULE: If it is the desire of the House, I withdraw it.

Hon. Mr. CLORAN: This puts me in mind of going through a snowbank, sometimes the engine has to be very strong to go through the snow. This scene does not cast much lustre on the Senate—a body of intelligent men on the other side, under the control of the honourable leader of the Government, trying to prevent free speech on the floor of the independent Parliament of Canada. It is not a spectacle to be—

The Hon. the SPEAKER: Pardon me.

Hon. Mr. CLORAN: I never know when he is up.

The Hon. the SPEAKER: The motion has not yet been put from the Chair.

Hon. Mr. CLORAN: All right.

The Hon. the SPEAKER: It has been moved by the Hon. Mr. Choquette, seconded by the Hon. Mr. Béique, that the Bill be not now read the third time, but be read the third time this day six months.

Hon. Mr. CLORAN: I hope the track is clear by this time and that we may put a little express business on it. When the honourable Senator from Stadacona (Hon. Mr. Landry) rose to point out the difficulties under which the Act will be operated, and to point out the constitutional results, he was met with what? By the supporters of the Government, who have been deaf and dumb for the past three weeks on the floor of this House, with shouts of disapproval. They recovered their voices all of a sudden—not in an intelligent way, not in a way that is befitting an intelligent body; and they tried to put the honourable Senator from Stadacona down. I had no intention to speak on this motion or any other. I have my work in regard to this Bill, but I feel I must stand by a man who is claiming the right to speak for the people he represents, and whom certain persons on the other side try to put down. As long as I am here you shall not down him. Nor shall you down me, even if you put me in the tower. The honourable gentleman (Hon. Mr. Landry) called the attention of Parliament to the fact that this Bill lasts only during war-time. He has called the attention of the country to an essential constitutional point. To-morrow, or this day twelve months, the war may be over. When the troops are sent back to their homes, demobilized, what happens? Parliament, under the constitution, the British North America Act, is elected for five years. But this Bill is a violation of the British North America Act. It interferes with the rights of the provinces in regard to the electors. It interferes with the rights of the province of Quebec, which is the pivot of Confederation. On the voting power of

Quebec depends the voting power of the rest of the Dominion. Under this Bill and under the Military Voters' Bill you introduce into the province of Quebec voters who are not residents and have no right or title in that province. Was not the honourable senator justified in calling the attention of the House and of Parliament and the country to that fact, and why was he hooted down vulgarly?

Hon. Mr. DOMVILLE: What else could you expect?

Hon. Mr. CLORAN: If honourable gentlemen opposite have brains, let them use them otherwise than in hooting. Then he pointed out the fact that the effect of this Bill is to cease ipso facto with the termination of war and the signing of peace, what is to justify this Government or this Parliament saying that this war is going to last for five years more? If the war ends in six months or a year, this Act becomes obsolete and of no constitutional effect, and yet Parliament will sit for four years after the Act ceases to be effective. How are the representatives of the people to be elected when there is no Franchise Act in existence? I hold, with the honourable gentleman from Stadacona, that when this vicious, mischievous, nefarious Act ceases to be effective, Parliament should go out of office. There is no provision made for that. Where is the blame to the honourable senator from Stadacona in mentioning this fact? Honourable gentlemen, if you only knew what opinion I have of this House, you would not consider me very favourable to your views.

Hon. Mr. DOMVILLE: They would eject you.

Hon. Mr. CLORAN: When I talk here, it is not to honourable gentlemen on the other side; I talk to my fellow-citizens beyond the walls of this Chamber.

Hon. Mr. PLANTA: You talk to the gallery.

Hon. Mr. CLORAN: The gallery is a good place. That is where the gods are, not down in the pit, where the millionaires flaunt their wealth. The gods are the people. Has the honourable ever talked to the gallery, or has he ever talked to the pit—either one or the other? The honourable gentleman hoots, that is all.

Honourable gentleman, I was prepared to let this Bill go, and I gave my word to the honourable gentleman from Hamilton that if he was able to induce his Government to get into this Bill the proposition that he laid down this afternoon, I would swallow the Bill holus bolus. I have not the slightest doubt that my endorsation of the position taken by the honourable senator from Hamilton has brought about this happy ending of a miserable quarrel between party politicians. But when I find a body of men like the honourable gentlemen opposite trying to suppress free speech, trying to put down a man of the standing of the honourable senator from Stadacona, for forty-five years representing the people of this country in the House of Commons and in the Senate, and as Speaker, hooting him down simply because he happens to disagree with his party on one or two measures, I say it is a crying shame. Is that the way to treat men who have devoted their lives to legislation for this country and for the Conservative party? Simply because the honourable member in his heart and in his conscience cannot endorse one or two measures of the Government, the dead, decomposed Conservative Government, he is to be hooted down by his colleagues. Honourable gentlemen, you may stand for it, but let me tell you the people of the country will not stand for it, and when the people of the country read what has happened here to-night and find the scenes depicted in the press of the country and in our public documents, they will hold the Senate in supreme contempt, more contempt than they ever held it, and they will be justified. The idea of intelligent men, men of means, men of brains, especially the newly-appointed ones, good, sturdy, lively Tories, taking the position they have taken here during this debate, and especially to-night! I say that will not appeal to the people of the country, and your action here to-night will destroy the influence of Sir Robert Borden, whatever is left of it, in the country. I rose to-night in protest against this attempted effort, made by honourable gentlemen in this House, who ought to be impartial, and especially by the honourable leader of the Government, to suppress freedom of speech. God knows, it is bad enough to have it suppressed in the House of Commons by means of regulations and laws, but it is miserable and mean to my nature to have it suppressed by intelligent men. That is a thing that I cannot understand, and I fully advocate and endorse the principle and the statement made by the honourable member for Stadacona.

The motion of Hon. Mr. Choquette was negatived, on division.

The main motion was agreed to, on division, and the Bill was read the third time, and passed.

DRY DOCKS AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 134, an Act to amend the Dry Docks Subsidies Act, 1910.

He said: The object of this Bill is to so amend the present Dry Docks Act as to permit an increase in the width of dry docks from 110 to 125 feet, and to increase the depth over the sill from 37 to 38 feet. The Bill also makes provision for increasing the rate of interest on the guarantee from 4 to 4½ per cent. It also provides that bonds may be issued to the extent of 75 per cent of the amount invested after $1,000,000 has been expended.

Hon. Mr. McSWEENEY: What did you say the length was?

Hon. Sir JAMES LOUGHEED: It does not limit the length.

Hon. Mr. BOSTOCK: I notice that this Bill does not refer to any of the present dry docks; it is only with regard to the future, apparently. Can my honourable friend tell us whether it is the intention that any of those dry docks should be built at the present time? I thought we had about all the dry docks that we require in the country.

Hon. Sir JAMES LOUGHEED: This Bill is not retroactive, in a sense; but if the conditions which at present obtain would permit of its applicability, of course it would apply to docks that are at present built.

Hon. Mr. BELCOURT: If my honourable friend will look at section 4, I think he will see that that is not quite so, as that section provides that it shall not apply or extend to any agreement heretofore made for the construction of any dry dock.

Hon. Sir JAMES LOUGHEED: Of course, if an agreement has been entered into, it would not apply. What I had in view was that it might be made applicable to the construction of docks that may now be under negotiation, but concerning which an agreement has not been enterred into. Of course, it would not apply to any docks which have already received a subsidy.

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. CLORAN.

Hon. Sir JAMES LOUGHEED: This is a money bill, and probably honourable gentlemen will allow me to move its third reading, which I now do.

The motion was agread to, and the Bill was read the third time and passed.

COMPANIES ACT AMENDMENT BILL.

COMMONS AMENDMENTS CONCURRED IN.

Hon. Sir JAMES LOUGHEED moved that the amendments made by the House of Commons to Bill Q2, the Companies Act Amendment Bill, be concurred in. He said: In paragraphs j and k, on page 26, the words "since the annual meeting" were added. It was considered that it should be definitely shown that the history of the company with respect to these subjects need not be included in every annual statement, but only the changes made from year to year. The same comment applies to paragraphs i and q, on page 27. These statements are made annually for what occurred during the last preceding year, and this was considered sufficient. As the Bill stands, since the inception of the company the statement is required to be made each year.

Hon. Mr. BEIQUE: This is the only amendment which is of importance in the Bill. It destroys that part of the Bill. The object of requiring in each annual statement the mention of what amount was paid in cash was to give the public the proper information before they invested in the stock of the company. The moment this disappears, the party will have no information unless he follows the annual meetings from year to year. At this stage of the session, I do not suppose we are disposed to take issue with the House of Commons, but it will be a matter of amendment at a future session.

Hon. Sir JAMES LOUGHEED: The information would now only be obtainable by taking a series of annual reports. It seems to me unfortunate that the Bill was so altered, because the Senate committee were of the opinion that it was in the public interest that the annual statement should show the transactions of the company.

Hon. Mr. BELCOURT: Perhaps my honourable friend could give us an indication of the reasons for the change.

Hon. Sir JAMES LOUGHEED: No, I have not the Debates showing how they were brought about. With these explana-

tions, I move that we concur in the amendments.

The motion was agreed to.

RECRUITS UNDER CONSCRIPTION.

INQUIRY.

Hon. Mr. LANDRY inquired:

1. As the figures of the Census of 1911 establish that there is in the country, between the ages of 20 and 34, both inclusive, a male population of 1,066,690 souls, of which 636,746 belong to the first class which is to respond to the call to arms, and 429,944 to the second class,—what is, on the 100,000 recruits which are to be selected this year, the proportion to be allotted to each of the following territorial divisions, namely:—Prince Edward Island, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, the Yukon, and the Northwest Territories?

2. Out of the 100,000 recruits chosen by selective conscription, what will be, in each of the above mentioned territorial divisions, the number of soldiers intended for the firing line, and the number of those needed for the manufacture of munitions of war, or for any other service outside that of combatant?

Hon. Sir JAMES LOUGHEED:

1. The number of recruits to be drawn from the several territorial areas cannot yet be estimated. It is the intention of the Government at present to call the whole of Class 1 as defined by the Military Service Act, 1917, and the numbers to be called from the respective provinces will, therefore, depend upon the number of men belonging to the said class within each province.

2. It is not intended to make use of any of the men recruited under the Military Service Act in the manufacture of munitions. They will be put on active service in the Canadian Expeditionary Force, and will be placed in the combatant or non-combatant branches thereof, in accordance with the needs of the service at the time. It is impossible to state now what proportion will be used in the combatant branches, and what proportion in the non-combatant branches.

BUSINESS OF THE SENATE.

Hon. Mr. BOSTOCK: Before we adjourn I should like to ask the leader of the Government if we may expect any further legislation to come down?

Hon. Sir JAMES LOUGHEED: I am unaware of any except a Supply Bill.

Hon. Mr. BOSTOCK: Is it the intention to prorogue to-morrow?

Hon. Sir JAMES LOUGHEED: The probability is in favour of prorogation to-morrow evening.

Hon. Mr. WATSON: After that announcement, is there any use in the Railway Committee sitting in the morning?

Hon. Sir JAMES LOUGHEED: It seems to me it is hardly to be expected that the business of the committee can be finished. We would not be able to make sufficient headway to warrant the Bill going through. It is quite a large Bill.

Hon. Mr. WATSON: We might get through.

Hon. Sir JAMES LOUGHEED: Well, we are prepared to sit. The Bill will have to go to the House of Commons.

Hon. Mr. WATSON: If Parliament were prepared to wait a day or two, as I think it should, I think the Bill could be put through.

Hon. Sir JAMES LOUGHEED: I am as anxious as my honourable friend to dispose of the Bill, but it is a question whether the House of Commons will continue to sit, and it is a question whether the Railway Committee of the Senate is prepared to dispense with giving proper consideration to the many clauses which have yet to be dealt with.

Hon. Mr. BELCOURT: If we dealt with it, what would the House of Commons do?

Hon. Mr. WATSON: They seem to be very anxious to get the Bill back, and the public seem to be anxious to have the Bill passed.

Hon. Sir JAMES LOUGHEED: We can meet at ten o'clock, and possibly the wish of my honourable friend to have this Bill passed may be realized.

The Senate adjourned until eleven o'clock to-morrow morning.

THE SENATE.

Thursday, September 20, 1917.

First Sitting.

The Senate met at Eleven o'clock, the Speaker in the Chair.

Prayers and routine proceedings.

RAILWAY EMPLOYEES WAGES BILL.

CONSIDERATION OF AMENDMENTS BY HOUSE OF COMMONS.

The Senate proceeded to consider the amendments made by the House of Com-

mons to Bill D, an Act concerning the payment of salaries or wages of employees of railway companies.

Hon. Sir JAMES LOUGHEED: Honourable gentlemen, to the Bill which this House passed some time ago to amend the Railway Act in order to provide for the payment semi-monthly of railway employees' wages, the House of Commons has added several sections, which appear in the Railway Bill now being considered by the Railway Committee of this House. I would say, generally, that that committee has considered all the sections of the Railway Bill constituting the amendments which the House of Commons has made, with the exception of two clauses, which apparently have not yet come before the committee. The introduction of these amendments into the present Bill is done in anticipation of the possibility of the Railway Bill not going through. As they are clauses in which the employees of railway companies are very deeply interested, it was thought that we might give effect to them by including them in this Bill. Perhaps if we went into committee we could examine them more closely. I move, therefore, that the House resolve itself into Committee of the Whole for the purpose of considering the amendments.

The motion was agreed to, and the Senate went into committee, Hon. Mr. Blain in the Chair.

On the amendment:

1D. Section two hundred and sixty-nine of the said Act is amended by adding thereto the following paragraphs:

(d) with respect to the length of sections required to be kept in repair by employees of the company, and with respect to the number of employees required for each section, so as to ensure safety to the public and to employees;

(e) limiting or regulating the hours of duty of any employees or class or classes of employees, with a view to the safety of the public and of employees; and

(f) providing that a specified kind of power or method or means of propulsion shall be used on any or all locomotives and trains in any district.

Hon. Mr. POWER: I think this committee should understand just what it is doing with respect to the three matters dealt with. This amendment practically takes the management and control of the road out of the hands of the company, and puts it into the hands of the board. I think it is proper that the board should have the right to supervise and regulate—

Hon. Sir JAMES LOUGHEED: The beginning of the section says that the board may make regulations. It is authorized by this amendment to make regulations with respect to the length of sections.

Hon. Mr. BEIQUE: I think these matters should stand until we finally deal with the Railway Act.

Hon. Mr. BELCOURT: What is the urgency with regard to this?

Hon. Sir JAMES LOUGHEED: It is said that the employees are very much interested in the passing of those sections particularly which relate to the protection of life and property, not only of the public but of the employees.

Hon. Mr. BEIQUE: I would suggest that we do not concur in this until it has been taken up and passed on by this House.

Hon. Sir MACKENZIE BOWELL: It seems to me that there is no necessity for delaying the consideration of this matter, unless the Senate is opposed to the proposition that is made to place this power in the hands of the board. Under the circumstances, I think it would be much better to let it go through, though I agree with the honourable gentleman from Halifax (Hon. Mr. Power) that it is placing too much power in the hands of the board.

Hon. Mr. BEIQUE: I am willing to help to pass such provisions as may be urgent, but I do not consider that this is an urgent provision. It is a very important one, and I think it should be considered by this House with due deliberation.

Hon. Mr. ROBERTSON: The reason that this clause d became controversial and the reason that it was asked for by the railway employees is that some years ago this question was before the Railway Commission. The employees felt that the number of men employed on certain sections of railways was not sufficient to keep the track in proper repair. The companies took the position that the Railway Commission had no jurisdiction to interfere in a matter of this kind. This clause would give the Railway Commission jurisdiction to regulate such things, and if in their opinion it should be done it would be done. I call attention to one instance. Honourable gentlemen probably all remember the fatal Spanish river wreck of a few years ago, when a number of people were burned to death. The evidence at the coroner's inquest went to show that there had not been sufficient attention paid to the maintenance of the track. The section foreman had gone so far, in making repeated applications for help, as to notify the company that he

could not be responsible for what might occur if he had not more help. The help was not given, and he resigned. A green man was put in his place, and the accident occurred shortly afterwards. This provision is for the purpose of ensuring the safety of everyone who is travelling, and if the Railway Board find that the track is not being maintained as it should be, that court will have jurisdiction.

Hon. Mr. McSWEENEY: How many section men are there to a mile as a rule?

Hon. Mr. ROBERTSON: It depends very largely on the volume of traffic on the road, and the season of the year. At some seasons of the year there is only one man to about 9 miles of track.

Hon. Mr. BEIQUE: For my part, I am always willing to provide the necessary machinery for such cases, but we must not be carried away because of individual cases and take the management of the railways out of the hands of the railway companies. I take it that this clause means that it will be the duty of the Board of Railway Commissioners to interfere with the management of the railways, and it places an undue duty upon them which will tend to increase considerably the staff of the board if they carry out the spirit and the letter of the law. If the Act is amended to the extent proposed, it will be very expensive to the country, and will seriously interfere with the management of the railways by the companies. I suggest that this is a matter which should not be dealt with in the dying hours of the session, but that it should be left for future consideration.

Hon. Sir JAMES LOUGHEED: I must take exception to the interpretation which some honourable gentlemen seem to place upon this amendment, in saying that it means that the maintenance of way must pass from the hands of the railway companies to the Railway Board. That is not the case at all. We entrust the Railway Board with responsibilities which are much greater than this, and it seems to me that the fact that amongst the higher officers of the roads, particularly, say, divisional superintendents, and under them section foremen, and so on, there is more or less emulation in the exercise of economy in order to receive recognition at the hands of the company, frequently results in an absence of the necessary expenditure to keep the track in proper condition. This provision simply gives the board authority to pass regulations, not in any way to interfere with the management. Take, for instance, the case of train employees going over a certain section of road. Their attention may be directed to a portion which demands immediate attention. They will hesitate about saying to one of their superior officers that it should receive immediate attention, and that a certain expenditure should be made upon it. If they should do so, they would be told that it is none of their business. Is it unreasonable that a method of this kind should be adopted in order to determine whether the road at any particular place is being maintained as it should be maintained? It seems to me that the safety not only of the public but of the employees demands it, and frequently it would enure to the advantage of the railway companies, because where very serious accidents occur the damages which they are called upon to pay infinitely exceed the amount of expenditure involved in keeping the road in proper shape.

Hon. Mr. BEIQUE: The board has already in other clauses the power to do all that is necessary for the safety of the employees and of the public; but this paragraph provides that the board may make any order with respect to the length of the sections required to be kept in repair, and also as to the number of employees required for each section. I claim that that is interfering with the management of the company, and I think the Senate should not concur in it.

Hon. Mr. CHOQUETTE: I am bound to say that I think those companies whose consciences are uneasy on this matter are opposed to this provision. I do not see why any company that is doing its real duty should object; but I know that companies like the Quebec and Lake St. John Railway, which forms part of the Canadian Northern, is not maintaining its track so as to prevent accidents. If a road has sufficient men to protect the public I do not see why it should object to this amendment, which will be severe only on those companies that are remiss in their duty. We need not suppose that the Railway Commission will be harsh with any company. They are interested only in protecting the public. Some companies do not care as long as they can make money, and if no accident occurs they neglect to see that the line is in a good state of repair; but if an accident happens they wake up and try to put the responsibility upon their employees. I do not see any harm in giving the board power to compel the companies to do what they ought to do them-

selves. If the line is well sustained the board will not interfere.

Hon. Mr. DANDURAND: I am not disposed to agree with my honourable friend from De Salaberry (Hon. Mr. Béique) in regard to this amendment, because subsections g and l of the Railway Act give such wide powers to the board that they impliedly cover the extension sought by clause h of the old Bill and the amendment which is now under review. I see no reason why the board should not have the right to review the way in which the road is maintained; therefore I have no objection to extending to the board the simple discretion which is allowed it under this clause.

Hon. Mr. BOSTOCK: I have not had time to look at other amendments which may have been made to chapter 37, but on the whole I think this paragraph should be in the Act. Of course, it is liable to very serious abuse in case the employees of a company were constantly appealing to the board to get them to do things that the company should be left to deal with. At the same time, I think the board should have the power, if the question should arise, of regulating this particular matter, and we will have to trust to the good sense of the employees and to the judgment of the board to see that it is worked out in a fair and equitable manner.

Hon. Mr. BEIQUE: Honourable gentlemen have evidently not understood the point I was making. I do not object to the board having all the power necessary for protecting the interests of the public and the safety of employees; but they have that power under subsections g and l, as was pointed out by the honourable member for De Lorimier. But there is a great difference between giving the board general power and giving them the specific power of interfering for the purpose of ordering what length the sections shall be and what number of employees should be engaged on different sections.

Hon. Mr. DANDURAND: I would point out that subsection j gives power to the board to limit or regulate the hours and duties of employees or classes of employees with a view to the safety of the public and the employees. If we give the board that power, should we not at the same time give them power to say that since the hours of employment are reduced the number of employees must be increased? It seems to me that we are not going at all beyond the spirit of the whole Act.

Hon. Mr. CLORAN: I want to endorse the amendment proposed by the honourable leader of the Government, and I do so from practical experience. I have been over railroads in this country on which the public have been treated in the most shameful manner. I allude particularly to the Transcontinental and the Canadian Northern, especially between Montreal and Quebec, and in the northern regions. For ten years I have seen passengers by the hundred, two hundred and three hundred, standing in the mud at Hervey Junction, without any station, and the agent had for shelter only an old cattle car. An immense amount of traffic passes that point. Finally, one day when there were some 250 passengers lined along this box-car, a number having come down from the shanties, and a large number of ladies with little children, all subject to the inclemency of the season and the intemperance of the men, I went into the box-car and wired to Hon. Mr. Bernier, who was then a member of the Railway Commission, that they were not doing their duty in protecting the public, and I asked that a station be built there. During the following week an order went forth to that company to build a station, and it was built. That is an illustration of the need of the Railway Commission having absolute authority over the company. The point before the House is in regard to the services of men. For the past seven years, on the line referred to, four switchmen had to take care of from ten to fourteen miles of track. I have travelled with them on their hand-cars, and when I would point to a piece of the road and say, "Before you know it there will be a wreck here," they would reply, "What can we do? We can't attend to fourteen miles of section." Six miles is all that four men can attend to, and even that is too much; yet that kind of thing has been going on for years. The amendment proposed is the proper one. The Railway Board is not going to be autocratic and order work to be done if it is not necessary, or men to be put on work where they are not needed. This amendment is quite in order for the safety of the public, in justice to the men, and for the companies themselves.

The amendment was agreed to.

On the amendment:

1E. Subsection two of section two hundred and seventy-four of the said Act is repealed and the following is substituted therefor:

(2) Where a municipal by-law of a city or town prohibits such sounding of the whistle or such ringing of the bell in respect of any such crossing or crossings within the limits of such city or town, such by-law shall, if approved by an order of the Board to the extent of such prohibition, relieve the company and its employees from the duty imposed by this section.

Hon. Mr. McSWEENEY: I think that is fair.

Hon. Mr. BOSTOCK: What will be the position if the board does not approve? The board cannot quash a by-law?

Hon. Sir JAMES LOUGHEED: Then, section 274 in its entirety would be in operation. They would have to observe the Act.

Hon. Mr. BOSTOCK: That would override the by-law?

Hon. Sir JAMES LOUGHEED: Yes.

Hon. Mr. McSWEENEY: The whistling is a great nuisance in some parts, such as a railway centre like Moncton. Trains whistle at unearthly hours and keep people awake, and I think when that is brought to the attention of the board, if the authorities do not attend to it, they will remedy it. I think it is a very good provision.

The amendment was agreed to.

On the amendment:

1F. Subsection one of section two hundred and seventy-six of the said Act is repealed and the following is substituted therefor:

276. Whenever in any city, town or village, any train not headed by an engine is passing over or along a highway at rail level which is not adequately protected by gates or otherwise, the company shall station on that part of the train, which is then foremost, a person who shall warn persons standing on, or crossing, or about to cross the track of such railway.

Hon. Mr. McSWEENEY: I think that is a good section.

Hon. Mr. WATSON: How shall they warn them?

Hon. Sir JAMES LOUGHEED: They stand on the end of the train as it is moving slowly, and in that way warn them.

Hon. Mr. WATSON: I notice that in some places a man stands ringing a bell.

Hon. Sir MACKENZIE BOWELL: That would be a warning.

Hon. W. B. ROSS: In some cases a man walks ahead of the train. I have seen that done very effectively.

Hon. Mr. McLENNAN: These trains have an air signal as well as a brake on the rear end.

Hon. Mr. WATSON: I suppose the board would have the power to stipulate the kind of warning to be given?

Hon. Sir JAMES LOUGHEED: I should think so.

Hon. Mr. WATSON: What power would the board have to require a company to give a warning on trains backing up?

Hon. Mr. ROBERTSON: I think there is a provision in the present Act covering that.

Hon. Mr. WATSON: Would it be done by an air whistle, by a ring of the bell, or what?

Hon. Mr. ROBERTSON: That is only when the engine is crossing first. I would suggest that when the cars are being shoved ahead of the engine there should be somebody riding ahead of the engine, to warn people who might cross the track without noticing the approach of the train.

Hon. Mr. WATSON: By whistle, by bell, or simply by standing there?

Hon. Mr. ROBERTSON: It would not be possible for him to warn by a whistle in riding in front of a freight car while doing switching, but if he were always in communication with the engineer by signal he could stop the train if he did not attract the attention of the person crossing the track.

Hon. Mr. McSWEENEY: There are automatic bells at a good many places.

Hon. Mr. ROBERTSON: This is intended to apply to places where there are no automatic bells or other means of warning, or watchmen on duty.

Hon. Sir JAMES LOUGHEED: It is in the interest of the railway company to comply with this, because otherwise they might become liable for damages.

Hon. Mr. ROBERTSON: I may say that the railway companies and the employees are agreed on this section as being desirable.

The amendment was agreed to.

On the amendment:

1. Subsection one of section three hundred and six of the said Act is amended by striking out the word "one" in the fifth line thereof, and substituting therefor the word "two."

Hon. Mr. WATSON: What does that mean?

Hon. Mr. BOSTOCK: It means two years instead of one year.

Hon. Mr. BEIQUE: This is a very serious amendment. In practice this is what takes place. The freight comes in from the United States—from Pennsylvania, or from Chicago—and passes over half-a-dozen different railways. There may be claims for overcharge. It is very difficult to adjust such claims. The files of the different railways have to be sent from one company to another, and it takes months to adjust the matter. Sometimes a company has to pay the claim and is then reimbursed by other companies, but as a rule I think the claim is not paid until it is adjusted among the different companies concerned. The claim may be paid by one company, or it may be divided among several. So it is very important that it be made within a reasonable time; otherwise it is very difficult to adjust it. I happen to have had personal experience in adjustment of a number of cases of such claims, and I think the delay of one year was reasonable. If there is a claim to be made it should be made within one year, otherwise it is very difficult to adjust it. I think extending the time for the adjustment of claims to two years is unreasonable.

Hon. Mr. ROBERTSON: I may say, briefly, that the request for the extension of time from one to two years was made by the employees because of the experience in a number of cases where men who had been very seriously injured had lain in hospital month after month and had amputation after amputation, and did not know until after one year had expired after the accident whether or not they were going to be permanently disabled, and therefore could not enter into litigation with the company. After the year had passed by the company would say: "You are now out of court, because a year has expired." That is why this amendment is brought before the House.

Hon. Mr. BEIQUE: I see that it applies only to injuries; so my objection does not stand.

The amendment was agreed to .

The Committee rose and reported.

On motion of Hon. Sir James Lougheed, the amendments were concurred in.

Hon. Mr. ROBERTSON.

DEBATES OF THE SENATE.

REPORTING FOR THE PRESS.

Hon. Mr. FARRELL moved that the third report of the Standing Committee on Debates and Reporting be concurred in. He said: This report merely asks for a renewal of the agreement made in 1913 with Mr. Hannay as reporter and Mr. Fortier as translator.

Hon. Sir MACKENZIE BOWELL: I think it is well that the members of the Senate should know what they are doing. It has been the practice for a number of years past to employ a special Senate reporter to prepare a synopsis of the proceedings and debates of the Senate. It was presumed that the press would pay some attention to the proceedings of the Senate if they were furnished gratuitously with a report of the proceedings; yet very little attention has been paid to the Senate by the press. The point to be considered by the Senate now is whether we are justified in continuing the payment of a special reporter for making a synopsis of the proceedings of the House which is utilized only to a very limited extent, and under certain circumstances, by the press of the country. When Parliament is in session we pay $40 a week to the reporter and $15 a week to the translator. There is very little for the reporter to do, and very little has been done in the way of translation. We have not, to my mind, received an adequate return for the money we have spent. During the present session of Parliament we had a vacation of over two months, and during that time the reporter received $20 a week for doing nothing. During the present year we have paid nearly $3,000 for these services. It is for the Senate to consider whether we are justified in expending money in the manner in which it has been expended, without receiving an adequate compensating return in the form of publicity by the newspapers to the rep rts which are furnished them. I wish the Senate to understand that I am not finding fault with the manner in which the reporter has performed his duties; but that though he has performed his duties to a certain extent in a satisfactory manner, I contend that the Senate is receiving no consideration from the press though these reports are furnished for nothing. I may add in this connection that, so far as the committee is concerned, I stand a glorious minority of one. The other members of the committee were in favour of the report which has been presented. There

is another consideration. How far are we justified in making an arrangement for future sessions of Parliament? I know that we have been in the habit of doing so; but it is questionable how far the practice should be continued. Let the next Parliament, of whomsoever it may be composed, employ a reporter and pay him if it is thought proper. To my mind we are going a little beyond our duty. It was pointed out in the committee that some years ago I originated this practice of employing a reporter. That is quite true. I did so on the supposition that if a synopsis of the proceedings of the Senate were furnished to the press it would be utilized; but they have treated the Senate with the same contempt as previously. Whether it is because the press consider that this House is useless or that the utterances of the members are of no consequence to the community is a question which they have to consider. I have come to the conclusion, after three or four years' experience, that this is a useless expenditure, more particularly at this time when economy is supposed to be the order of the day. I could give the amounts expended during the last four or five years in this connection, but I do not think it is necessary to do so. I simply express my own general views on this question as to whether we should adopt this report and continue to make provision for the next session of Parliament. After considering the whole question, I think we are in duty bound to allow this matter to stand until the next session of Parliament, and to let that Parliament take such action as it may think proper. I know the answer to that will be: "You will not have any reporter; there will be nobody to take a seat in this House and make a report of the proceedings." Considering the results in the past, I do not think that will be of any consequence to the public or to the Senate.

Hon. Mr. POWER: Honourable gentlemen, I sympathize to some extent with the honourable gentleman from Hastings (Hon. Sir Mackenzie Bowell), but I think this is a question which may be considered from a different point of view. This Senate has been rather remarkable, I think, for the good sense which has characterized the debates. Perhaps I may say that ten years ago there was just as much wisdom embodied in our debates as at present, but we found that while words of wisdom were flowing from the lips of senators they never reached the public. We have had Hansard, it is true, but the proprietors of the newspapers did not seem to think that it was worth the trouble of examining it to see if there was anything that was deserving of notice in the papers, and, if so, how much notice it deserved. The honourable gentleman from Hastings, who has had a large experience in connection with the press, realized, as the rest of us did, that this was an unsatisfactory condition of things, and that some means should be adopted to place at least a summary of the work done by the Senate before the eyes of the public, and this plan of having a gentleman to prepare a summary of the Senate debates for distribution to the various newspapers was suggested by him. We had a gentleman who discharged this duty for some time. I do not remember whether he left the country, died, or became too old or too proud to continue the work. At any rate, the Senate appointed Mr. Hannay for the purpose of making this summary. I think every honourable gentleman who knows about it, including the honourable gentleman from Halifax, the Chairman of the Printing Committee (Hon. Mr. Dennis), who is also a member of the Debates Committee, feels that Mr. Hannay did his work well. If honourable gentlemen will compare the notice which the Senate gets in the newspapers nowadays with what it got ten years ago, they will find that there is very much more attention paid to the proceedings of this House now than there was at that time. We pay thousands of dollars for the purpose of having a Hansard report made and translated, but, as the public do not see these reports, it is clear that the money is not bringing the results that it should, and that the only result of a public character that we get is the summary that Mr. Hannay prepares and distributes to the different newspapers. The honourable gentleman from Hastings, as he said, has felt, during the last three or four years, that the money paid to Mr. Hannay and Mr. Fortier, who translates the summary, is money thrown away. There is a good deal of money thrown away in contion with the Government generally, but I do not think that the money paid to Mr. Hannay can be said to have been thrown away. There has been no question raised about it hitherto, and while I think the honourable gentleman from Hastings is perfectly right in expressing his opinion on the subject, I think, on the whole, that summarily to get rid of these two gentlemen will not be in the interest of the Senate and will be to a certain extent a blow to the gentlemen concerned.

Hon. Sir MACKENZIE BOWELL: I admit the truth of the statement made by the honourable gentleman from Halifax as to there being more consideration given to these reports of late; but generally, if you look at them, you will see that they are confined to questions on which there have been what I might call "rows" in the Senate.

Hon. Mr. SPROULE: I shall simply refer to the question of committing a future Parliament to engagements. In the other Chamber we found several times that we were hampered by such engagements. It became a common practice among certain employees to go among members and induce them to have measures passed which secured for them employment for the following session; and in that way they tied the hands of the committee of the coming session, who would be compelled to say: "We cannot help ourselves; this was passed, and we have to bear with it." To my knowledge, that practice resulted, in some cases, in very large expenditures. To my mind it is improper, and I think we shall not be doing our full duty if we consent to it. I have nothing to say about the gentlemen who do the work referred to, nor as to how or when they do it, but I have noticed one thing, perhaps more by accident than otherwise. When I was laid up in the hospital I watched the papers from day to day to see what was going on in the Senate, and I could not find a daily paper that even stated when the Senate adjourned or when it was sitting or anything else about it. When I did get a paper that referred to it, it was in the patent boiler-plate part of a weekly which was two or three weeks old. I had to wire or write from Owen Sound at different times to ascertain whether the Senate was in session, or if it had adjourned. It occurred to me that if the Senate desired to have its business brought to the attention of the public, it ought to employ some one connected with the daily press in the Commons, whose reports would go to the whole of the press.

Hon. Sir MACKENZIE BOWELL: If that is done and they are paid so much a line, the papers will publish it.

Hon. Mr. DANDURAND: I should like to answer the criticism of my honourable friend from Grey (Hon. Mr. Sproule), as to the practice in this Chamber in making engagements at the end of the session for the following session. I draw his attention to the difference between the House of Commons and the Senate. My honourable friend says the practice is objectionable because it ties the hands of the future Parliament. What the honourable gentleman says is true with regard to the Commons, because there will be a new Commons; but the Senate is not affected by the dissolution of Parliament.

Hon. Mr. SPROULE: The Committee on Internal Economy, which will have to deal with some of these things next session, will find itself committed in advance.

Hon. Mr. DANDURAND: Undoubtedly the Committee on Internal Economy will find itself bound by what the Senate has decided upon at the preceding session. The practice of the Senate in the past has been at the end of each session to contract for the following session in only two instances: first, for our Hansard reports. Honourable gentlemen who have been appointed recently to this Chamber perhaps are not aware that up to last session the Hansard reporting was done by contract, so that at the end of each session we had to renew the contract for the following year in order to have our reportorial staff at the table on the first day of the following session. Since last year we have done away with that system, and our reportorial staff is now on the Civil Service list. The engagements which the Senate now makes for the following session are limited to those two reporters whom we have been in the habit of retaining to circulate a summary of what takes place in the Senate. It was decided some time before I came into this Chamber, some twenty years ago, I think at the instance of my honourable friend from Hastings, that we should have a special reporter to make a summary of the proceedings of the House and distribute it daily to the press. This synopsis is made and is given to the daily newspapers and to the associated press every evening, to be wired throughout the country during the night. This is the work of the chief reporter. The press receives these reports and either publishes them in full or makes clippings from them or does not publish them at all. With the leave of the House I will refer to what took place in the Committee yesterday, because under orthodox practice one should not do so. We asked a journalist who is in active practice, the junior member for Halifax (Hon. Mr. Dennis), if the work of our reporters was satisfactory. He said that it was to be commended. The question was asked:

"Why does not the press publish the reports of our summaries daily?" The answer was that if the papers are short of space they will leave aside things that they think of secondary importance, and give more space to the Commons report if the debate there seems to be more important and more interesting to the public. But he said that if these reports were not circulated our proceedings would not be reported at all. Is it important that the people at large should be informed of what takes place in the Senate? My honourable friend from Hastings says that when the public is informed it is usually of things that are not of real importance, but rather of some exciting discussion or a little rumpus that looms up larger than the serious work that is done; and the Senate, which is a revising body and does its work mainly in committees, escapes the attention of the public at large. I recognise that; but men who are interested in the legislation of this Parliament gradually recognise the importance of a revising body such as this second Chamber, and we must rely upon that opinion permeating the country to give the public a true realization of the importance of a second chamber.

Hon. Sir MACKENZIE BOWELL: A capital argument, provided it could be utilized.

Hon. Mr. DANDURAND: Of course, we cannot force the newspapers to publish every summary of our daily work; but, if the honourable gentlemen of the Senate will bear with me, I would suggest that we try to bring into this Chamber some work which will effectively draw the attention of the public to the usefulness of this Chamber and the work it can do.

Hon. Sir MACKENZIE BOWELL: We have been agitating that for the last thirty years.

Hon. Mr. DANDURAND: I have several times suggested that we amend our Senate rules in order to allow a minister of the Crown, sitting in the other Chamber, to come into this Chamber and initiate or explain his own legislation. This is done in every Parliament of Europe except, I think, the House of Commons and the House of Lords in Britain. The House of Lords in past centuries would not think of allowing a commoner to enter their sacred precincts; but we feel that we are of the ordinary clay, and that it would not be offensive to any member of the Senate to see a cabinet minister come into this Chamber, propose his legislation, and participate in the debates, without voting, inasmuch as he has no seat. What would be the effect? Very often in the House of Commons there is a long debate on a question which holds up the entire legislation of Parliament for weeks. As a minister of the Crown desires to put his own stamp on legislation emanating from his department, he quite naturally prefers to propose it in the Chamber in which he has a seat, and he sometimes waits for weeks in the House of Commons while a debate is going on for an opportunity to bring in his legislation. If he could come into this Chamber and initiate his legislation here, we would not then need a third reporter to make a summary of our proceedings, for the whole press gallery would file in here. If that were done it would have the effect of apportioning the work more equitably between the two Houses; it would relieve the representative of the Government in this House, who has his hands full with Bills from all departments; and we would have the decided advantage of being able to deal with those Bills in the early part of the session, instead of being overwhelmed with work during the last days of the session.

Hon. Sir MACKENZIE BOWELL: We have been listening to speeches of that kind every session for the last fifteen years, and nothing has ever resulted from them. The matter just discussed has nothing whatever to do with the question before the Senate at the present moment. Let me ask if this Senate approves of the payment of $20 a week to a reporter for doing nothing during parts of the session when the Senate is not actually sitting; that is, one-half of what is paid to him during the actual sitting.

Hon. Mr. DANDURAND: You cannot secure a properly-qualified reporter for the session if during our adjournments, long or short, his salary is held up. Under the present arrangement the reporter is given a weekly payment, and when we adjourn his weekly pay is cut in two. We felt that because we adjourned for a few weeks we should not require him to hunt for his salary in the meantime.

Hon. Mr. SPROULE: I would like to see some of the work that is done, because there is an impression either that the work when done is absolutely refused by the press, or that it is not done at all.

Hon. Sir JAMES LOUGHEED: It is in the Clerk's office.

Hon. Mr. LANDRY: Has the honourable member (Hon. Mr. Dandurand) been speaking under the rules of the House?—because he is a great stickler for the rules.

Hon. Mr. DANDURAND: I am prepared to give notice to amend the rules at the next session in the direction of my suggestion.

Hon. W. B. ROSS: I do not know whether you could make any rules to that effect.

Brigadier-General Hon. Mr. MASON: I was present at the Debates and Reporting Committee, and concurred in this report; but while I think provision should be made to have the proceedings of the Senate appear in the newspapers, there was some dissatisfaction with the way in which the duty was performed by the reporters specially employed. I think it would be better to leave the responsibility of that appointment to the Debates and Reporting Committee at the next session of Parliament.

The motion for the adoption of the report was negatived on a vote of 19 to 19.

APPROPRIATION BILL No. 4.

FIRST READING.

Bill 135, an Act for granting to His Majesty certain sums of money for the financial year ending 31st March, 1917.—Hon. Sir James Lougheed.

JUDGES ACT AMENDMENT BILL.

AMENDMENTS NOT INSISTED ON.

A message was received from the House of Commons stating that that House refused to concur in the amendment made by the Senate to Bill 66, an Act to amend the Judges Act.

Hon. Sir JAMES LOUGHEED: I move that this House do not insist on its amendments to the Bill, and that the House of Commons be acquainted accordingly.

Hon. Mr. BOSTOCK: Do I understand the refusal to concur includes all the amendments that were made to the Bill in the Senate?

Hon. Sir JAMES LOUGHEED: Yes.

The motion was agreed to.

The Senate adjourned until this afternoon at three o'clock.

Hon. Sir JAMES LOUGHEED.

Second Sitting.

The Senate met at Three o'clock, the Speaker in the Chair.

AGRICULTURAL, INDUSTRIAL AND TRADE INTERESTS.

REPORT OF COMMITTEE.

Hon. F. L. BEIQUE presented the third report of the Special Committee on Agricultural, Industrial, and Trade Interests. He said: Honourable gentlemen, at last session there was a special committee appointed "to further inquire into what is being done and what could be done to best promote the agricultural, industrial and trade interests of this country both during and after the war." The committee was organized and during the recess issued some 22,000 circulars to public bodies in the country, inviting them to make suggestions on the subject-matters mentioned in the circular, which covered a very wide field. The main object in forming the committee was to set people thinking as to the problems which after the war would have to be settled in this country, and to prepare for the settlement of such problems. In answer to the circular some 250 suggestions were received. Some of them were of a local character and others of a general character. Those which were of a general character and which were of importance, in the opinion of the committee, were printed, in accordance with a resolution passed by this honourable House at the beginning of the session. I have been trying for the last two or three weeks to find an hour when the committee could be called together with a view of taking up this question and presenting a report. The time of members of this honourable House has been so much occupied by other work that it has been an impossibility to hold a meeting of the committee until to-day. The committee has met and its report will be read in a moment.

You will notice that there are eighteen or nineteen recommendations made by the committee. Most of them are taken from suggestions made by such bodies as the Manufacturers' Association and the Boards of Trade, especially the Edmonton Board of Trade, which made very valuable and important suggestions. Some of them are suggestions by myself and others members of the committee. I intended, if time had permitted, to accompany these suggestions with appropriate remarks and some quotations in order to bring them more prominently before the members of this House. This, however,

may be done next session. We have tried to reduce the expense as much as posssible. The suggestions have been printed in a volume, which is not large, and the committee ask authority to have one thousand copies printed, with a view of sending one copy to each person who took the trouble to make suggestions, and to circulate the balance, some 750 copies. I will ask the Clerk to read the report.

The Clerk read the report, as follows:

The Senate,
Committee Room No. 69,
Thursday, September 20, 1917.

The Special Committee appointed to further inquire into what is being done and what could be done to best promote the Agricultural, Industrial and Trade Interests of this country, both during the war and after, beg leave to make their Third Report as follows:—

In pursuance of the authority granted your Committee during the last Session of Parliament, the following circular letter was mailed during recess to all public and quasi-public bodies in Canada (about 22,000 circulars):—

"By instructions from the Special Committee lately appointed by the Senate of Canada 'to inquire into what is being done and what could be done to best promote the Agricultural, Industrial and Trade Interests of the country, both during and after the War,' we enclose herewith copy of the Order in Council upon which the Economic and Development Commission was appointed by the Government in October, 1915.

"2. On pursuing the Order in Council you will see that it covers a great variety of important questions, such as the whole field of agriculture, colonization, immigration, labour, employment for returning soldiers at the end of the war, improvement of highways, branch railway development, the attraction of capital in the country, and the extension of trade relations. You will readily understand that the Commission can hardly be expected to solve these questions without the earnest help and co-operation of the public at large, and especially of all the organized bodies in the country.

"3. The object of the Senate in appointing the Special Committee is mainly to help the Commission in the discharge of the heavy task imposed upon it, also to inquire as to the development and utilization of our natural resources generally, and to make an appeal to all organized bodies for their best co-operation in the matter.

"4. The frightful expense, destruction of life and waste of property entailed by the unprecedented war into which almost the whole of Europe and Canada are now engaged and the new and temporary channels of industry to which both public and individual energies are now mainly directed, will demand prompt and radical readjustment of conditions in the country when peace is signed.

"5. The readjustment in this country will be best found in the development and in the improvement of agriculture, in the fostering of homogeneous industry and in the expansion of our trade.

"6. The development of our agriculture being dependent upon an increase of population, it becomes imperative to find the means of attracting a proper class of immigrants and as numerous as possible.

"7. With the peace, great avenues of trade will be opened within the Empire and with the Allies and neutral countries. Let us prepare to take our fair share and thereby find permanent employment for the capital and labour which is presently engaged in the manufacture of munitions of war.

"8. Let us prepare also for the transferring, at the end of the war, of the energies of the country from the military to the economic field.

"9. The Special Committee most earnestly request your prompt co-operation in seriously studying these and all other questions which you may consider within your province.

"10. A like appeal is being made to all municipal bodies, Boards of Trade and Chambers of Commerce, Schools, Colleges and Universities, School Commissions, Farmers' Associations, Manufacturers' Associations, Transportation Companies, Church Dignitaries, heads of the various Federal and Provincial Government Departments, Bar, Medical, Notarial and Trade Associations, all Newspaper and Press Associations, Labour Associations—in fact, to all the organized bodies in the country—and the Committee hope that it will receive from every one of them, at as early a date as possible, the result of their best thoughts and suggestions in concrete form. In the event of such information being already of record, a reference to the publication where it can be found will be sufficient.

"In addition to securing the suggestions of the Press, the Committee would appreciate its further co-operation in creating and interest in the investigation by giving as much publicity as possible to the aims and objects of the Committee and by inviting the views of the public.

"Everybody should give his mite towards bridging the cataclysm we are going through. Let all bear in mind that this joint and common action may be the means of avoiding a great depression at the end of the war, and of laying the best foundation for the future prosperity of our great Dominion."

Some two hundred and fifty replies were received. Many of these replies are limited to matters of a local character and others containing suggestions of general interest. The more valuable of the latter have been printed and are submitted herewith, together with a criticism and suggestions by Lord Shaugnessy.

Your Committee have held several meetings when the above-mentioned suggestions were fully considered in so far as they relate to agricultural interests, and your Committee now beg to make the following recommendations:—

1. Co-operation between Dominion and Provincial Governments in formulating plans for the granting or selling of land for farming purposes, whereby the respective mineral, forestry and agricultural value and its advantages and disadvantages for the latter purpose would be ascertained before each land section or district is opened for grant or sale.

2. The opening of the different sections of land for farming purposes on colony basis covering different branches of agriculture, and as close as possible to market and railway facilities.

3. That the system of disposal of the remaining Dominion lands in the West be rearranged so as to promote increased development of mixed farming on lands within a reasonable distance of railways, and of live stock industry

on the more remote lands by affording assurance of reasonable permanence of the ranges.

4. The formulating of some practical schemes of farm loans which would facilitate the borrowing of capital properly guaranteed for the purpose of stocking, improving or developing farms, with sufficient co-operative responsibility to secure proper local supervision.

5. The establishment in co-operation with the Department of Immigration of organizations for the gathering and dissemination of reliable information as to labour conditions in all parts of the Dominion and the proper distribution of labour.

6. The formulating of plans to encourage and assist returned soldiers who are so inclined and physically fit, to go upon the land and cultivate it.

7. The establishment in each province of camps on good agricultural lands where returned soldiers may find employment at reasonable wages in different kinds of occupations, but mainly agriculture, with theoretical and applied instruction in agriculture in view of their ultimately settling in colonies on farms of their own.

8. The formation of expert agriculturists and assigning them to supervise and control the cultivation, by way of demonstration, of a number of different plots of ground (say one or more in each locality) by the owners thereof.

9. The formulation of plans for the better conservation and utilization of farm manure, and for the procuring of artificial fertilizers at the lowest cost possible.

10. The making of expert inquiries as to the practical use of farm tractors both for western and eastern farms and the practical demonstration of their use in different sections of each province.

11. As soon as labour conditions permit, the formulation of plans to ensure the cutting by farmers of weeds before maturity.

12. Stimulating and encouraging co-operation among producers, both for purchasing and selling, and the proper grading of farm produce.

13. The promotion of cold storage and abattoir facilities.

14. The promotion of petty industries in which farm hands may be employed at leisure time.

15. The promotion of modern conveniences, such as telephone and electric light, in rural settlements.

16. Dissemination of proper knowledge for the use of suitable fertilizers.

17. Dissemination of proper knowledge and advantage of tile draining of agricultural lands.

18. The teaching of elements of agriculture in all elementary schools, with an adjoining plot of land for applied instruction.

19. In the eastern provinces, the making of ready or semi-ready farms for intended settlers, by the province.

Your committee further recommend:

1. That the attention of the Department of Agriculture be directed to the valuable suggestions on the subject of drainage of agricultural land contained in the report of Mr. W. F. O'Hara, D.L.S., C.E., submitted herewith, with a view to the publication of the same in the form of a bulletin.

2. That one thousand copies of the Report of the Committee and the accompanying suggestions be printed in pamphlet form for general distribution.

Hon, Mr. BEIQUE.

3. That the Committee be revived at the next session of Parliament to continue the investigation into the other matters set forth in the Order of Appointment.

All which is respectfully submitted.

F. L. Beique, Chairman.

The report was concurred in.

APPROPRIATION BILL No. 4.

SECOND AND THIRD READINGS.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 135, an Act for granting to His Majesty certain sums of money for the public service for the financial year ending 31st March, 1918.

He said: Honourable gentlemen, the supply Bill now presented consists of three schedules—A, B, and C, comprising portions of the main, supplementary, and further supplementary Estimates brought down during the present session for the fiscal year ending March 31st, 1918.

Schedule A is composed of a balance of three items of the main Estimates not included in any of the preceding Appropriation Acts, being seven-twelfths of $8,094,000.00, $4,721,500.00.

Schedule B contains the balance of the items brought down in the supplementary Estimates, amounting to $677,312.50.

Total of Schedules A, B and C, $51,096,- while in Committee of Supply) amounting to $45,697,954.55.

Schedule C is composed of the items appearing in the further supplementary Estimates amounting to $677,312.50.

Total of Schedules A, B and C $51,096,767.05.

The total estimated expenditure (excluding $33,300, deducted in Committee of Supply, but including statutory charges) for the fiscal year 1917-18, and contained in the several Appropriation Acts Nos. 1, 2, and 3, and this Act, amounting in the aggregate to $254,659,250.79.

Chargeable to Consolidated Fund: Voted —partially controllable, $126,674,157.32; Statutory, uncontrollable, $74,691,001.24; $201,365,158.56.

Chargeable to Capital: voted, $53,294,092.23.

Total estimated expenditure for 1917-18, $254,659,250.79.

The several Appropriation Acts, including this Act, passed during the session for the services of the present fiscal year are as follows:

Appropriation Act No. 1, Schedule A, passed on the 6th February last	$ 32,195,441 17
Appropriation Act No. 2, passed on the 6th July last	40,172,951 63

Appropriation Act No. 3, passed on the 3rd September last	$ 56,503,089 70
Appropriation Act No. 4, being this Bill now presented	51,096,767 05
Total Appropriation Acts	$179,968,249 55
Statutory	74,691,001 24
Total estimated expenditure for 1917-18	$254,659,250 79

Estimated expenditure for 1916-17.

The total estimated expenditure for the fiscal year 1916-17 (including supplementary Estimates of $9,127,777.42 passed during the present session, as detailed in Schedule B of the Appropriation Act No. 1, 1917, and including the statutory charges amounted in the aggregate to	$280,143,323 15
Chargeable to Consolidated Fund:	
Voted	136,604,063 99
Statutory	56,479,482 60
Total Consolidated Fund	$193,083,546 59
Chargeable to Capital—voted	37,059,776 56
Chargeable to War Appropriation—voted	50,000,000 00
Total for 1916-17	$280,143,323 15

Comparative Summary.

1917-1918.

Chargeable to Consolidated Fund—voted and statutory, $201,365,158.56; chargeable to Capital—voted, $53,294,092.23; total, 1917-18, $254,659,250.79.

1916-1917.

Chargeable to Consolidated Fund—voted and statutory, $193,083,546.59; chargeable to Capital—voted, $37,059,776.56; chargeable to War Appropriation—voted, $50,000,000; total, 1916-17, $280,143,323.15.

Instances of Increases and Decreases.

The following services chargeable to Consolidated Fund show a substantial estimated increase of expenditure for 1917-18 over that of 1916-17:

Pensions: voted for 1917-18, $10,000,000; voted for 1916-17, $3,000,000; an increase for 1917-18 of $7,000,000.

Interest on Public Debt: statutory, 1917-18, $54,284,143.17; 1916-17, $37,147,496.23; an increase for 1917-18 of $17,136,646.94.

Land for soldiers.—The Estimates for 1917-18 provide an amount of $2,500,000, an advance to soldiers settling on land under the Soldiers' Settlement Act. This item is new, and the service appears in this year's Estimates for the first time.

The aggregate increase in the estimated expenditure on Consolidated Fund account from these three sources—Pensions, Interest on Public Debt, and Land for Soldiers—amounts to $26,636,646.54, and should be considered in any comparison made with the estimated expenditure for the preceding fiscal year.

Increase for 1917-18 in expenditure on Capital account: the estimated expenditure on account of Railways and Canals, capital, is increased over that of last year as follows; for 1917-18, $44,349,542.23; for 1916-17, $25,71,976.56; an increase on Capital account for 1917-18 of $18,677,565.67.

Reductions in Public Works expenditure for 1917-18: The estimated expenditure for the Public Works, income, for 1917-18 amounted to $11,672,454.79. Similar estimates for a like service (1916-17) amounted to $19,834,641.99, showing a reduction for this year over that of last year of $8,162,-187.20.

Substantial reductions in Railways and Canals income expenditure for 1917-18: The estimated expenditure for Railways and Canals, income, for 1917-18, is $8,014,597.33. The estimated expenditure for a like service for the year 1916-17 was $23,937,947.33, or a decrease for the year 1917-18 of $15,923,-350.

With these explanations, which are fairly comprehensive and also fairly detailed, I move the second reading of the Bill.

Hon. Mr. BOSTOCK: Could my honourable friend give us the expenditure on war account? He mentioned $50,000,000 in 1916-17.

Hon. Sir JAMES LOUGHEED: The amount for war appropriation in 1917-18 does not seem to be mentioned.

Hon. Mr. BOSTOCK: Does that $50,000,-000 cover all the war expenditure in 1916-17?

Hon. Sir JAMES LOUGHEED: I do not think so; I think it was only the appropriation.

Hon. Mr. BOSTOCK: The total amount mentioned for 1917-18 does not include war expenses at all?

Hon. Sir JAMES LOUGHEED: No, apparently not.

Hon. Mr. BOSTOCK: I want to congratulate the honourable leader of the Government on the complete statement that he has given us in regard to the items of the Supply Bill, but I must say that the figures are very large. As I understand the position, the expenditure for 1917-18 will amount to $254,000,000 odd, which sum does not include the expenditure on war account. Apart from the amount set down for pensions and for soldiers' settlement, and the amount of $54,000,000 for interest on debt and sinking fund, I understand that the expenditure on account of the war is not included in those figures. They represent a very large amount of money for a country with a population of about seven and a half millions; and the question to my mind is whether we are justified in increasing the expenditure in the way that we have done.

Honourable gentlemen will notice that the actual expenditure for 1916-17 was $280,000,000 odd, out of which apparently $50,000,000 was war expenditure, leaving the general expenditure at $230,000,000 odd, while for this year it will be $254,000,000 odd. That shows honourable gentlemen the way the expenditure of the country is increasing. We must also bear in mind that to those figures will have to be added the expenditure on war account. According to the statement given by the Minister of Finance, the income last year, 1916-17, was sufficient to enable us to supply $60,000,000 towards the war expenditure. While it is satisfactory that we were able to supply that amount, it is to be hoped that in the present year we shall have a revenue that will enable even a larger surplus towards paying the war charges.

Honourable gentlemen who consider the financial position of Canada, and other countries as well, must see that the only country in the world to-day to which any of the allied countries can go to borrow money is the United States. Now that that nation has entered the war, the chances of our being able to borrow large sums there will decrease from day to day. We had an instance of that in the case of the loans that were negotiated by the Minister of Finance only a short time ago. He had to go to the United States for his last loan of $100,000,000, and had to put it on the market at a price that netted him $96 on every $100. It has been figured out that the cost of that loan to this country is somewhere between seven and eight per cent, which is a high rate for us to have to pay on borrowed money. If we look at the details of the loans made by the Minister of Finance during the last two years, we find that the expense of borrowing money is increasing year after year. In 1915 a loan of $100,000,000 was placed, the rate of interest being five per cent, and the issue price being 97½ The commission charged by brokers and bankers was one-quarter of one per cent. The loan itself netted the Government some $97,003,000. In 1916 the Minister of Finance had to negotiate another loan of $100,000,000 at five per cent, repayable in 1931, also issued at 97½; but while the commission of the brokers was the same, he had to pay to the bankers one-half of one per cent in place of one-quarter of one per cent, with the result that his loan came out just about the same, netting about $97,000,000. The third loan, made in 1917, was for $150,000,000, repayable in 1937, the rate being five per cent, but this was issued at 96, as against 97½. The commissions were higher than on former occasions, and the loan netted the Government $139,882,508. Then we have the other loan to which I have already referred, made about August 1, which cost the Government considerably more than the other three I have mentioned.

Hon. Mr. McSWEENEY: That is only a short-term loan, two years, is it not?

Hon. Mr. BOSTOCK: Yes, it is a two-year loan that was really made on notes, and when we go to pay off this loan it will have cost the country the difference between the $100,000,000 and the $96,250,000 that the Government received for it, namely, $3,750,000 plus the interest for two years, $10,000,000, making the cost to the country $13,750,000 for this $100,000,000. I point out these figures to honourable gentlemen in order that they may realize the position into which we are getting, and as indicating that the Minister of Finance is going to have considerably more trouble in raising money than he has already had. I have not referred to loans that were made in this country, because that is a different question. The difficulty that I see before Canada, as before other allied countries, is that there is only one market at present in which they can borrow money, and if they are not able to borrow in that market the only means open to the Minister of Finance for carrying on the affairs of this country are those which can be supplied by the savings of the people of Canada themselves. In this country we have not been in the habit of considering the question of saving as much as has been the case in older countries, because there has not been

the necessity here; therefore it will probably be more difficult for our people to realize the obligation that lies ahead of them to save money in order to help to carry on the affairs of the country.

Hon. Mr. SPROULE: If the honourable gentlemen has the figures, I think it would be interesting to know what proportion of the money borrowed was taken up in Canada?

Hon. Mr. BOSTOCK: I have not those figures here.

Hon. Mr. McSWEENEY: You are only speaking about foreign loans.

Hon. Mr. BOSTOCK: I was speaking only about borrowing money outside of Canada.

Apart from being able to borrow money in an outside country, the only ways in which the Minister of Finance can get money for the carrying on of our affairs are from taxation and from what the people themselves are able to save and put into domestic loans. Of course, one other method has sometimes been adopted, and to a certain extent has, I think, been adopted, not only in Canada, but in other countries since the war began, that is, by the inflation of the currency of the country. This is a very dangerous course to pursue and one that cannot be continued for any length of time without causing great trouble and disaster.

Hence we are brought back to the fact that it is incumbent on the people of this country to economize in every possible way, and to reduce as far as possible every expenditure. My honourable friend has pointed out reductions that have been made by the Government in certain expenditures; but I think other reductions could have been made. I would suggest that the work on the Hudson Bay railway and on the docks, elevators and other structures at the terminus of that road should be shut down at once and no other expenditure made on it, at any rate until the war is over. It is a question whether any expenditure of that kind should be gone on with any further, when, we find in the Estimates put before us expenditures for other public works in various directions. I do not propose to go into the details particularly, but I notice that in the province from which I come there is an expenditure put down for a considerable extension of telephone lines. Whilst expenditure of that kind is very desirable when you have the money to spend, I think that at the present time that expenditure could very well have been omitted. Lines of that kind are not immediately required. The people have got along for a number of years without those extensions, and they probably could have got along just about as well for a year or two more, until we saw better what the standing of our country was and how we could manage the public finances so as to be able to carry on this class of expenditure.

Then we have to bear in mind another point. It has been brought to the attention of the country just lately that the orders for munitions, which have been a source of considerable profit in some instances, and have created a great deal of business in this country for the last two or three years, were being cut down, with the result that a large number of the persons who have been employed in munition factories will find that they have to turn to other work in order to get employment. On account of the desire to turn out munitions as quickly as possible, large wages were paid in a great number of instances to these workers, which had the effect of inflating wages not only in the munition works themselves but also in other industries in the same locality in which those works were established. The closing down of munition factories will affect the whole question of wages in the districts in which they are located, and will tell very much on the people in those districts. It will bring home to them the fact that the conditions under which they are living are somewhat inflated, and they will feel very much more than they have felt in the past the increase in prices, which has been brought about largely by the war conditions.

For all these reasons it is necessary that great economy should be observed in the expenditure of money, so that a burden may not be placed on the country greater than it can bear.

I do not propose to take up the time of the House any longer. I have tried to place before honourable gentlemen the position of affairs with regard to the finances of this country as I see them at the present time, and the necessity there is for economy in every possible direction.

The motion was agreed to, and the Bill was read the second time.

Hon. Sir JAMES LOUGHEED moved the third reading of the Bill.

The motion was agreed to, and the Bill was read the third time and passed.

THE WAR-TIME ELECTIONS ACT.

CONCURRENCE IN COMMONS AMENDMENTS.

The Senate proceeded to consider amendments made by the House of Commons to Bill 133, the War-time Elections Act.

The Clerk then read the amendments, which were as follows:

(a) By striking out paragraph 2 of subsection 5 of the new section 65A provided by the said Bill the word "made" and inserting in each case the said word "completed" as said word appears on lines 19 and 21 of page 1162 of Votes and Proceedings of the House of Commons.

(b) By striking out of said paragraph 2 of said subsection 5 of section 65A the words "except the issuance in any necessary case of a certificate in form W/3 under paragraph (g) of section 67," which words appear in the 33rd, 34th and 35th lines of said Votes and Proceedings.

Hon. Mr. BOSTOCK: Can my honourable friend tell us what is the effect of these amendments?

Hon. Sir JAMES LOUGHEED: I cannot, out I presume, if the House of Commons in their wisdom choose to amend the Bill, and as it affects only the representatives of the people in the popular Chamber, that no objection can be taken to it. I understand they are made with the consent of both parties.

The amendments were concurred in.

PROROGATION OF PARLIAMENT.

The Hon. the SPEAKER read a communication from the Governor General's Secretary announcing that His Excellency would proceed to the Senate Chamber at 5.30 o'clock p.m., this day, for the purpose of proroguing the present session of Parliament.

Hon. Sir JAMES LOUGHEED moved that the Senate adjourn during pleasure.

Hon. Mr. LANDRY: Before the motion is put, I would ask my honourable friend to be kind enough to let me know if he has any answers to give to my inquiries?

Hon. Sir JAMES LOUGHEED: I regret very much that I have not. By to-morrow I shall probably be able to answer my honourable friend.

Hon. Mr. LANDRY: If the honourable gentleman would be able to give me answers to-morrow I would keep the House in session until to-morrow. However, so that there may be no interference with the business of the country in general, perhaps the honourable gentleman would be kind enough to send me the answers. I will relieve the anxiety that may exist in the minds of my honourable friends on this side if I get the answers.

Hon. Sir JAMES LOUGHEED: I will give the honourable gentleman the answers.

The motion was agreed to, and the Senate adjourned during pleasure.

At 5.30 the sitting was resumed.

His Excellency the Governor General, having come and being seated on the Throne;

His Honour the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House that: " It is His Excellency the Governor General's pleasure they attend him immediately in the Senate,"

Who being come with their Speaker;

The Clerk of the Crown in Chancery read the Titles of the Bills to be passed, as follows:

An Act respecting the Minister of the Overseas Forces, the Parliamentary Secretary of the Department of Militia and Defence, and the Parliamentary Under-Secretary of State for External Affairs.

An Act respecting Game in the Northwest Territories.

An Act to amend The Meat and Canned Foods Act.

An Act to amend An Act in aid of Provincial Legislation prohibing or restricting the sale or use of Intoxicating Liquors.

An Act providing for the acquisition by His Majesty of the capital stock of the Canadian Northern Railway Company.

An Act to incorporate the Imperial Order Daughters of the Empire and the Children of the Empire (Junior Branch).

An Act respecting Live Stock.

An Act to amend the Criminal Code (respecting Insurance).

An Act to authorize the levying of a War Tax upon certain incomes.

An Act to incorporate The Army and Navy Veterans in Canada.

An Act to amend The Companies Act.

An Act to amend The Dry Docks Subsidies Act, 1910.

An Act respecting Insurance.

The Military Voters' Act, 1917.

An Act concerning the payment of salaries or wages of employees of railway companies, and to otherwise amend The Railway Act.

The War-time Elections Act.

An Act to amend the Judges Act.

An Act relating to War Charities.

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Excellency the Governor General doth assent to these Bills.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General, as follows:

May it please Your Excellency:

The Commons of Canada have voted the Supplies required to enable the Government to defray the Expenses of the Public Service.

In the name of the Commons, I present to Your Excellency the following Bills:—

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1918.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1918.

To these Bills I humbly request Your Excellency's assent.

Then, after the Clerk of the Crown in Chancery had read the titles of these Bills,

To these Bills the Royal Assent was pronounced by the Clerk of the Senate in the following words:

In His Majesty's name, His Excellency the Governor General thanks His Loyal Subjects, accepts their benevolence, and assents to these Bills.

After which His Excellency the Governor General was pleased to close the seventh session of the twelfth Parliament of the Dominion of Canada with the following Speech:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

Important measures for the effective prosecution of the war have engaged your close attention during a long session, and I am now happy to release you from further attendance.

Since your labours began, the high and worthy character of our cause has been confirmed by two significant events. Our allies, the Russian people, are engaged under trying circumstances, in establishing institutions which shall fully conform to their ideals of liberty and order. In the midst of inevitable difficulties, which command our sympathy, they have affirmed their determination to remain faithful to the Alliance.

The United States of America, refusing to tolerate the arrogance and menace of Prussian Militarism have made common cause with the Allies and are vigorously co-operating in the struggle for freedom and humanity. Already the Canadian people have given many expressions of the warm welcome with which they greet their great kindred neighbour as a comrade in arms.

The meetings of the Imperial War Cabinet and Imperial War Conference in the early part of the year have very materially facilitated the thorough co-operation of the Dominion, both in the prosecution of the war in preparation for the future. They constitute also an important step in the development of constitutional relationships between the nations of the British Commonwealth.

Notwithstanding the increasing military strength of the allied nations, the stubborn resistance of the enemy in all important theatres of the war demonstrates the need of throwing our utmost effort into the struggle and thus hastening the day of abiding peace. In the western theatre the Canadian Army Corps, by its capture of the coveted Vimy Ridge and by its recent operations at Lens, has sustained its distinguished record and contributed in important measure to the ascendancy which the Allies have gained in that theatre.

In order to secure the reinforcements essential for the support of our forces further steps have become necessary, and the authority you have granted for compulsory military enlistment on a selective basis will meet the urgent need for reinforcements. At the same time it will provide the means for conserving more effectively the essential agricultural and industrial activities of the Dominion.

You have recognized your duty in providing the best possible safeguards for enabling those engaged in the defence of their country to have their voice in the decision of national questions which vitally affect them. For this purpose, as well as to give due recognition to service and sacrifice in the affairs of the State, the necessary adjustments which you have made in the legislation relevant to these matters will doubtless prove effective.

The legislation you have passed for the purpose of assisting returned soldiers to settle upon the land will not only aid materially in restoring these gallant men to their rightful status in the community but should greatly increase the agricultural production of the country.

The appointment of a Food Controller and of a Fuel Controller invested with important powers and duties is founded upon the impressive need of the utmost economy and saving in order that our national strength may continue unimpaired.

In order that our industries may be equipped to cope with the intricate problems of the future, provision has been wisely made for promoting scientific and industrial research.

Important progress has been made in solving our difficult problems of railway transportation, and the means have been provided whereby a great railway system shall become the property of the people of Canada and be added to their national undertakings;

Gentlemen of the House of Commons:

In the name of His Majesty I thank you for the liberal provision you have made for the needs of the public service and for the prosecution of the war.

Hounourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

Although the stress of the war becomes increasingly severe, the people of Canada, resolute in the supreme purpose of achieving through victory an abiding peace, have not faltered; and I am confident that whatever further efforts are necessary will be unhesitatingly put forth in the stern determination that the vast sacrifices already made shall not be in vain.

The Honourable the Speaker of the Senate then said:

Honourable Gentlemen of the Senate:

Gentlemen of the House of Commons:

It is His Excellency the Governor General's will and pleasure that this Parliament be prorogued until Thursday, the 1st day of November next, to be here holden, and the Parliament is accordingly prorogued until Thursday, the 1st day of November next.

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